

MINUTES of ANNUAL MEETING OF THE MALDON DISTRICT COUNCIL 19 MAY 2011

PRESENT

Presiding Chairman Councillor R J S Long

Councillors J P F Archer, H M Bass, Mrs A M Beale, B S Beale,

R G Boyce CC, A T Cain, Mrs P A Channer CC,

A R Cheshire, A J Cussen, F A Delderfield, R P Dewick, M F L Durham, P G L Elliott, A Fluker, Mrs B D Harker, B E Harker, M S Heard, D G Horner, M R Pearlman, R H G Porter, R Pratt, N R Pudney, S J Savage,

Rev. A E J Shrimpton, D M Sismey, Mrs M Thompson,

Miss S White, D N Williams and M J Wood.

1. ELECTION OF CHAIRMAN

It was proposed by Councillor A T Cain and seconded by Councillor J P F Archer that Councillor R J S Long be re-elected Chairman of the Maldon District Council for the ensuing Municipal Year.

There being no further nominations it was:

RESOLVED that Councillor R J S Long be re-elected Chairman of the Maldon District Council for the ensuing Municipal Year.

2. CHAIRMAN'S STATUTORY DECLARATION OF ACCEPTANCE OF OFFICE

Councillor R J S Long made the Statutory Declaration of Acceptance of the Office of Chairman of the Council.

IN THE CHAIR: COUNCILLOR R J S LONG

Councillor Long thanked Members of the Council for electing him for a second term and referred to the great value and respect he placed on this position. He re-affirmed that he would not be a member of the Conservative Group during his year of office but would remain a Conservative for the purposes of political balance. Therefore he would present, as Chairman, a neutral stance at all meetings of the Council.

3. APPOINTMENT OF VICE-CHAIRMAN

It was proposed by Councillor R J S Long, and seconded by Councillor Mrs B D Harker that Councillor A T Cain be re-appointed Vice-Chairman of the Maldon District Council for the ensuing Municipal Year.

There being no further nominations it was:

RESOLVED that Councillor A T Cain be re-appointed Vice-Chairman of the Maldon District Council for the ensuing Municipal Year.

4. VICE-CHAIRMAN'S STATUTORY DECLARATION OF ACCEPTANCE OF OFFICE

Councillor A T Cain made the Statutory Declaration of Acceptance of the Office of Vice-Chairman of the Council.

5. APOLOGY FOR ABSENCE

An apology for absence had been received from Councillor Miss M R Lewis.

6. DECLARATIONS OF INTEREST

Councillor R G Boyce declared a personal but non prejudicial interest in any items relating to Essex County Council and Essex Police Authority.

Councillor Mrs P A Channer declared a personal but non prejudicial interest in any items relating to Essex County Council as she was a County Councillor.

7. MINUTES – 25 MARCH 2011

RESOLVED that the Minutes of the meeting of the Council held on 25 March 2011 be approved and confirmed.

8. CHAIRMAN'S ANNOUNCEMENTS

The Chairman congratulated Councillor Savage on his recent appointment as Mayor of Maldon and referred to the honour surrounding such an appointment to this ancient town which elected its first mayor in the 17th Century.

The Council was advised that the Chairman would be holding two barge trips for civic leaders and Members to increase awareness of the sailing barge to a wider audience, whilst raising money for the Royal National Lifeboat Institute, one of the Chairman's charities.

He would also be supporting Armed Forces Day on Monday 20 June at the Council Offices and the event would also celebrate the 90th anniversary of the Royal British Legion.

As Chairman of the Council, he announced that he would be supporting the same charities as last year (as detailed below) and made reference to the recent presentation of cheques to these charities:

- Royal National Lifeboat Institution (RNLI);
- Essex Air Ambulance; and
- Buddies a charity that do vital work with children in this area.

Members were reminded of the recent passing of Derek Stansbury, Chairman of Rochford District Council.

The Chairman advised that the Council had received a special plaque from Essex Police, which was presented to the Park Rangers and the Council for their outstanding work and contribution under the community accreditation scheme. Councillor Mrs B D Harker was asked to receive this on behalf of the Council as the Chairman of the Community Services Committee.

Following the recent District Election, eight new Members were welcomed to the Council and given a round of applause.

A list of the official engagements attended by the Chairman since the last meeting of the Council is reproduced below:

26 March	Brentwood Big Band, Brentwood School
29 March	Uttlesford Civic Dinner
2 April	Castle Point Civic Dinner
4 April	ECC Millennium Fund & Chairman's Fund Awards Ceremony
5 April	Combined Military Museum meeting with Russian Delegation
6 April	ECC Chairman's Dinner
Q April	Museum of Power Starting of Engine
8 April	Essex Police Presentation Awards to Park Rangers
14 April	Maldon & District RNLI AGM
15 April	Official Opening of Helen Court, Riverview, Witham
15 April	Burnham Town Council Annual Civic Reception
4 May	Maldon Town Council Special Bollywood Night
9 May	Presentation of Plaque to Dengie Parish Council
12 May	Maldon Town Council Mayor's and MDC Chairman's presentation of Cheques to nominated Charities.
13 May	Colchester Borough Council Mayor's Spring Banquet
16 May	Funeral of Derek Stansby

9. MINUTES OF SOUTH EASTERN AREA PLANNING COMMITTEE - 9 MARCH 2011

RESOLVED that the Minutes of the meeting of the South Eastern Area Planning Committee held on 9 March 2011 be received and adopted.

10. MINUTES OF CENTRAL AREA PLANNING COMMITTEE - 16 MARCH 2011

RESOLVED that the Minutes of the meeting of the Central Area Planning Committee held on 16 March 2011 be received and adopted.

11. MINUTES OF STANDARDS COMMITTEE - 22 MARCH 2011

RESOLVED

(i) that the Minutes of the meeting of the Standards Committee held on 22 March 2011 be received.

Councillor S J Savage advised that the first bullet point of Minute No. 773 was incorrect as the prosecution referred to had been withdrawn and not discontinued.

RESOLVED

(ii) that the Minutes of the meeting of the Standards Committee held on 22 March 2011, be adopted.

12. MINUTES OF NORTH WESTERN AREA PLANNING COMMITTEE - 28 MARCH 2011

RESOLVED that the Minutes of the meeting of the North Western Area Planning Committee held on 28 March 2011 be received and adopted.

13. MINUTES OF COMMUNITY SERVICES COMMITTEE - 29 MARCH 2011

RESOLVED

(i) that the Minutes of the meeting of the Community Services Committee held on 29 March 2011 be received.

The Council received the Committee's recommendations on the following matters:

<u>Minute 818 - Community Safety Partnership Strategic Assessment &</u> Partnership Plan 2011 / 12

RESOLVED

(ii) that the Strategic Assessment, attached at Appendix 1 to the Committee's Minutes, and the Partnership Plan, available in the Members' Room, for the period 1 April 2011 to 31 March 2012, be endorsed.

Minute 822 - Fields in Trust: Proposals for Queen Elizabeth II Fields

Councillor B S Beale requested that the terms of operation for the second fields be investigated. He made reference to King George V Memorial Field and suggested that there should be conditions linked to the field which restrict its use to the benefit of the local people. In response Councillor Mrs B D Harker, the Chairman of the Committee advised that Officers would take Councillor Beale's comments into consideration.

Minute 826 - Waste and Environment Services Contract Update

RESOLVED

(iii) that the Task and Finish Group be reconvened, consisting of three new Members of the Community Services Committee and tasked with ensuring the evaluation process runs to time and to make recommendations to the Committee on which service packages and optional services to adopt.

RESOLVED

(iv) that subject to the above decisions the Minutes of the meeting of the Community Services Committee held on 29 March 2010, be adopted.

14. MINUTES OF SOUTH EASTERN AREA PLANNING COMMITTEE - 4 APRIL 2011

RESOLVED

(i) that the Minutes of the meeting of the South Eastern Area Planning Committee held on 4 April 2011 be received.

Minute 830 - Members Briefing- Enforcement Procedures

It was noted that Councillor B S Beale's proposition contained within the third paragraph should have read as follows:

"...the Council not look at places like Crays Farm, but look at its own properties to ensure they did not go down a similar route."

Minute 831 – Planning Applications for Determination by the Committee

Councillor Beale pointed out that when a Ward Member raised a point in relation to a particular planning application this should be noted as such in the Minutes and attributed to that Ward Member. He explained that in the absence of this Ward

Members had no accountability. The Chairman advised that the Chief Executive would ensure this happened in the future.

RESOLVED

(ii) that the Minutes of the meeting of the South Eastern Area Planning Committee held on 4 April 2011, be adopted.

15. MINUTES OF OVERVIEW AND SCRUTINY COMMITTEE - 6 APRIL 2011

RESOLVED that the Minutes of the meeting of the Overview and Scrutiny Committee held on 6 April 2011 be received and adopted.

16. MINUTES OF FINANCE AND CORPORATE SERVICES COMMITTEE - 12 APRIL 2011

RESOLVED

(i) that the Minutes of the meeting of the Finance and Corporate Services Committee held on 12 April 2011 be received.

The Council received the Committee's recommendations on the following matters:

Minute 844 – Corporate Customer Charter - Update

RESOLVED

(ii) that the revised Customer Charter, attached as Appendix 2 to the Minutes of the Committee, be approved.

Minute 848 – Annual Review of Contract Procedure Rules

It was agreed that under section 8.1.1 the Chairman of the relevant programme Committee be included in the proposed amendments.

RESOLVED

(iii) that the Council's Contract Procedure Rules be amended as set out below:

Change	Amendment	Comment
Section 3.4 -	Add – and where appropriate	Currently not consistent
	the Chairman of the Finance &	with other exemption
Exemptions	Corporate Services Committee	clauses.
	Change to - The receipt of	To add clarification that
Section 8.1.1 –	three written quotations (This	three written quotes must
Purchasing Thresholds	requirement may be waived	be received and not just
£2,001 - £30,000	with the written consent of the	requested. This will
	Head of Financial Services in	sometimes prove difficult

Change	Amendment	Comment
	consultation with the Chairman of the Finance & Corporate Services Committee and relevant Committee Chairman)	so also add in exemption mechanism as per other clauses.
Section 8.5.1 – Consultant Thresholds £2,001 - £30,000	Change to - The receipt of three written quotations	To add clarification that three written quotes must be received and not just requested.
Section 15.5 – Evaluation and award	Replace existing wording with For tenders up to the EU Threshold it is best practice to inform all Tenderers of the intention to award and give unsuccessful Tenderers an opportunity to request feedback on their submission	Existing wording is unnecessarily onerous on the authority and should be updated.
New Section 8.15	In order to achieve the receipt of three written quotations it may be necessary to invite more than three quotations initially or to seek further quotations. If this is not possible due to either time constraint or a limited supplier market then an exemption request should be completed	To add clarification to the changes to thresholds set out above for Section 8.

Minute 850 – Members Allowances

Councillor Mrs B D Harker read a statement regarding the immediate cancellation of special responsibility allowances following the recent District election. She proposed that an additional recommendation be added asking the Independent Members Remuneration Panel (IMRP) look at the situation regarding this cancellation.

Following further debate the Chief Executive suggested that the Corporate Governance Working Group (CGWG) be asked to look at this issue and clarify the legal position, reporting back to Members with clear guidance to be included in the constitution. The Council's Legal Advisor reported that she would be happy to assist the CGWG and Members. This was agreed.

In light of the above Councillor Mrs Harker withdrew her earlier proposition.

RESOLVED

(iv) that increases from 1 April 2011 in Members Allowances be linked to the National Joint Council (NJC) Local Government pay award mechanism that applies to Officers pay, be agreed;

- (v) that the Independent Members Remuneration Panel's (IMRP) proposed plan of action and timetable for reviewing the Members Allowance scheme is noted;
- (vi) that the IMRP be requested to look at the situation with regard to the new Information Commission Office fees for Members;
- (vii) that the Corporate Governance Working Group be asked to look at the legal position regarding special responsibility allowances and report back to Members with clear guidance to be included in the constitution.

Minute 851 – Letter from the Information Commissioner's Office

Councillor P G L Elliott, the Chairman of the Committee proposed that in addition to what had been agreed a further resolution (v) be added requesting that for the year 2011 / 12 the Council pays the membership costs on behalf of Members'. This proposal was duly seconded and upon a vote being taken was agreed.

RESOLVED

(viii) that for 2011 / 12 the Council pays the membership costs on Members' behalf.

Minute 852 – Christmas Closure 2011

Councillor Mrs P A Channer reiterated her views raised that the meeting of the Finance and Corporate Services Committee against the proposal and supported the closure of the Council offices during the Christmas period. She then proposed that the offices close during the Christmas period. This proposal was not seconded.

The Chairman then put the recommendations of the Committee to the Council and upon a vote being taken these were agreed.

RESOLVED

- (ix) that the Council Offices be closed at 12:30pm on Friday 23 December 2011;
- (x) that following the two public holidays at Christmas, the offices be open for the remainder of that week, namely Wednesday 28 to Friday 30 December 2011 and then reopen on Tuesday 3 January 2012.

Minute 853 – Shared Office Accommodation

In response to a question regarding recording the commercial amount of these offers in the Council's accounts, Councillor Elliott advised that the individual or groups would be invoiced to ensure transparency on the account.

RESOLVED

(xi) that the draft policy on sharing office accommodation, attached at Appendix 3 to the Minutes of the Committee, be approved;

- (xii) that approval of requests for office space for a period of up to two years be delegated to the Head of Customer and Democratic Services, in consultation with the Chairman of the Finance and Corporate Services Committee and the Leader of the Council;
- (xiii) that any decisions be reported to Members.

Minute 855 – Business Sponsorship

RESOLVED

- (xiv) that Officers be authorised to terminate the contract with Immediate Solutions, in consultation with the Council's legal advisors;
- (xv) that sponsorship is arranged directly by the Council's Leisure and Liveability Service.

RESOLVED

(xvi) that subject to the above decisions the Minutes of the meeting of the Finance and Corporate Services Committee held on 12 April 2011, be adopted.

17. MINUTES OF CENTRAL AREA PLANNING COMMITTEE - 13 APRIL 2011

RESOLVED that the Minutes of the meeting of the Central Area Planning Committee held on 13 April 2011 be received and adopted.

18. MINUTES OF PLANNING AND LICENSING COMMITTEE - 14 APRIL 2011

RESOLVED

(i) that the Minutes of the meeting of the Planning and Licensing Committee on 14 April 2011 be received.

The Council received the Committee's recommendations on the following matters:

<u>Minute 871 – Council Constitution – Terms of Reference and Scheme of Delegation</u>

Councillor Mrs P A Channer asked that her opposition to the proposals be recorded and outlined her concerns. Other Members outlined their views in relation to the proposed changes. Councillor D G Horner then proposed that this matter be referred back to a future meeting of the Planning and Licensing Committee.

RESOLVED

- (ii) that the following revisions to the terms of reference / scheme of delegation of the Area Planning Committee be referred to a future meeting of the Planning and Licensing Committee.
 - (a) that in paragraph (a)(i)(1) the number of dwellings is increased from 9 to 10:
 - (b) that in paragraph (a)(i)(2) on sites where the site area is 1hectare or more the following matters will not be required to be referred to an Area Planning Committee for determination -
 - Householder developments, e.g. extensions/outbuildings up to 75sq m floor area;
 - Changes of use of an area not exceeding 0.5ha;
 - Permitted development the subject of an Article 4 Direction.

Minute 872 - Public Speaking at Planning Committee Meetings

RESOLVED

(iii) that the Council agrees to the extension of the public speaking facility to meetings of the Planning and Licensing Committee in the circumstances as set out in the above Minute.

Minute 877 – Maldon District Council's Local Investment Plan

RESOLVED

(iv) that subject to the revisions referred to in the Minutes of the Committee, the initial draft of the Local Investment Plan be accepted as a basis for further discussion with the Homes and Community Agency, and that an annual review and update be submitted to the Community Services Committee.

RESOLVED

(v) that subject to the above decisions the Minutes of the meeting of the Planning and Licensing Committee on 14 April 2011, be adopted.

19. QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 6 (2) OF WHICH NOTICE HAS BEEN GIVEN

There were no questions.

20. LEADERS AND COMPOSITION OF POLITICAL GROUPS

The Council considered the report of the Chief Executive, tabled at the meeting.

As required by the Local Government and Housing Act 1989, the Chief Executive had been notified that the composition of the political Groups on the Council were as follows:-

Political Group	Number of Members	Leader
Conservative	28	Councillor J P F Archer
Independent	3	Councillor B S Beale

In accordance with the Council's Conventions, Councillor J P F Archer was therefore recognised as Leader-designate.

RESOLVED

(i) that the Leader-designate, Councillor J P F Archer, be ratified as Leader of the Council;

Councillor F A Delderfield then proposed that Councillor A R Cheshire be elected as Deputy Leader of the Council and this was seconded by Councillor J P F Archer.

RESOLVED

(ii) that Councillor A R Cheshire be elected as Deputy Leader of the Council for the ensuing Municipal Year.

At this time the Chairman of the Council made a presentation to Councillor Mrs P A Channer thanking her for the three years she had served as Leader of the Council. Councillor Mrs Channer, in response, thanked the Chairman and Members for the support given to her and wished Councillor Archer every success as the new Leader of the Council.

21. APPOINTMENT OF MEMBERSHIP OF COMMITTEES OF THE COUNCIL

The Council considered the report of the Chief Executive, tabled at the meeting.

RESOLVED

(i) that the allocation of seats to the political groups as set out in the Chief Executive's report be approved and that the allocation of seats on Committees be ratified in the following manner:-

	Con.	Ind.	
Finance and Corporate Services Committee	8	1	
Community Services Committee	8	1	
Planning and Licensing Committee	9	1	
Overview and Scrutiny Committee	7	1	
Standards Committee	3	1	+ 2 Non Councillors + 2 Parish Councillors

(ii) that having regard to the nominations by the two political groups the Membership of Committees for the ensuing Municipal Year be as follows:-

Finance and Corporate Services Committee		J P F Archer R G Boyce, CC P G L Elliott B E Harker M S Heard D G Horner R H G Porter Rev. A E J Shrimpton D Sismey o non-voting Members: r of the Council Opposition
Community Services Committee	Councillors: Plus ex-officion Leader of the Leader of the	
Planning and Licensing Committee	Leader of the	H M Bass Mrs A M Beale B S Beale Mrs P A Channer, CC F A Delderfield R P Dewick Miss M R Lewis M R Pearlman S J Savage Mrs M Thompson O non-voting Members: Council r of the Council

Overview and Scrutiny Committee	Councillors:	A J Cussen F A Delderfield R P Dewick A Fluker D G Horner Miss M R Lewis
		N R Pudney M J Wood
Standards Committee The appointment and tenure of office of the non-Council members is to be reviewed by the Corporate Governance Working Group	Councillors:	A T Cain F A Delderfield R Pratt M J Wood
for report back to the Council.	Non-Council	Members: Mrs V Chiswell Mr N Hodson
		llors: Councillor B M K Ascott Councillor Mrs R M Pink
Appeals Sub-Committee The constitution of the Sub-Committee		Leader of the Council Leader of the Opposition
provides for the Leader of the Council and Opposition Leader, plus three other Members.	Councillors	A J Cussen P G L Elliott D G Horner
	Substitutes:	To be advised
Appointments Committee Procedure Rule 16 (6) provides for the Chairman of the Council, the Leader of the Council and Leader of the Opposition, plus up to three other Members.	Councillors	Chairman of the Council Leader of the Council Leader of the Opposition R Pratt F A Delderfield
	Plus Chairma Committee	n of appropriate

In accordance with the Local Government (Committees and Political Groups) Regulations 1990 Part IV, Paragraph 16(a), the membership of the Area Committees is confirmed as follows:

Councillors A T Cain A R Cheshire Mrs B D Harker B E Harker M S Heard Miss M R Lewis M R Pearlman S J Savage Rev. A E J Shrimpton D N Williams Plus ex-officio non-voting Member: Chairman of Planning and Licensing North Western Area Councillors J P F Archer H M Bass F A Delderfield M F L Durham R J S Long R H G Porter D M Sismey Mrs M Thompson Miss S White Plus ex-officio non-voting Member: Chairman of Planning and Licensing South Eastern Area Councillors B S Beale R G Boyce, CC Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood Plus ex-officio non-voting Member: Chairman of Planning and Licensing	Central Area	Councillors: Mrs A M Beale
A R Cheshire Mrs B D Harker B E Harker M S Heard Miss M R Lewis M R Pearlman S J Savage Rev. A E J Shrimpton D N Williams Plus ex-officio non-voting Member: Chairman of Planning and Licensing North Western Area Councillors J P F Archer H M Bass F A Delderfield M F L Durham R J S Long R H G Porter D M Sismey Mrs M Thompson Miss S White Plus ex-officio non-voting Member: Chairman of Planning and Licensing South Eastern Area Councillors B S Beale R G Boyce, CC Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood Plus ex-officio non-voting Member:	Central Area	
Mrs B D Harker B E Harker M S Heard Miss M R Lewis M R Pearlman S J Savage Rev. A E J Shrimpton D N Williams Plus ex-officio non-voting Member: Chairman of Planning and Licensing North Western Area Councillors J P F Archer H M Bass F A Delderfield M F L Durham R J S Long R H G Porter D M Sismey Mrs M Thompson Miss S White Plus ex-officio non-voting Member: Chairman of Planning and Licensing South Eastern Area Councillors B S Beale R G Boyce, CC Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood Plus ex-officio non-voting Member:		
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D M Sismey Mrs M Thompson Miss S White Plus ex-officio non-voting Member: Chairman of Planning and Licensing Councillors B S Beale R G Boyce, CC Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood Plus ex-officio non-voting Member:		R J S Long
Mrs M Thompson Miss S White Plus ex-officio non-voting Member: Chairman of Planning and Licensing Councillors B S Beale R G Boyce, CC Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood Plus ex-officio non-voting Member:		R H G Porter
Miss S White Plus ex-officio non-voting Member: Chairman of Planning and Licensing Councillors B S Beale R G Boyce, CC Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood Plus ex-officio non-voting Member:		D M Sismey
Plus ex-officio non-voting Member: Chairman of Planning and Licensing Councillors B S Beale R G Boyce, CC Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood Plus ex-officio non-voting Member:		Mrs M Thompson
South Eastern Area Councillors B S Beale R G Boyce, CC Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood Plus ex-officio non-voting Member:		Miss S White
South Eastern Area Councillors B S Beale R G Boyce, CC Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood Plus ex-officio non-voting Member:		Plus ex-officio non-voting Member:
R G Boyce, CC Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood		
R G Boyce, CC Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood	South Eastern Area	Councillors B S Beale
Mrs P A Channer, CC A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood		R G Boyce CC
A J Cussen R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood		
R P Dewick A Fluker P G L Elliott D G Horner R Pratt N R Pudney M J Wood		,
P G L Elliott D G Horner R Pratt N R Pudney M J Wood		
P G L Elliott D G Horner R Pratt N R Pudney M J Wood		A Fluker
D G Horner R Pratt N R Pudney M J Wood Plus ex-officio non-voting Member:		
R Pratt N R Pudney M J Wood Plus ex-officio non-voting Member:		
N R Pudney M J Wood Plus ex-officio non-voting Member:		
M J Wood Plus ex-officio non-voting Member:		
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		Plus ex-officio non-votino Member
Chairman of I tunning and Licensing		
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22. ADJOURNMENT OF MEETING

RESOLVED that the meeting be adjourned to allow special meetings to be held as follows:-

Finance and Corporate Services Committee, Community Services Committee, Planning and Licensing Committee, Overview and Scrutiny Committee, Central Area Planning Committee, North-Western Area Planning Committee and South-Eastern Area Planning Committee.

23. RESUMPTION OF BUSINESS

RESOLVED that the business of the Annual Meeting of the Council be resumed.

24. APPOINTMENT OF REPRESENTATIVES TO LOCAL GOVERNMENT AND OUTSIDE BODIES

The Council considered the report of the Chief Executive listing the nominations of the Leader Designate of the Council, tabled at the meeting.

Councillor Mrs B D Harker raised a point of order as substitutes were not listed on the list of representatives. The Chief Executive suggested that these be brought to the next meeting of the Council, this was agreed.

RESOLVED

- (i) that the appointment of representatives on Local Government and outside bodies as detailed in **APPENDIX 1** to these Minutes, be approved;
- (ii) that the appointment of substitutes on Local Government and outside bodies be brought of the next meeting of the Council.

25. APPOINTMENT OF MEMBERS TO SERVE ON THE CORPORATE GOVERNANCE WORKING GROUP

RESOLVED that Councillors B S Beale, R G Boyce CC, A R Cheshire, Mrs B D Harker and R J S Long be appointed to serve on the Corporate Governance Working Group.

26. COUNCIL AND COMMITTEE PROCEDURES – RULE 17 SUBSTITUTIONS

The Council considered the report of the Chief Executive informing Members of the opinion of the Monitoring Officer on the legality of the present substitution arrangements and for Members of Committees.

Following the last meeting of the Council where consideration was given to a recommendation from the Corporate Governance Working Group on the provision of substitutions, it was resolved that the opinion of the Monitoring Officer be sought. The opinion of the Monitoring Officer was outlined in the report.

It was noted that given the view of the Monitoring Officer the present system of substitutes was not unlawful and there was no need for the Council to look at introducing an alternative unless it was advantageous to do so.

Councillor Mrs P A Channer proposed that the current substitution arrangements be left unchanged. This proposal was duly seconded. Reference was made to the current ex-officio arrangement but Councillor R G Boyce raised a point of order as ex-officio arrangements were not being discussed at this time.

RESOLVED that the current substitution arrangements remain unchanged.

27. LOCAL GOVERNMENT ASSOCIATION - ANNUAL CONFERENCE AND EXHIBITION 2012

Consideration was given to the appointment of representatives to the Local Government Association Conference and Exhibition to be held in Birmingham from 28 to 30 June 2011.

Members considered the two resolutions outlined on the agenda. A number of Members outlined their views that due to the financial constraints on the Council that only one Member should attend.

Councillor B E Harker proposed that for this year the conference should not be attended in light of the current financial situation and felt the monies could be used elsewhere. This proposal was duly seconded.

Councillor J P F Archer then proposed that recommendation (ii) as outlined on the agenda be accepted. This proposal was duly seconded.

The Chairman then put Councillor Archer's proposition to the Council, upon a vote being taken the motion was declared lost. He then put the proposition from Councillor Harker that the Council did not attend the conference and upon a vote being taken this was agreed.

RESOLVED that the Council does not attend the Local Government Association Annual Conference and Exhibition for 2011.

28. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

29. MALDON DISTRICT LOCAL STRATEGIC PARTNERSHIP – UPDATE AND OFFICER SUPPORT

The Chairman advised that this report had been withdrawn and would be discussed at the next meeting of the Finance and Corporate Services Committee.

30. LOCAL DEVELOPMENT FRAMEWORK UPDATE

The Council received and noted the report of the Head of Planning Services updating Members on the current position of the Local Development Framework (LDF) and five year land supply.

The report provided an update on work which had taken place following the publication of the Localism Bill in December 2010. Briefing notes produced to assist the Member Officer Liaison group were attached at Appendix 1 to the report.

The report also informed Members and provided details in relation to:

- The Localism Bill;
- <u>Strategic Planning and the Duty to Compare</u> The bid for Transitional Funding for Growth to Communities and Local Government was attached as Appendix 2 to the report and Appendix 4 detailed work undertaken by Officers.
- Communities and Local Government Guidance;
- National Planning Policy Framework;
- <u>Five Year Supply of Deliverable Land for Housing</u> The guidance note to assist Officers with housing development enquiries was attached at Appendix 4 to the report.
- <u>Maldon District Housing Targets</u> Appendix 4 to the report detailed work undertaken by Officers.
- Local Development Framework Next Steps;

Members were informed that options would be presented to the July meeting of the Council to enable further discussions and the endorsement of the way ahead for the LDF.

RESOLVED that the report be noted.

The Chairman closed the meeting at 8:57 p.m.

R J S LONG CHAIRMAN

APPOINTMENT OF REPRESENTATIVES ON LOCAL GOVERNMENT AND OUTSIDE BODIES 2011 - 2012

LOCAL GOVERNMENT BODIES	NOMINATIONS OF THE LEADER OF THE COUNCIL
East of England Local Government Association (formerly East of England Regional Assembly)	Leader of the Council
Essex Local Government Association (LGA)	Leader of the Council
Essex Partnership Executive Management Board (EMB)	Leader of the Council Substitute: Deputy Leader of the Council
Local Government Association (LGA)	Leader of the Council
Local Government Association (LGA) Rural Commission	Councillor A R Cheshire
Local Government Association (LGA) Urban Commission	Councillor S J Savage

The list of Outside Bodies seeking a Member(s) representative has been split into three. The first section covers Outside Bodies with a wide remit covering the whole of the Council's services. The second and third sections of the list cover Outside Bodies with particular remits that are closely aligned with the Community Services Committee and Planning and Licensing Committee respectively. In these instances, the Council may feel it is more appropriate to nominate Members who sit on those Service Committees.

OUTSIDE BODIES	NOMINATIONS OF THE LEADER OF THE COUNCIL
Bradwell Local Community Liaison Council	Councillor B S Beale Councillor A J Cussen Councillor R Pratt
British Red Cross Society – Essex County Branch	Chairman of the Council
Essex Outward Bound Association	Councillor B E Harker
Essex Partnership for Flood Management	On behalf of the Planning and Licensing Committee: Councillor Miss M R Lewis Substitute: To be appointed On behalf of the Community Services Committee: Councillor Mrs B D Harker Substitute: To be appointed
Maldon Citizens' Advice Bureau	Councillor Mrs A M Beale Councillor Mrs M Thompson Councillor Miss S White
Maldon District Local Strategic Partnership Steering Group	Leader of the Council

OUTSIDE BODIES	NOMINATIONS OF THE LEADER OF THE COUNCIL
Maldon Harbour Improvement Commissioners This position is an appointment as a Commissioner for a minimum period of three years (appointment will continue even if Member leaves the Council)	Councillor A R Cheshire (Appointed 2009)
Maldon District Business Association (formerly Maldon District Chamber of Trade and Commerce, Executive Committee)	Councillor Miss M R Lewis Substitute: To be appointed
Maldon District Rural Housing Task Group	On behalf of the Community Services Committee: Councillor Mrs B D Harker On behalf of the Planning and Licensing Committee: Councillor F A Delderfield
Mid Essex Hospital Services NHS Foundation Trust - Council of Governors	Councillor N R Pudney
NHS Mid Essex: Maldon Community Hospital and Primary Care Facilities Stakeholder Group	Leader of the Council Substitute: Deputy Leader of the Council Chairman of the Community Services Committee Substitute: Vice-Chairman of the Community Services Committee
Plume Educational Trust (Four yearly appointment)	Councillor A T Cain (to May 2015) Councillor D N Williams (to May 2015)
Relate – North Essex and East Herts (Family Services)	Councillor R Pratt
SPARSE	Councillor P G L Elliott

Outside Bodies aligned with the Community Services Committee's responsibilities.

OUTSIDE BODIES	NOMINATIONS OF THE LEADER OF THE COUNCIL
Colne Housing Society Limited	Councillor A R Cheshire
Drapers Farm Sports Club Committee	Councillor B E Harker
Essex Waste Inter Authority Agreement Member Working Group	Chairman of Community Services Substitute: Vice Chairman of Community Services
Essex Waste Member Partnership Board	Chairman of Community Services Substitute: Vice Chairman of Community Services
Health, Housing and Wellbeing Partnership	Chairman and Vice-Chairman of the
Board (Local Strategic Partnership)	Community Services Committee

OUTSIDE BODIES	NOMINATIONS OF THE LEADER OF THE COUNCIL
Maldon and District Community Transport	Councillor M F L Durham
Group	Councillor B E Harker
Mid Essex Local Children's and Delivery Commissioning Board ((formerly Mid Essex Children's Trust Board) (Local Strategic Partnership)).	Councillor N R Pudney
Moat Homes Ltd.	
Moat Homes Board (4 yearly appointment)	Councillor D N Williams (to May 2015)
Housing & Customer Services Committee (Annually)	Councillor S J Savage (to May 2012)
Parking and Traffic Regulations outside London Adjudication Joint Committee (PATROL) (formerly National Parking and Adjudication Service Joint Committee)	Councillor A R Cheshire Substitute: To be appointed
Responsible Authorities Group (RAG)	Councillor R J S Long
(Community Safety)	Substitute: To be appointed
South Essex Parking Partnership – Joint Committee (NB representative to be member of Community Services Committee)	Councillor A R Cheshire Substitute: (If use of substitute, must notify the Committee 30 minutes prior to the start of a meeting)
Sure Start Maldon Children's Centre and The Dengie Children's Centre Joint Advisory Board.	Councillor N R Pudney Substitute: To be appointed
West Maldon Community Association Management Committee	Councillor D N Williams

Outside Bodies aligned with the Planning & Licensing Committee's responsibilities.

OUTSIDE BODIES	NOMINATIONS OF THE LEADER OF THE COUNCIL
Blackwater Estuary Siltation Steering Group	Councillor Mrs P A Channer CC
"Dawn" Sailing Barge Trust Limited	Councillor R G Boyce CC
Essex Shoreline Management Plan Elected	Councillor A J Cussen
Members Forum	Councillor Miss M R Lewis
Local Area Highways Panel	Councillor A J Cussen
	Councillor F A Delderfield
	Councillor Mrs B D Harker
	Councillor Miss M R Lewis
	Councillor R Pratt
	Councillor Mrs M Thompson
Local Government Association Coastal Issues	Councillor Miss M R Lewis
Special Interest Group	Councillor ivitss ivi K Lewis
Local Government Flood Forum	Councillor Miss M R Lewis
	Substitute: To be appointed.

OUTSIDE BODIES	NOMINATIONS OF THE LEADER OF THE COUNCIL
Maldon District Business Partnership - Steering Group and Business Club	Councillor F A Delderfield
Place Shaping Local Strategic Partnership Sub-Group	Chairman of Planning and Licensing Committee Chairman of Planning Policy Panel (If these positions are held by the same person then the Vice-Chairman of the Planning Policy Panel or other nominated person will become the second representative)
Southend Airport Consultative Committee	Councillor P G L Elliott
Southminster Heritage Economic Regeneration Scheme Steering Group	Councillor A Fluker

