

Minutes

Ordinary Council Wednesday, 18th November, 2015

Attendance

Cllr Reed (Chair)	Cllr McCheyne
Cllr Mrs Hones (Vice-Chair)	Cllr Mrs McKinlay
Cllr Aspinell	Cllr Morrissey
Cllr Barrell	Cllr Mrs Murphy
Cllr Barrett	Cllr Mynott
Cllr Carter	Cllr Newberry
Cllr Chilvers	Cllr Parker
Cllr Cloke	Cllr Poppy
Cllr Mrs Coe	Cllr Ms Rowlands
Cllr Mrs Davies	Cllr Russell
Cllr Faragher	Cllr Ms Sanders
Cllr Mrs Henwood	Cllr Mrs Slade
Cllr Hirst	Cllr Sleep
Cllr Mrs Hubbard	Cllr Mrs Squirrel
Cllr Keeble	Cllr Tee
Cllr Kendall	Cllr Trump
Cllr Kerlake	Cllr Wiles

Apologies

Cllr Clark
Cllr Hossack

Officers Present

Greg Campbell	- Project Manager - Customer Transformation
Philip Drane	- Planning Policy Team Leader
Gordon Glenday	- Head of Planning & Development
Chris Leslie	- Finance Director
Chris Potter	- Monitoring Officer & Head of Support Services
Philip Ruck	- Head of Paid Service
Jean Sharp	- Governance and Member Support Officer
Daniel Toohey	- Head of Legal

222. Apologies for Absence

Apologies were received from Cllrs Clark and Hossack.

223. Declarations of Interest

No declarations of interest were made.

224. Mayor's Announcements

At the Mayor's request, all present stood in silent tribute to former Brentwood councillor and mayor Charles Myers who died in October, also remembering those who had died in the recent terrorist attack in Paris.

The Mayor recounted some of the engagements he had undertaken since the last ordinary Council meeting then invited the Leader of the Council, Cllr Mrs McKinlay, to make a statement regarding the possible resettling of a family of Syrian refugees within the borough.

225. Result of Shenfield By-election

The Head of Paid Service, Mr Ruck, reported the results of the by-election held in respect of Shenfield Ward on 29 October 2015 and welcomed Cllr Jan Pound to the Council.

226. Minutes of the previous meeting

The minutes of the Ordinary Council meeting held on 16 September 2015 were approved as a true record.

227. Public Questions

Two public questions had been received subsequent to the agenda being published, as follows: Both were put by Dr Barrett:

Question 1:

As a South Weald resident, I have only one representative on this Council. Residents of other wards have two or three. In the Borough of Brentwood the number of electors per councillor is also far from consistent with variations of over 370 electors per councillor across the wards. Could the Leaders of the Groups on the Council please offer their preferred proposals to address this imbalance in representation?

Cllr Mrs McKinlay responded as follows:

The decision in terms of how the wards are made up within the borough is actually a decision that is taken by the Boundary Commission.

You are right that it is based on the number of heads and voters within that area however, I have been informed and indeed have jointly had conversations with them that in order to review it, there needs to be a minimum of 30% of the wards who are experiencing a discrepancy in between

what the figure should be versus what it is and under the current arrangements, it does not meet the criteria to review those numbers.

I should also stress and take the opportunity to say that certainly on this side of the Chamber, we have for some time now been talking about reducing the number of councillors and this would be one way in which we could deal with this but again, conversations with the Electoral Boundary Commission have proven very difficult and until we can overcome them we are as it is with the status quo currently as it is.

Cllr Aspinell responded as follows:

No surprise, I hold an alternative view and so does the group this side of the Chamber. We believe that there should not be a reduction in councillors because we know how hard working most of them are and to do our best is best served with the amount of councillors that we've currently got in Pilgrims Hatch, which is the sort of level that you need under the requirements.

There is quite a strong case that Brentwood North and Brentwood West are over subscribed so to speak.

I look forward to the future to increase those numbers to the District Plan and things like that and you could actually increase the numbers of councillors in the South Weald area by making some boundary changes or re-jigging of that. We have undertaken that process here in the past and I objected to it at that time and I am not going to go back on that, so I look forward to when we can have decent representatives in this town and that can only be done if you have got enough councillors to do that.

Putting too much burden on one or two people will get a bad service and you will not get the dedication that is currently given.

Cllr Barrett responded as follows:

The Labour Group believe that a more equitable system is possible, based on wards of equal representation in terms of number of Councillors. Brentwood's odd hybrid system with some residents voting three years out of four, some two years out of four and some one year out of four instinctively feels unreflective of fair democratic accountability.

Whilst we would await proposals on the appropriateness of any option from the Boundary Commission before firmly committing to a new structure we believe either single member or dual member wards to be the most effective level of representation and accountability.

We understand the current discrepancies are not large enough to trigger an automatic review of boundaries, but would encourage a request to be made at the earliest opportunity with an consensus agreement on the appropriate number of Councillors in total.'

Question 2:

South Essex Parking Partnership has recently changed the method of paying for residents and visitor permits across Brentwood. This move to a virtual system is almost impossible for those with limited internet capabilities to use, with many residents not even being informed of this change. Can the Leader of the Council please confirm Brentwood Borough Council's position on this and their involvement in this decision?

Cllr Mrs McKinlay responded as follows:

I welcome the question, not least because there has been quite a lot of misunderstanding and misrepresentation on this item. I do actually have Councillor Cloke here tonight who has done a lot of work in terms of raw facts and the background to this.

Cllr Cloke responded as follows:

I have got some additional information here and to be honest, I thought it would be good for the general public to know, because up until 2 weeks ago, I was not aware of what was happening.

To start off with and just to give you some background, contrary to the letter section in the Gazette today, South Essex Parking Partnership has nothing to do with Essex County Council and if residents have experienced problems in them taking accountability, this is the reason why.

The Mi-permit system introduction to Brentwood was agreed and approved long before I took over as a BBC representative to SEPP.

I was totally unaware of the impending introduction of the system, as it was never mentioned to me.

Having done some urgent research further to a telephone call from a resident of Brentwood North last week, I can state that the Mi-permit system was originally trialed in Chelmsford from May 2014 and was well received. A decision to launch the system at the SEPP meeting was made on 15 July 2014. The representative from Brentwood was Councillor David Kendell substituting for Councillor John Newberry.

The decision was agreed and approved as shown in item 8 of the minutes, they also state that it would be the responsibility of the Joint Committee member to keep Members fully informed and obviously, this did not happen.

Whilst the system is biased towards digital methods, SEPP is still approachable in the normal way and scaremongering that it is only accessible by digital methods is not acceptable.

Letters about the Mi-permit system were only sent to those holding annual permits as only their details were listed but I have copies of both the letter and the guidance which I will make available to Members as soon as possible.

The BBC website on this should be improved so that PDF downloads can be made available and to clarify applications can still be made by telephone.

I personally think it would be better for relevant documents to be made available through local papers.

228. Memorials or Petitions

No memorials or petitions were received.

229. Members' Questions on Chairs' Reports

Chairs' reports were before Members and no written questions had been received.

Oral questions were put and responded to by relevant Chairs.

230. Update on Local Development Plan

Members were reminded that, as part of preparing its new Local Plan, the Council had consulted the public and stakeholders at several stages. The most recent consultation took place between January-February 2015 when the Strategic Growth Options document was published. Initial consultation findings were presented to Ordinary Council on 24 March 2015.

Further analysis work had since taken place and this was now almost complete. A summary of findings was presented to Members in order to share information as it became available and the presentation included an update on Local Plan progress and other related documents, which in time would comprise the Council's Local Development Plan.

Cllr McCheyne MOVED and Cllr Trump SECONDED the recommendation in the report and following a discussion and a vote taken on a show of hands it was RESOLVED UNANIMOUSLY that:

Members receive the summarised Strategic Growth Options consultation findings and await more detailed analysis as part of Local Plan preparation in January 2016.

Officers were thanked for their work in relation to the development of the Local Draft Plan and for the informative presentation.

Reason for Recommendation

The presentation of summarised findings enables information to be shared as soon as possible about some of the responses received and key themes that the Council will need to consider as part of the plan making process. It also provides an opportunity to update on Local Plan preparation and other related documents, which in time will comprise the Council's Local Development Plan.

It is important to note that while summarised findings give an indication of comments received, these do not provide the full and final view. Comments will require further analysis and will be presented as part of a Consultation Statement to Members in due course.

231. Review of Political Balance

The purpose of the report before Members was to undertake a statutory review of the Council's political balance arrangements and to make appointments.

The Council was obliged to review the representation of political groups and the determination of the allocation of seats as prescribed under regulations made under section 15 of the Local Government and Housing Act 1989.

The trigger for this particular review was the recent increase in the membership of the Conservative Group on the Council following the Shenfield by-election held on 29 October 2015.

Cllr Mrs McKinlay MOVED and Cllr Kerslake SECONDED the recommendation in the report and following a vote on a show of hands it was RESOLVED that the seats allocated in Appendix A to the report be agreed with immediate effect and that the councillors nominated to serve on those bodies be duly appointed.

Reason for Recommendation

To comply with the statutory requirement to undertake a statutory review and to apply the political balance rules under section 15 of the Local Government and Housing Act 1989.

232. Adoption of the Vision for Brentwood 2016-19

The report requested Members to adopt the three year plan 'Vision for Brentwood' covering 2016 – 2019. This vision replaced the previous Corporate Plan 2013 – 16, and would set out clear strategic direction for the Council. It would lead to projects and programmes being formulated in order to deliver the plan's objectives.

Following public consultation on the Council's priorities, the draft Vision for Brentwood 2016 - 2019 was placed on deposit following the 15 September 2015 Policy, Resources and Finance Committee to the end of September. Following some minor amendments the 'Vision' was recommended by Policy , Finance and Resources Committee on 2 November 2015 to Full Council for adoption.

Cllr Mrs McKinlay MOVED AND Cllr Hirst SECONDED the recommendations within the report and following a full discussion and a vote taken on a show of hands, it was RESOLVED that:

- 1. The new draft corporate plan 'Vision for Brentwood' 2016-2019 be approved and adopted**
- 2. It be agreed that heads of service develop and mature work programmes to deliver the 'Vision for Brentwood' 2016-2019 in consultation with the chair of the relevant committee**
- 3. The Policy, Finance and Resources committee would be the programme board for the delivery of the new corporate plan 'Vision for Brentwood 2016-2019'.**

Officers were thanked for their work on the Vision for Brentwood.

Reasons for Recommendation

The recommendation was based on the previous comments received, the need for a plan to be adopted which identified political priorities, the need to be ever more efficient and develop a modern thinking and delivering council.

Also the need to identify projects to deliver the programmes of work from which the 'Vision' could be achieved.

233. Senior Officer Appointments

Members were advised that the Staff Appointments Committee met on 12 November 2015 to review the appointment of Philip Ruck as Interim Head of Paid Service as appointed at the 20 May 2015 Annual Council meeting.

The Committee resolved unanimously:

- 1. To recommend to Full Council the permanent appointment of Philip Ruck as Head of Paid Service.**
- 2. That Philip Ruck be paid a salary of £90,000 per annum plus £5,000 per annum performance related pay, such performance related pay to be subject to achievement of agreed objectives.**

3. That the salary structure for the post of Head of Paid Service be moved from a fixed point salary scale to an incremental pay scale, such incremental scale to be reviewed and progressed by the Council's HR advisors. The pay scale to range from £90,000 to £99,000 per annum.

Cllr Mrs McKinlay MOVED and Cllr Barrett SECONDED the recommendations within the report and following a discussion and a vote taken on a show of hands it was RESOLVED UNANIMOUSLY to approve:

1. The permanent appointment of Philip Ruck as Head of Paid Service.
2. That Philip Ruck be paid a salary of £90,000 per annum plus £5,000 per annum performance related pay, such performance related pay to be subject to achievement of agreed objectives.
3. That the salary structure for the post of Head of Paid Service be moved from a fixed point salary to an incremental pay scale, such incremental scale to be reviewed and progressed by the Council's HR advisors. The pay scale to range from £90,000 to £99,000 per annum.

Reason for Recommendation

The Staff Appointments Committee considered Mr Ruck's performance to date and were in agreement that the organization had progressed under his leadership.

Following consideration of this item, the meeting adjourned for a short comfort break.

234. Notices of Motion

Seven Notices of Motion had been submitted in accordance with the Council's procedure rules.

1. Cllr Chilvers had submitted the following motion:

Peace Mile for Brentwood

'In May 1986, the late Spiritualist Teacher, Sri Chinmoy, inaugurated the 'Sri Chinmoy Peace Mile' at Cutteslowe Park, Oxford. Sri Chinmoy devoted his life (1931-2007) to the pursuit of a dream: a world where harmony and oneness reign supreme.

The Peace Mile is designed to offer runners and walkers a focused mile-long loop dedicated to peace.

After the inauguration of the Peace Mile, a two mile race was organised for local school children and since then this has been the focus of many community running and walking events.

In the interests of promoting peace in our community, Brentwood Council will seek to establish a "Sri Chinmoy Peace Mile" trial during the financial year 2016/7 with a view to making a permanent peace mile in one of our key green spaces'.

Cllr Newberry **SECONDED** the Motion and following a discussion Cllr Chilvers proposed an alteration to the Motion, ie to delete 'Sri Chinmoy' from the final paragraph. The Monitoring Officer advised that an alteration needed the consent of the Council which was indicated by a vote taken on a show of hands.

Cllr Mrs McKinlay proposed an **AMENDMENT** to the motion which Cllr Chilvers and Cllr Newberry **ACCEPTED** and following a discussion it was **RESOLVED UNANIMOUSLY** that the substantive motion be **CARRIED**, the final paragraph now reading: *'In the interests of promoting peace in our community, Brentwood Council Members will seek to establish a "Peace Mile" trial during the financial year 2016/17 with a view to making a permanent peace mile in one of our key green spaces'.*

Cllr Chilvers requested that the 'Peace Mile' concept be considered by the Community and Health Committee to which the Chair, Cllr Russell, agreed.

2. Cllr Barrett submitted the following motion:

Living Wage Motion

This Council notes:

- 1. That the Living Wage is a level of pay based on the principle that full-time work should guarantee a decent standard of living.*
- 2. That even in difficult financial circumstances, more and more local authorities are now paying or have committed to pay the Living Wage.*
- 3. That the Mayor of London and the London Assembly have taken positive action to ensure all employees receive the Living Wage, whilst encouraging local businesses to do the same.*
- 4. That the Living Wage is set annually and independently.*
- 5. That the current levels are £9.40 an hour in London and £8.25 outside of London.*

Therefore this Council:

- 1. Supports in principle the introduction of a Living Wage to all directly engaged, contracted and sub-contracted staff.*
- 2. Will undertake investigations into the cost of fully implementing the Living Wage including the number of staff currently paid below the Living Wage, by how much and in what roles they work.*
- 3. Will adopt a policy of supporting the Living Wage in procurement on a case by case basis.*

4. *A report will be given to the next meeting of the Policy, Finance & Resources committee outlining the economic impact and allowing for a decision for the 2016/17 Budget.*
5. *That on confirmation of the decision to pay the Living Wage Brentwood Borough Council will seek accreditation as a Living Wage employer through the Living Wage Foundation.*

Cllr Morrissey **SECONDED** the motion and following a discussion a vote was taken on a show of hands and the **MOTION** was **LOST**.

Cllr Aspinell had submitted five motions on behalf of the Liberal Democrat Group and advised that he wished to withdraw the first of these.

Cllr Mynott **MOVED** and Cllr Kendall **SECONDED** the second Motion:

We call upon Brentwood Borough Council to use its Scrutiny Committee powers to scrutinise the Police and Crime Commissioner's decision to close Brentwood Police Station to the public and to reduce the number of PCSOs covering the area.

Cllr Barrett had submitted an **AMENDMENT** to the Motion which was **SECONDED** by Cllr Morrissey, as follows:

This Council notes:

1. *That the Police and Justice Act 2006 and the Crime and Disorder Act 1998 put specific obligations on Brentwood Borough Council in relation to policing and crime.*

2. *Specifically the council is required to have to have regard to crime and disorder implications when exercising its functions and have a committee (the "crime and disorder committee") with power to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions and to make reports or recommendations to the local authority with respect to the discharge of those functions.*

3. *That these functions cannot be assigned to another level of democratic accountability.*

4. *That the Council sends a representative to the Police & Crime Panel which holds the Police & Crime Commissioner to account.*

5. *That substantial cuts have been announced to Police services in Brentwood, including the closure of Brentwood Police Station's front desk and a considerable reduction from 26 to 7 in numbers of Police Community Support Officers serving Brentwood and Epping residents.*

This Council believes:

1. *That Brentwood residents will be directly impacted by these cuts to an unacceptable level.*

2. That other savings should be investigated including in the Office of the Police Commissioner.

3. That these cuts are inappropriate and must be rethought at the earliest opportunity.

4. That the Borough Council has a legal duty for the safety of its residents in relation to policing and crime. It will be unafraid to challenge circumstances that lead to this being put at risk.

Therefore this Council:

1. Will seek to investigate the impact of the cuts in Brentwood residents through the Audit, Scrutiny and Transformation Committee.

2. Will empower and encourage its representatives to the Police & Crime Panel to make the case against these cuts.

3. Will use all appropriate opportunities to challenge these cuts and seek to guarantee the long term future of Brentwood Police Station.

The **AMENDMENT** was **ACCEPTED** by Cllrs Mynott and Kendall and following a full discussion a recorded vote was requested in accordance with Rule 9.5 of the Council's procedure rules. Cllrs Carter and Mrs Squirrel had left the meeting before the vote was taken.

FOR: Cllrs Aspinell, Barrett, Chilvers, Mrs Davies, Mrs Hubbard, Keeble, Kendall, Morrissey, Mynott, Newberry (10)

AGAINST: Cllrs Mrs Coe, Faragher, Mrs Henwood, Hirst, Mrs Hones, Kerlake, McCheyne, Mrs McKinlay, Mrs Murphy, Parker, Poppy, Mrs Pound, Reed, Ms Rowlands, Russell, Ms Sanders, Slade, Sleep, Tee, Trump and Wiles (21)

ABSTAIN: Cllrs Barrell and Cloke (2)

The Motion was **LOST**.

In accordance with Rule 10 of the Council's procedure rules, Termination of Meetings, since the business of the meeting had not been concluded by three hours and fifteen minutes after its start, the Mayor interrupted the meeting and advised Members that the remaining three submitted motions would be voted upon without debate. A recorded vote on each Motion was requested in accordance with Rule 9.5 of the Council's procedure rules.

Cllr Aspinell's third submitted motion:

We, Brentwood Borough Council resolve to refer to the Local Government Ombudsman the Police and Crime Commissioner's decision to close Brentwood Police Station to the public and the Police Authority's possible maladministration of its budget as the residents and businesses of

Brentwood contribute £4.5 million per year for the purposes of police protection and enforcement.

FOR: Cllrs Aspinell, Chilvers, Mrs Davies, Mrs Hubbard, Kendall, Mynott, Newberry (7)

AGAINST: Cllrs Barrell, Cloke, Mrs Coe, Faragher, Mrs Henwood, Hirst, Mrs Hones, Kerlake, McCheyne, Mrs McKinlay, Mrs Murphy, Parker, Poppy, Mrs Pound, Reed, Ms Rowlands, Russell, Ms Sanders, Slade, Sleep, Tee, Trump and Wiles (23)

ABSTAIN: Cllrs Barrett, Keeble and Morrissey (3)

The Motion was **LOST**.

Cllr Aspinell's fourth submitted motion:

Brentwood Borough Council calls upon the Deputy Leader of the Council and the County Councillor for Hutton, Herongate and Ingrave to declare his opposition to the Police and Crime Commissioner's decision to close Brentwood Police Station to the public and reduce the PCSO coverage for this area.

FOR: Cllrs Aspinell, Chilvers, Mrs Davies, Mrs Hubbard, Kendall, Mynott, Newberry (7)

AGAINST: Cllrs Barrell, Cloke, Mrs Coe, Faragher, Mrs Henwood, Hirst, Mrs Hones, Kerlake, McCheyne, Mrs McKinlay, Mrs Murphy, Parker, Poppy, Mrs Pound, Reed, Ms Rowlands, Russell, Ms Sanders, Slade, Sleep, Tee, Trump and Wiles (23)

ABSTAIN: Cllrs Barrett, Keeble and Morrissey (3)

The Motion was **LOST**.

Cllr Aspinell's fifth submitted motion:

With Essex Police facing £63 million of cuts over the next five years, Brentwood Borough Council believes there should be an independent and/or judicial review into the Essex Police Authority's maladministration of its budget during the last ten years it was in office and the financial management of Essex Police resources by the Police Commissioner during his time in office.

FOR: Cllrs Aspinell, Chilvers, Mrs Davies, Mrs Hubbard, Kendall, Mynott, Newberry (7)

AGAINST: Cllrs Barrell, Cloke, Mrs Coe, Faragher, Mrs Henwood, Hirst, Mrs Hones, Kerlake, McCheyne, Mrs McKinlay, Mrs Murphy, Parker, Poppy, Mrs Pound, Reed, Ms Rowlands, Russell, Ms Sanders, Slade, Sleep, Tee, Trump and Wiles (23)

ABSTAIN: Cllrs Barrett, Keeble and Morrissey (3)

The Motion was **LOST**.

235. Urgent Business

The Mayor considered the following matter to be urgent business since Cllr Hirst had stood down as Deputy Leader and it was a function of Full Council to elect a Member to this role.

Cllr Mrs McKinlay MOVED and Cllr Hirst SECONDED and following a vote on a show of hands it was RESOLVED that Cllr John Kerslake be elected as Deputy Leader of the Council.

The meeting ended at 22.30 hrs.

236. Shenfield by Election results