

**MINUTE BOOK**  
**(Overview and Scrutiny Committee)**

CHIEF EXECUTIVE'S OFFICE  
CHIEF EXECUTIVE  
Fiona Marshall

28 June 2018

Dear Councillor

**COUNCIL – 28 JUNE 2018**

Please find enclosed the Minutes of the Overview and Scrutiny Committee which form part of the Minute Book (see below), for consideration at the above meeting, which were unavailable when the agenda was printed.

9. **Minute Book** (Pages 3 - 10)

Yours faithfully

A handwritten signature in blue ink, reading 'Fiona Marshall', enclosed within a large, hand-drawn oval.

Chief Executive

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**MINUTES of  
OVERVIEW AND SCRUTINY COMMITTEE  
6 JUNE 2018**

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**PRESENT**

Chairman	Councillor M W Helm
Vice-Chairman	Councillor R P F Dewick
Councillors	P G L Elliott, M S Heard, S J Savage and Miss S White

**136. CHAIRMAN'S NOTICES**

The Chairman drew attention to the list of notices published on the back of the agenda.

**137. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors I E Dobson, and N R Pudney.

**138. MINUTES OF THE LAST MEETING**

**RESOLVED**, that the Minutes of the meeting of the Committee held on 28 March 2018 be approved and confirmed.

**139. PUBLIC PARTICIPATION**

There was none.

**140. DISCLOSURE OF INTEREST**

There was none.

**141. 2017/18 PROGRAMME OF WORK UPDATE AND 2018/19 PROGRAMME OF WORK**

The Committee received the report of the Director of Resources confirming the Committee's Work Programme for 2017 / 18, attached as Appendix 1 to the report.

The Director of Resources updated Members on the progress of work:

- Provision of Healthcare Services:
  - 1) Maldon Health Hub – Members were advised that this project has been withdrawn as Maldon District Council (MDC) can no longer commit resources and officer time to the project. When the NHS provides further commitment MDC will reconsider this project.
  - 2) Recruitment and Retention of GPs – MDC would continue to liaise with partners.
  
- Internal and External Communications:
  - 1) Members discussed the current IT package used by MDC, several Members of the Committee advised that they had problems receiving emails, whilst others advised that the system worked well and had experienced no problems. There was concern to response rates to emails, and it was agreed this item be considered at the next meeting.
  - 2) Members informed the Committee that not all seminars and meetings showed in Outlook calendars. It was requested that this be reviewed to ensure all appointments were uploaded to Member's calendars. A comment was raised that some assumption is placed on emails having been received and read when in fact this may not be the case

Members requested that an update on the Digital Strategy and its success rates be presented to a future meeting of the Committee in six months.

Members were requested to suggest new agenda items future meetings of this Committee.

Councillor P G L Elliott raised concerns over the choice based letting system. It was agreed that Councillor Elliott and the Director of Resources would meet for discussion on how to progress this.

**RESOLVED:**

- (i) Than an update on Internal and External Communications from the Director of Resources be considered at a future meeting of this Committee.
- (ii) That the following item be withdrawn from the program of work:
  - a. Provision of Healthcare Services – Maldon Health Hub.
- (iii) That the following items be removed from the program of work:
  - a. Planning Enforcement,
  - b. Primary School Education within the District,
  - c. Empty Homes Returned to Use.

## 142. REVIEW OF PERFORMANCE - QUARTER 4 2017/18

The Committee considered the report of the Chief Executive which provided details of performance against targets set for 2017 / 18 (attached at Appendix 1 to the report) and to ensure that progress was being achieved towards overall corporate goals and objectives set out in the Corporate Plan 2015 – 19.

Members' discussed the report in detail focussing on those activities behind schedule or at risk. In response to a number of questions the following information was provided:

Councillor M S Heard declared he had a non-pecuniary interest, as he was currently employed by Essex Police as an auditor.

- Level of Reported Crime - The Chief Executive clarified the wording on page four of Appendix 1 to the report, was mainly regarding gang related activity and child sexual exploitation and that this had been a concern in some schools. Members were advised that the Community Safety Partnership had worked in partnership with Police to raise awareness in schools and highlight risks. It was noted that MDC had been proactive in its approach of explaining the risks to young people, and had received a positive response.
- North Heybridge Garden Suburb - The Director of Planning and Regulatory Services advised that following a declaration from Countryside Properties' stating they would submit an amended application omitting a flood alleviation scheme (FAS), MDC had been working with the Environment Agency and wider partners, including Homes England, and looking into alternatives for delivering a FAS.

Members stated that the current Countryside planning application had limited numbers of affordable housing and, in keeping with the Local Development Plan (LDP), would like to see this figure increase to 30% in any amended application. The Director of Planning and Regulatory Services advised that during discussions with Countryside Properties it had been made clear that plans should be compliant with the policies within the LDP.

The viability of the project was queried by Members as issues around flooding had not been resolved.

The Committee was advised by The Director of Planning and Regulatory Services that it was always going to be challenging to enforce the delivery of the FAS following legal clarification provided during the Examination in Public of the LDP. Members were also advised that Countryside Properties had cited a lack of support from partners and the resultant delays for the failure to deliver the scheme, and their subsequent decision to submit an amended proposal without the FAS.

- Figures for Planning Applications - The Director of Planning and Regulatory Services confirmed that decisions overturned at appeal were down to 6.5%, and that this was considered positive.

Some Members raised concerns that the time taken by the Council to validate planning applications did not compare to those of neighbouring authorities. The Director of Planning and Regulatory Services drew Members attention to the

improvement on figures from previous years, and advised that the validation process can be lengthy.

The Chief Executive informed Members that the upskilling of planning administrative officers had been considered. Members were advised that the Ignite programme would look closely at streamlining planning processes.

It was agreed that the Director of Planning and Regulatory Services would provide a report for the next quarterly review.

- Home Improvements - Councillor Miss S White requested it be noted as a point of clarification that on page 6 of Appendix 1 to the report that improvements offered in relation to the indicator 'No. of households where living conditions were improved through Housing Act interventions' were means tested.
- Waste Collection - Members were concerned that some household waste had not been collected and questioned whether this was due to difficulty accessing smaller roads.

The Director of Resources advised that the contractor had acknowledged difficulties with the vehicles procured, and a number had already been taken off the road due to breakdowns. MDC had often not been advised until late on the day of occurrence.

It was confirmed that the Director of Customers and Community had a number of conversations the contractor, Suez, and they had acknowledged the situation. In regards to the vehicles, the Council had been advised they were pushing the technology to its limit, and was investigating whether this was a contract management issue.

Members were advised that the Director of Customers and Community would provide an email update on the situation.

The Group Manager for Leisure, Countryside and Tourism, confirmed for the Committee that a genuine missed collection was one reported by the resident where the contractor has not noted that the collection was not put out. It was noted that the contract states missed collections should be collected in a timely fashion.

- Crematorium - Members requested an update on the building of a Crematorium within the district.

The Director of Resources advised members that this was not currently viable due to the lack of suitable land to build upon. It was noted that the authority had previously looked at sites towards South Woodham Ferris as this would capture a larger area.

It was agreed that the Director of Resources report back on the conclusions of the crematorium business case.

- Parking - In response to the Members query regarding a lack of car parking spaces in Maldon Town Centre, the Director of Resources advised that the Asset Management Working Group were looking into this.

**RESOLVED** that the report on performance for quarter four 2017 / 18 and the subsequent actions, as outlined above, be noted.

#### **143. PROCUREMENT AND DELIVERY OF THE 2016/2017 CAPITAL PROGRAMME - IMPLEMENTATION OF RECOMMENDATIONS**

The Committee received the update report from the Director of Resources on the Procurement and Delivery of the 2016/2017 Capital Programme – Implementation of Recommendations; Appendix 1 of the report showed the status of these recommendations.

The following points were brought to the attention of the Committee:

- The Capital programme for 2018/19 was much smaller and more manageable than 2017/18, however this resulted in limited examples of construction projects to demonstrate implementation of the recommendations previously agreed.
- Safeguards had been put in place around using Quantity Surveyors to ensure that costs estimated were correct.
- The Corporate Leadership Team (CLT) now had a more stringent and robust review process in place.
- For the 2018/19 - 2019/20 period the Council would need to make a large investment in IT rather than bricks and mortar.
- Standard contracts from the Joint Contract Tribunal (JCT contract), would be used to safeguard the Council for construction contracts in excess of £10,000.
- Standard contracts from the Crown Commercial Services included terms pre-negotiated for the Council, and are approved by central government. It was confirmed for the Committee that this had been used during the procurement of Office 365.

The Director of Resources confirmed that MDC was in the process of moving away from the bespoke model of IT currently in place and advised the Committee on the advantages of a standardised approach.

**RESOLVED** that the content of this report be noted and updates brought to future meetings of this Committee.

#### **144. MOORINGS, LEASES AND LICENCES UPDATE**

Group Manager for Leisure, Countryside and Tourism presented Member's with the Moorings, Leases and Licences Update. Members' attention was drawn to the appendices to the report:

- Appendix 1 detailed Hythe Quay Wharfage Charges, and
- Appendix 2 set out the draft agreement for Berthing on Hythe Quay Maldon, addressing queries from the meeting on 28 March 2018.
- Appendices 3A - E contained maps relating to paragraph 3.3.1 of the report.

Members were advised that the Group Manager for Leisure, Countryside and Tourism had worked with the River Bailiff to conduct research into private moorings.

The Committee was advised of the decline in use of moorings across the United Kingdom, and that national trends show people of the United Kingdom prefer using marinas.

The Committee enquired whether there was anything the Council could do to increase use of the Blackwater and Crouch, and encourage people, especially young people, to take an interest in sailing.

Members were informed that the Economic Team had worked with the Place Board and Burnham-on-Crouch Chamber of Trade to support maritime industries in that area and had looked to maximise the impact of festivals, and stated that in Burnham-on-Crouch sailing lessons were a part of this.

### **RESOLVED**

- (i). That part 35 of the draft Licence for Berthing on Hythe Quay Maldon (Appendix 2 to the report) be revised to confirm what British Standard mark(s) are approved for use.
- (ii). That the Director of Planning and Regulatory Services look into increasing the interest in using the Blackwater and Crouch Rivers.

### **145. ANY OTHER ITEMS OF SCRUTINY MEMBERS WISH TO CONSIDER**

There was none.

### **146. EXCLUSION OF 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

### **147. OFFICE ACCOMMODATION AND LEASE**

The Director of Resources presented the report on Office Accommodation and Lease.

During this item Councillor M S Heard left the meeting due to a potential conflict of interest and did not return.

Members discussed the report in detail with a focus on commercial rent, and asked questions which the Director of Resources duly answered.

The Chairman, on behalf of the Committee, expressed thanks to the Director of Resources on her excellent work on behalf of the Council.

**RESOLVED** that the contents of the report be noted.

There being no further items of business the Chairman closed the meeting at 9.09 pm.

M W HELM  
CHAIRMAN

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