



**MINUTES of
MALDON DISTRICT COUNCIL (ORDINARY)
14 JULY 2016**

PRESENT

Chairman	Councillor Cllr P G L Elliott
Vice-Chairman	Councillor Cllr H M Bass
Councillors	Mrs B F Acevedo, E L Bamford, B S Beale MBE, R G Boyce MBE, R P F Dewick, M F L Durham, CC, Mrs H E Elliott, A S Fluker, Mrs B D Harker, B E Harker, M S Heard, M W Helm, J V Keyes, Miss M R Lewis, M R Pearlman, R Pratt, CC, N R Pudney, S J Savage, D M Sismey, Mrs M E Thompson and Miss S White

269. CHAIRMAN'S NOTICES (SEE PAGE 5)

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

270. APOLOGIES FOR ABSENCE

Councillors J P F Archer, Miss A M Beale, Mrs P A Channer CC, A T Cain, I E Dobson, C A R MacKenzie, A K M St. Joseph and Rev. A E J Shrimpton.

271. MINUTES - 8 MAY 2016

RESOLVED that the Minutes of the Statutory Annual meeting of the Council held on 12 May 2016 be received and adopted.

272. MINUTES - 19 MAY 2016

RESOLVED that the Minutes of the extraordinary meeting of the Council held on 19 May 2016 be received and adopted.

273. DISCLOSURE OF INTEREST

Councillor M S Heard declared a non-pecuniary in relation to Agenda Item 13 – Planning Application FUL/MAL/15/00285 – Cooks Boatyard, The Hythe, Maldon as he knew the applicant and made reference to his other official capacity.

Councillor S J Savage declared a non-pecuniary interest in relation to Agenda Item 13 – Planning Application FUL/MAL/15/00285 – Cooks Boatyard, The Hythe, Maldon as he knew the applicant.

Councillor A S Fluker declared that in the interest of openness and transparency and in relation to Agenda Item 13 – Planning Application FUL/MAL/15/00285 – Cooks Boatyard, The Hythe, Maldon he was a Maldon Harbour Improvement Commissioner.

274. PUBLIC QUESTIONS

There were none.

275. INTERNAL AUDIT COMMITTEE STRUCTURE

The Council received a presentation from the Internal Audit Manager, Mr Dulay from BDO LLP outlining a review being led by BDO with support from the Centre for Public Scrutiny on the Council's Committee Structure. Members were advised that the review process would engage with Members and would be a Member led process empowering and engaging them throughout.

During the presentation Mr Dulay explained in detail the purpose and benefits of the review, the process to ensure engagement with Members and how any recommendations with suggested improvements would be brought back to the Council for consideration.

In response to questions, Mr Dulay advised that as part of the review they would be looking at whether the voice of residents was represented within the current structure. He also clarified that although it was likely that the estimated 12 days for the audit would be insufficient the cost of the review would be met from the budget.

The Chairman thanked Mr Dulay for his informative presentation.

276. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that he had attended a number of events which are detailed below and thanked the Vice-Chairman for attending events on his behalf. He drew particular attention to the Royal Garden Party, Armed Forces Day and the Cabbies Day.

15/05/2016	Service to Celebration HM The Queen's 90th Birthday, Chelmsford Cathedral (<i>Vice-Chairman</i>)
16/05/2016	Maldon Town Council Annual Meeting
17/05/2016	Alzheimers Society Concert , Chelmsford Cathedral (<i>Vice-Chairman</i>)
24/05/2016	Royal Garden Party
02/06/2016	Health and Wellbeing Roadshow
04/06/2016	Official Opening of the Crouch Ridge Vineyards (<i>Vice-Chairman</i>)
05/06/2016	Mayor of Havering's Summer Concerts

10/06/2016	High Sheriff's Garden Party
11/06/2016	Special Constabulary Muster Parade, Essex Police Headquarters
11/06/2016	Braintree Service of Celebration, HM The Queen's 90th Birthday (<i>Vice-Chairman</i>)
12/06/2016	Mayor of Maldon's Afternoon Tea - Commemoration of Her Majesty The Queen's 90th Birthday Celebrations) (<i>Vice-Chairman</i>)
13/06/2016	Mayor of Basildon Annual Civic Service
16/06/2016	Best in Essex Event - Sub-Zero and Wolf Showroom (<i>Vice-Chairman</i>)
17/06/2016	Maldon Arts Club Exhibition
17/06/2016	Roaring 20s Tea Party - Elm Croft Care Home (<i>Vice-Chairman</i>)
22/06/2016	Maldon District and East Essex Scouts Council AGM (<i>Vice-Chairman</i>)
25/06/2016	Armed Forces Day
26/06/2016	Civic Service, Burnham Town Council
30/06/2016	Quadcopter National Finals - Stow Maries Aerodrome
01/07/2016	Plume School PE Awards
02/07/2016	Mayor of Havering's Charity Ball
03/07/2016	Burnham Town Council Commemorative Ceremony - Centenary of the Battle of the Somme
06/07/2016	The East London Cabbies Day Reception - Plume School
06/07/2016	Rural Community Council for Essex Annual General Meeting
07/07/2016	Launch of SB Blue Mermaid (<i>Vice-Chairman</i>)
10/07/2016	Rochford Garden Party (<i>Vice-Chairman</i>)
10/07/2016	Burnham-on-Crouch Town Council Annual Civic Service and Dinner
12/07/2016	Lunch with Bishop of Bradwell

The Council were reminded of the 'Member of Staff of Year' award presented for the first time last year. The Chairman advised that he wished to present the award again this year and requested Members to forward any nominations to Cally Darby for collation.

277. MINUTES OF THE SPECIAL MEETINGS OF COMMITTEES - 8 MAY 2016

The following amendments to these Minutes were noted:

- Overview and Scrutiny Committee, Minute 36 Election of Chairman should refer to Councillor M S Heard as detailed in the resolution;
- South Eastern Area Planning Committee should refer to Councillor P G L Elliott as presiding Chairman.

RESOLVED

- (i) that the Minutes of the special meeting of the Finance and Corporate Services Committee held on 8 May 2016 be received and adopted.
- (ii) that the Minutes of the special meeting of the Community Services Committee held on 8 May 2016 be received and adopted.
- (iii) that the Minutes of the special meeting of the Planning and Licensing Committee held on 8 May 2016 be received and adopted.
- (iv) that subject to the above amendment, the Minutes of the special meeting of the Overview and Scrutiny Committee held on 8 May 2016 be received and adopted.
- (v) that the Minutes of the special meeting of the Audit Committee held on 8 May 2016 be received and adopted.
- (vi) that the Minutes of the special meeting of the Joint Standards Committee held on 8 May 2016 be received and adopted.
- (vii) that the Minutes of the special meeting of the Investigating and Disciplinary Committee held on 8 May 2016 be received and adopted.
- (viii) that the Minutes of the special meeting of the Central Area Planning Committee held on 8 May 2016 be received and adopted.
- (ix) that the Minutes of the special meeting of the North Western Area Planning Committee held on 8 May 2016 be received and adopted.
- (x) that subject to the above amendment, the Minutes of the special meeting of the South Eastern Area Planning Committee held on 8 May 2016 be received and adopted.

278. MINUTES OF NORTH WESTERN AREA PLANNING COMMITTEE - 16 MAY 2016

RESOLVED that the Minutes of the meeting of the North Western Area Planning Committee held on 16 May 2016 be received and adopted.

279. MINUTES OF SOUTH EASTERN AREA PLANNING COMMITTEE - 23 MAY 2016

RESOLVED

- (i) that the Minutes of the meeting of the South Eastern Area Planning Committee held on 23 May 2016 be received.

Minute 90 – Declaration of Interest

It was noted that Councillors Mrs B F Acevedo and R Pratt had also declared interests in relation to Agenda Item 7 - FUL/MAL/16/00147 – High House Farm, Old Heath Road, Southminster, which had been omitted from the Minutes.

Councillor A S Fluker advised that his declaration was not as recorded as it has been made in the interest of openness and transparency.

Councillor R P F Dewick, Chairman of the Committee agreed with these matters, advising that the Minutes would be corrected at the Committees next meeting.

RESOLVED

- (ii) that subject to the above amendments, when confirmed, the Minutes of the meeting of the South Eastern Area Planning Committee held on 23 May 2016 be adopted.

280. MINUTES OF COMMUNITY SERVICES COMMITTEE - 24 MAY 2016

RESOLVED that the Minutes of the meeting of the Community Services Committee held on 24 May 2016 be received and adopted.

281. MINUTES OF CENTRAL AREA PLANNING COMMITTEE - 1 JUNE 2016

RESOLVED that the Minutes of the meeting of the Central Area Planning Committee held on 1 June 2016 be received and adopted.

282. MINUTES OF PLANNING AND LICENSING COMMITTEE - 2 JUNE 2016

RESOLVED

- (i) that the Minutes of the meeting of the Planning and Licensing Committee held on 2 June 2016 be received.

The Council received the Committees recommendation on the following matter.

Minute 140 – Terms of Reference and Scheme of Delegation Update – Temporary Road Closures

RESOLVED

- (ii) that the power to approve temporary road closures and the making of orders under section 21 of the Town Police Clauses Act 1847 is transferred from the Planning and Licensing Committee (to Environment Services Manager) to the Community Services Committee and exercisable by the Director of Customers and Community.
- (iii) that subject to the above decision, the Minutes of the meeting of the Planning and Licensing Committee held on 2 June 2016 be adopted.

283. MINUTES OF OVERVIEW AND SCRUTINY COMMITTEE - 8 JUNE 2016

RESOLVED

- (i) that the Minutes of the meeting of the Overview and Scrutiny Committee held on 8 June 2016 be received.

Minute 149 – Chairman’s Notices

It was noted that Councillor Pudney was welcomed by the Chairman to the meeting, not as minuted.

Minute 157 – 2016 / 17 Work Programme

In response to a comment regarding the reduction of beds at St. Peter’s Hospital, Councillor M S Heard, Chairman of the Overview and Scrutiny Committee advised that this was included on the Programme of Work for 2016 / 17.

RESOLVED

- (ii) that subject to the above amendments, when confirmed, the Minutes of the meeting of the Overview and Scrutiny Committee held on 8 June 2016 be adopted.

284. MINUTES OF NORTH WESTERN AREA PLANNING COMMITTEE - 13 JUNE 2016

RESOLVED that the Minutes of the meeting of the North Western Area Planning Committee held on 13 June 2016 be received and adopted.

285. MINUTES OF FINANCE AND CORPORATE SERVICES COMMITTEE - 14 JUNE 2016

RESOLVED

- (i) that the Minutes of the meeting of the Finance and Corporate Services Committee held on 14 June 2016 be received.

The Council received the Committees recommendations on the following matters.

Minute 185 Replacement Van for Waste and Street Scene Team

RESOLVED

- (ii) that a capital programme of £12,000 be established for 2016 / 17 funded by the underspend in the capital programme established for the waste contract.

Minute 187 – Setting Fees for the Maldon District Design Review Panel

RESOLVED

- (iii) that the Council creates a suite of documents to be made available to applicants, and that applicants be signposted to the Design Review Panel should the Council wish to recommend advice to a developer, without the Panels advice being binding.

Minute 190 – Use of Sound Recording Equipment at Meetings Protocol

RESOLVED

- (iv) that the revised Draft Protocol for the Use of Sound Recording Equipment at Council Meetings (Appendix 1 to the Minutes of the Finance and Corporate Services Committee), be agreed.

Minute 194 – Financial Regulations

Councillor D M Sismey, Chairman of the Finance and Corporate Services Committee, outlined the Committees recommendation in respect of a change to financial regulations and proposed that this be further amended to include the Leader and Deputy Leader of the Council. This was duly seconded and agreed.

RESOLVED

- (v) that section 1.3 (The financial limits for approval of revenue virements and revenue supplementary estimates) of the Financial Regulations be amended as set out below:
 - (c) Supplementary Estimates (including expenditure on new projects and initiatives)
 - (a) Up to £50,000 – Director of Resources in consultation with the Chairman of the Finance and Corporate Services Committee, Leader and Deputy Leader of the Council and reported to the next Finance and Corporate Services Committee;
 - (b) Over £50,000 – the Finance and Corporate Services Committee.

NB One of the Council's budget policies is to only agree supplementary estimates in exceptional circumstances.

In light of his earlier declaration Councillor Sismey left the chamber at this point and the following Minute was presented by Councillor A S Fluker, Member of the Finance and Corporate Services Committee.

Minute 193 – Annual Treasury Outturn Report 2015 / 16

RESOLVED

- (vi) that annual Treasury Management Report for 2015 / 16 attached Appendix 2 to the Minutes of the Finance and Corporate Services Committee is approved.

Councillor Sismey returned to the chamber.

RESOLVED

- (vii) that subject to the above decisions, the Minutes of the meeting of the Finance and Corporate Services Committee held on 14 June 2016 be adopted.

286. MINUTES OF SOUTH EASTERN AREA PLANNING COMMITTEE- 20 JUNE 2016

RESOLVED

- (i) that the Minutes of the meeting of the South Eastern Area Planning Committee held on 20 June 2016 be received.

Minute 201 – Disclosure of Interest

Councillor R P F Dewick advised that his declaration should refer to “...this application due to a *previous* business relationship...”. This was noted.

RESOLVED

- (ii) that subject to the above amendment, the Minutes of the meeting of the South Eastern Area Planning Committee held on 20 June 2016 be adopted.

287. MINUTES OF AUDIT COMMITTEE - 27 JUNE 2016

RESOLVED

- (i) that the Minutes of the meeting of the Audit Committee held on 27 June 2016 be received.

The Council received the Committees recommendations on the following matter.

Minute 220 – Audit Committee Terms of Reference

RESOLVED

- (ii) that the revised Audit Committee Terms of Reference attached at Appendix 1 to the Minutes of the Audit Committee, be agreed.

RESOLVED

- (iii) that subject to the above decision, the Minutes of the meeting of the Audit Committee held on 27 June 2016 be adopted.

288. STATEMENT OF THE LEADER OF THE COUNCIL

The Chairman referred to Procedure Rule 1(11) which stated that a Leaders speech should not exceed 15 minutes except in exceptional circumstances. He advised that he did not feel that 15 minutes was enough time and therefore used his discretion to extend that time.

Councillor Miss M R Lewis, the Leader of the Council, made a Statement (attached at **APPENDIX 1** to these Minutes) setting out the Council's report and programme for the current municipal year. She then commended this to the Council.

The Leader of the Opposition, Councillor B S Beale, thanked the Leader of the Council for an advance copy of her Statement and the opportunity to respond. He then made reference to a number of points outlined in the Leaders' speech including:

- Government Funding – He highlighted that the Government had indicated that it would be cutting back on austere measures and the importance of identifying extra funding that may be available for the Council.
- Aging demographics – He questioned where the figure referred to by the Leader that 99% of the population was 65 years and over and from what date this applied.
- Partnership Working – Councillor Beale agree that the Council could achieve more through partnership working. Making reference to hospitals and ward being shut, he commented it was essential to ensure that the concerns, needs and views of local people were being addressed. Councillor Beale made particular reference to the lack of communication between the Council, NHS England and the local Clinical Commissioning Group and how this could lead to frustration from local residents.
- Queen's Birthday – Councillor Beale expressed his congratulations on the recent celebrations that took place around the District.
- Waste Collections – He commented on the need to ensure that missed collections were addressed swiftly as they impacted on local communities.
- Rural Allocation – Councillor Beale felt this was one of the most important things for rural communities and the Council had to look carefully at this as they could have a greater impact on social and family lives in District.
- Housing need – He highlighted the need to provide proper infrastructure and made particular reference to improvements to roads and local healthcare.

Councillor Beale concluded referring to the Government and the need for the Council to do more to ensure that its voice was heard.

In response, the Leader of the Council provided detailed information in relation to the points raised which included:

- Members would be circulated a copy of the Essex County Council Demand and Cost Pressure analysis document as soon as it was available.

- advised that the Council was hoping to do more work with NHS England. She commented that it had been recognised at the recent Local Government Association Conference that in order to be effective Local Enterprise Partnerships needed to be coterminous with authorities coming forward from devolution deals. It was also recognised by the head of the NHS that with the new health and social care agenda the NHS structure had to be congruous.
- Providing new homes rather than adaptations for elderly and disabled persons was not a cheap option but a personal option as many people did not want to move etc.
- The Leader made reference to Centre of Excellence for Care, advising that this had been considered by the Planning and Licensing Committee and become part of a LEP growth fund to which this Council had made two bids one in relation to North Heybridge Flood Alleviation and the other on Centre of Excellence. She also made reference to potential further funding to the Environment Agency to help in this area which was due to be announced shortly.

The Leader of the Council thanked Councillor Beale for his comments.

Councillor R G Boyce declared a non-pecuniary interest in this item of business as an Essex County Councillor and Member of an Almshouse Trust.

At this point other Members commented on the Leaders' speech. In response to particular questions the Leader of the Council provided Members with additional information regarding:

- the recent Referendum Count;
- flexibility for homes for the elderly;
- on the shelf projects.

In response to comments regarding waste credits, the Leader referred to Councillor M F L Durham who provided the Council with further information regarding this and how they related to the new waste contract.

The Chairman commended the Leader on her excellent speech and referred to his earlier comment regarding Procedure Rule 1(11) explaining the reason he had used his discretion to increase the time allowed. He put to Members that the Council may wish to consider whether 15 minutes is long enough and suggested that perhaps this be considered by the Corporate Governance Working Group.

RESOLVED that the Statement made by the Leader of the Council, attached at **APPENDIX 1** to these Minutes, be received.

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

There were none.

290. FUL/MAL15/00285 - COOKS BOATYARD THE HYTHE MALDON ESSEX

The Council determined the following planning application, having taken into account all representations and consultation replies received.

Application Number	FUL/MAL/15/00285
Location	Cooks Boatyard The Hythe Maldon Essex
Proposal	Change of use from boat store to marine gallery/exhibition and boat storage with associated works to the building. To install a kitchen within shed to serve barge cruises. Erection of a fence to southern boundary of the site of the boatyard.
Applicant	Ms Stephanie Valentine - Topsail Charters Ltd
Agent	N/A
Target Decision Date	10 June 2016
Case Officer	Yee Cheung, TEL: 01621 876220
Parish	MALDON EAST
Reason for Referral to the Committee / Council	Council Owned Land

Councillor S J Savage, the Ward Member, commented on the application, commending the report and reason for refusal. He proposed that the Officers' recommendation for refusal be agreed. This proposal was duly seconded.

In response to a question, the Director of Planning and Regulatory Services advised that he did not have information regarding the path (and vehicles parking on it) as set out in paragraph 6.4.1 of the report but could provide that information following the meeting. He commented that he did not feel this would materially affect Members consideration of this application.

Concern was raised in relation to the comment from the Senior Conservation and Design Officer (set out in paragraph 6.7.5 of the report) that if approved development of this application could affect the progress and delivery of the Heybridge and Central Maldon Masterplan. In response to Member concerns the Director of Planning and Regulatory Services advised that Members had to consider if this development would prejudice policy S5 of the Local Plan and suggested that if Members were minded to refuse an additional reason for refusal could be included linked to the relevant policy and this application not being policy compliant. Councillor A S Fluker proposed that subject to confirmation of the wording this be added as an additional reason for refusal.

In response to a further question regarding safety the Director of Planning and Regulatory Services clarified that the history of the site predated the 2012 National Planning Policy Framework which was now further justification as this was an overarching requirement under national policy and the proposed revised reason would address this.

The proposal in the name of Councillor Fluker was duly seconded and upon a vote being taken was agreed.

RESOLVED the application be **REFUSED** for the following reasons:

- 1 The application site falls within the 'highly vulnerable' use classification as identified in the national Planning Practice Guide and is not permitted in a high

risk flood zone (Flood Zone 3). Whilst the boat store exists on site, nevertheless it has not been demonstrated that the proposed development would be safe for the future occupiers of the site and the submitted Flood Risk Assessment does not comply with the requirements set out in national Planning Practice Guidance. The proposal is therefore to the detriment of the safety of the future occupiers of the site thus contrary to the guidance and advice contained in the National Planning Policy Framework and the National Planning Practice Guide as well as policy D5 of the Maldon District Local Development Plan.

- 2 The change of use of the boat store to a marine/gallery with associated works to the building, if allowed, would prejudice the outcome of the Maldon and Heybridge Central Area, contrary to policy S5 of the Maldon District Local Development Plan which seeks to promote regeneration of visitor attractions and facilities (Policy S5 - Leisure Quarter) through a master planning approach'.

POSITIVE AND PROACTIVE STATEMENT

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant / Agent the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal. The Local Planning Authority is willing to liaise with the Applicant / Agent to discuss the best course of action and is also willing to provide pre-application advice in respect of any future application for a revised development.

291. REVIEW OF 2015 / 16 PERFORMANCE

The Council considered the report of the Chief Executive supplying Members with details of the Council's performance against targets set for 2015 / 16 and to ensure that progress was being achieved towards the corporate goals and outcomes detailed in the agreed Corporate Plan 2015 - 2019.

Appendix 1 to the report set out the end of year position for each of the corporate goals. Members' attention was drawn to the achievements and successes set out in the report.

The report also provided a summary of complaints and compliments received during 2015 / 16. It was noted that the Customer Services business plan for 2016 / 17 included an action to review and implement a revised Corporate Feedback system.

RESOLVED that the report be noted.

292. ADOPTION AND CONFIRMATION OF MINUTES OF COMMITTEES

The Council considered the report of the Corporate Governance Working Group (the Working Group) which had been re-convened to deal with adoption and confirmation of Minutes of the Committees at Council Meetings which had been referred to it from the Council at its meeting on 12 May 2016. During the course of its two meetings the

Working Group also looked at some other matters which were set out in the report and included the publication of Member attendance at meetings and registration / declaration of Members interests.

The report considered by the Council at its last meeting regarding adoption and confirmation of Minutes of Committees at Council meetings was attached as Appendix 1 to the report. In response to concern regarding the ability of Members to question Chairmen of Committees on Committee resolutions at Council meetings a revision to Procedure Rule 6 was proposed and this was set out at Appendix 2 to the report. The proposed template for the separate reporting of Committee recommendations to the Council was set out at Appendix 3 to the report.

The Leader of the Council presented the report and proposed that the recommendations as set out in the report be agreed. This was duly seconded.

In response to concerns raised regarding the publication of Members' attendance at meetings and the register of Members' interests, the Leader of the Council advised that there had been anomalies as to how attendance information had been gathered in the past and noted the importance to identify what meetings Members were expected to attend and what they actually attended. In respect of Declarations of Interest she noted the point raised regarding the location of this register in relation to Members' information.

A lengthy debate ensued and Members discussed the various elements as set out in the report. In response to a comment the Leader of the Council confirmed that reference to the Chief Executive should read Chief Executive Office. In response to a question regarding detailing the reason for apologies, the Leader of the Council commented that this could be seen as a level of intrusion and she highlighted the current procedure for arranging substitutes.

Following further debate Councillor R G Boyce in accordance to Procedure Rule 14 raised a point of order requesting that the recommendations as proposed and seconded be put. The Chairman then put the recommendations as set out in the report and upon a vote being taken these were agreed.

RESOLVED

- (i) that the Council agrees to discontinue the practice of requiring the Minutes of Committees to be submitted for reception and adoption and that this be implemented with effect from the next meeting of the Council;
- (ii) that the recommendations from Committees be brought forward to the Council in consolidated report (as shown in Appendix 3 to the report) to be included as standard on the agenda;
- (iii) that a standard agenda item be included on the Council agenda to enable questions to be raised on resolutions of Committees;
- (iv) that minor amendments are made to Council and Committee Procedure Rule 6 (as shown in Appendix 2 to the report) to provide a clear opportunity for Members to question Chairmen of Committees on Committee resolutions;

- (v) that with the development and use of the Modern.Gov system, the Council moves towards paperless working through a transitional period of up to six months, subject to review, during which hard copy agenda packs would continue to be produced and circulated to Members upon request;
- (vi) that a link be provided from the Members' page on the Council Website to meetings attendance records and also registration and disclosure of interests;
- (vii) that Officers are authorised to make any necessary consequential amendments to the Council's constitutional documentation arising from this change;
- (viii) that a revision be made to Council and Committee Procedure Rule 22 (Suspension and Amendment of Procedure Rules) to include reference to Procedure Rule 13(5) in the exceptions.

293. 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 urgent 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.

294. OPTIONS FOR THE FUTURE OF BUILDING CONTROL SERVICE

The Council considered the report of the Building Control Member Working Group (the Working Group) seeking Members decision on options for the delivery of the Building Control Service having regard to the work of the Working Group.

The report provided background information regarding previous consideration of this matter by the Planning and Licensing Committee and the Council.

Councillor A S Fluker proposed that two additional recommendations be considered, the first that the Council provide the statutory service and pull out of building control and that the service be commissioned to the private sector on a low cost basis.

Councillor D M Sismey proposed that the Council look at all options, keeping all options available having rejected recommendation (i) as set out in the report. This was duly seconded. Councillor Fluker proposed an amendment to Councillor Sismey's proposal requesting that the options the Council should look at were providing a statutory service, considering commission with the Public Sector and the two options as set out in recommendation (ii) to the report. Councillor Sismey agreed with this amendment and upon a vote being taken this was agreed.

RESOLVED

- (i) that Maldon District Council will not be part of the Essex Wide Building Control shared service partnership;

- (ii) that the Building Control Working Group examine the following options and report back to the Council (via the Planning & Licensing and Finance & Corporate Services Committees) on the best way forward for the service:
- Building Control in-house team with an improved staffing structure;
 - Shared service with other neighbouring authorities that are not in the Essex Wide Building Control shared service partnership, who also share a geographical boundary with Maldon;
 - Providing a Statutory Service;
 - Building Control commissioned to the private sector.

There being no further items of business the Chairman closed the meeting at 8.08 pm

P G L ELLIOTT
CHAIRMAN

Leader's Statement to Full Council – 14 July 2016

Chairman, Elected Members, ladies and gentlemen,

It is hard to believe that it has been a year since I stood before you in this Chamber to deliver my first Leader's Statement. Time has certainly flown by in what has been an eventful year of opportunity, achievement and frustration at times.

I am certainly not complacent one year down the line in recognising the continuing pressures that this Council faces:

- we are still in austere times with a further loss of core grant of £483k
- we have an ageing demographic with the Essex CC Demand and Cost Pressure analysis predicting that 99% of our population growth will be of 65+ years of age

and all this without touching on the move to full retention of business rates and other changes to legislation and a growing housing need.

Indeed, things are changing all the time.

We are now underway again to achieve the security of a sound Local Development Plan for the District, so perhaps in another twelve months we will have more progress to report, maybe a clearer picture of what Devolution will mean to the Maldon District and how we will respond to the monumental outcome of the EU referendum as we move towards Brexit.

At this juncture I wish to say that I cannot thank our officers and community members enough for all their efforts in ensuring the smooth running locally of the historic Referendum. Despite the hazardous weather and a number of local areas affected by flooding on voting day, the Maldon District saw an extremely high turnout of 79.2%, with 62.6% of those opting to 'Leave'.

As a nation we are in uncertain times - in uncharted waters - and we may continue to be so for many more weeks, or months, or even beyond. But this Council has weathered storms, grasped opportunities and risen to challenges before and now is no exception. Periods of uncertainty call for strong community leadership from us, as elected members, and I have every confidence that this Council, can fulfil that leadership role by working together, respecting our different opinions as opportunities to innovate, always reminding ourselves of the Maldon District motto, "Vision, Courage and Integrity".

We have heard the expression "Stronger Together" a lot recently, and like most progressive Councils we know we can achieve more by working in proper partnership with neighbouring Authorities including those in health and the blue light services, Government Agencies, and our community based voluntary sector.

I am pleased to see that we have progressed so well in establishing a community hub here in our Council Offices. Many partner organisations are now co-located in one building to conveniently serve our residents and we are continuing to expand the range of services provided by our partners to support some of our most vulnerable customers. The final phase of the office accommodation project is the demolition of St Cedds building is now underway, given it is at the end of its life and considered a liability to the Council.

In challenging times the importance of **community** comes even more to the fore. Strong communities give people a sense of belonging and identity, indeed a sense of place.

It is vital that we garner the strength at the heart of our local communities: we have many excellent community based organisations, voluntary groups and community minded residents; many and various advocates of good citizenship. These are the ones that will visit the neighbour who they may not have seen for a few days, perhaps collect a bit of shopping, sit and have a chat and they also recognise the benefit in staying active to improve their own health and wellbeing, the planters and weeders, the planners and cooks, Brown Owls, sports coaches and bus drivers, the list goes on.....and it should start with us.

To effectively achieve our goals for the good of the District, we must build on this energy and commitment; we must respect each individual contribution, better engage with our voluntary sector and empower our community. As Leader, I intend to invite some of our voluntary sector groups in to meet myself, and fellow members and officers in order to get a better understanding of the important part they play in strengthening our communities and importantly, to assess how the system is working for them.

Having said that, we should not underestimate the breadth of activity this Council is already involved in that contributes to the strengthening communities agenda: be it community safety; health and well-being; community development, sports and leisure; or emergency planning, for example. This year we will develop a Strengthening Communities Strategy to best coordinate our activity in support of both voluntary organisations and individual volunteers in our District to benefit our residents both directly and indirectly by helping to create a generous and sustainable community.

But Chairman, it hasn't been all doom and gloom and it is rewarding to see that the past twelve months and the start to this new municipal year have been peppered with **celebration and achievement**.

To mark **Her Majesty the Queen** celebrating her 90th Birthday on 21st April, we organised two special events. At a plaque unveiling ceremony, we applauded you Chairman as you proudly dedicated the Hythe Quay, Maldon to Her Majesty. The festivities continued into the evening with a Sunset Parade and Beacon Lighting Ceremony in the Promenade Park. Burnham Town Council hosted a similar event – with a bigger beacon!

I'm sure all Members in this Chamber will join with me in wishing Her Majesty "Many More Happy Returns and Long to Reign over us".

I draw Members attention to the report of the Chief Executive to be found later on this evening's agenda. This expands more fully on our performance during the past twelve months.

In June we embarked on the most extensive change to **waste collections** that residents of the Maldon District have ever seen – having adopted a system of collection that nearly 80% of councils across the UK operate.

And this has been such an enormous change to the only Council service that directly affects every household in the District on a weekly basis, new operator, new routes and IT, and a change to wheelie bins, some teething problems were inevitable. However, the quality of the preparation both in the Customer Contact Centre and in our Waste Team working with Suez, to support and advise residents, was marvellous. Admittedly, although it is early days, I am delighted to report that we have already seen an increase in food waste recycling from 20% to 70% and in overall recycling from 53% to 67%. Well done to all involved, to staff and to our residents. I have every confidence that this positive trend will continue.

I move now, Chairman, to the Maldon District **Local Development Plan**, definitely a source of opportunity, achievement and frustration. Back in March this year, after a long wait, the Council finally received confirmation direct from the Secretary of State that the Examination in Public would be resumed as our first inspector was deemed not to have taken a balanced or proportionate view of the work that had been submitted

A new Planning Inspector, Mr Simon Berkeley, has since been appointed and our Planning Policy Team is working hard on the preparation of statements and updates, in response to the matters raised by the new Inspector.

The Council is now preparing for public consultation on the main modifications which will be analysed before the next and final round of public hearing sessions for the Local Development Plan as a whole. Members will know that the Gypsy and Traveller, Rural Housing and Rural Employment site allocation work is moving ahead and those elements will be carefully steered by Members.

There is much planning and development activity underway already in the District. In order to afford us protection from hostile development with a Five Year Housing Land Supply, the South Maldon Garden Suburb already has an approved planning application for one thousand houses. More developments are to follow in strategic allocations areas and further construction is likely to begin sometime in 2017.

Our strategic planning continues to move forward with the preparation of the **Maldon and Heybridge Central Area Masterplan**. Together, the Causeway Regeneration Area, Maldon Central and the Leisure Quarter form the District's focus for employment, retail, community and tourism facilities. The character, vitality and cultural importance of this Central Area are critical, not only to the prosperity of the District, but to the quality of life of our residents and the experience offered to our visitors.

This Masterplan will reinforce existing land uses, create jobs and attract inward investment. It will make the most of the opportunities presented by the waterfront for regeneration, diversification and cultural attractions for leisure and recreation, whilst – crucially - being resilient to flood risk.

I believe these are truly exciting times and I am extremely proud to be the Leader of the Council that is emerging as a leading light and “one to watch” as we positively and proactively move much of this planning work forward with demonstrated determination and passion.

As all Elected Members of this Chamber are undoubtedly well aware, **housing** is increasingly becoming both a national and local high priority. Problems and solutions are complex but we are working on a range of initiatives with different partners to ensure that there will in the future be a good supply of homes for all, a palette of opportunities.

- We continue to maintain our excellent track record in preventing homelessness.
- We have secured, and plan to spend, a record amount of money on adapting homes for the elderly and disabled throughout the District.
- We continue to tackle the issue of empty homes, making sure that the best use is made of existing properties, helping owners bring them back into use and up to a good condition.

I am particularly pleased to highlight how we are working in new and innovative ways with partners – old and new:

- with Moat for example, encouraging them to work more innovatively in building homes for sale to help increase the proportion of homes they can offer as affordable homes.
- with CHP, the Chelmer Housing Partnership who look set to complete more than 100 new affordable homes in just over five years of working with this Authority;
- with Essex County Council, on a programme to build additional supported housing for older people living in the District.
- with Rentplus, to offer new ways of delivering affordable housing solutions
- with the Homes and Communities Agency, to explore opportunities to develop starter homes and help first-time buyers.

Our ambitious mission is to provide homes for all, so we can be proud that last year this Council was a partner in enabling the highest number and proportion of affordable housing to come forward in the District for more than a decade. But the real challenge is realising that level of performance consistently and building on it until the targets set out in our Local Development Plan are met. Our hidden homeless can become tenants and home owners and families looking to adjust their housing need have a good selection of quality options, not to downsize but to rightsize, comfortable and secure in their chosen neighbourhoods and releasing more family homes in the process.

Chairman, I will turn the focus now to “**Creating opportunities for economic growth and prosperity**” which became a new goal in our Corporate Plan agreed in 2015.

I have already covered the opportunities designed into the Maldon and Heybridge Central Area Masterplan but there are also new employment areas incorporated into Strategic sites and Rural areas. We have to work with partners to deliver the skilled workforce employers need to fill the vacancies generated by our new opportunities. To this end, Maldon District Council has initiated dialogue with Essex County Council to produce a Skills Strategy, a mechanism to appropriately skill our young people who are the business owners and employees of the future, to identify transitional skills when employment has to change and to up-skill our community to be better equipped to advance and prosper.

Maximising the opportunity offered by the growing Care Sector locally is a major priority for new workers, existing operatives and employment returners alike. The work is often flexible but undervalued. MDC members and officers are working to scope and find funding for an innovative Centre of Excellence for Care to provide good quality training and qualification for all aspects of care delivery, in formal care and domestic living situations, for family carers, voluntary and employed staff and into the appropriate professions. This long term project is in its infancy but it is generating a great deal of interest from potential partners and if we are successful, and we have not set out to fail, it will be a pathfinder for other authorities as they struggle to deliver their Health and Social care agendas.

We are also working closely with the Plume Maldon Community Academy to encourage local business to recruit apprentices and provide more learning and job opportunities across our District for young people. This can be replicated with the Ormiston Rivers Academy. There is a great deal to do.

I feel an energy and willingness in the Maldon District that runs from the very heart of our community and it is a valuable tool in showing what life in this District is all about. The **Sense of Place** Project, which began to be developed some twelve months ago, is now a reality. The most

familiar District features are represented as a graphic language, available for use by stakeholders and businesses to adopt alongside their own brand and logo - as seen on our new council Visit Maldon website, a visual demonstration of the depth and diversity of our wonderful place.

The work of the **Bradwell Legacy Partnership** is continues utilising Magnox Socio-Economic Funding to assist the delivery of projects that focus on improving the economic well-being of Dengie Peninsular communities.

Chairman, to achieve against our ambitious plans we need two important things to capitalise on the energy and willingness in the District, funding and co-ordination.

I am delighted to highlight our success in attracting significant external funding to help in delivering our aims with over £300k last year through Coastal Communities Fund and £50k this year from the Coastal Revival fund to support the waterfront community in Maldon.

Other funding streams are continually being identified but we are often required to respond quickly. To this end the District Team are pro-actively developing a basket of key projects which can be 'taken off the shelf' when appropriate funding streams are launched.

As I said earlier, it is vital that we garner the strength at the heart of our local communities, all that energy and willingness but this needs support and co-ordination to be both truly effective for the community and rewarding for the participants. Officers and I are discussing the introduction of a Volunteer Co-ordinator role. It is early days but I am very hopeful of a positive outcome.

Chairman, you know at this Council we strive to keep our community safe and secure. The **Maldon District Community Safety Partnership**, continues to tackle identified priorities whilst delivering too on emerging threats. Additionally priority is now being given to irresponsible driving and speeding, and supporting vulnerable people and victims of crime. This work will continue throughout the year, using the closer working relationship with our partners through the new community policing team.

But oh, the frustrations!

Progress of the **community hospital project** continues to be a source of disappointment. Whilst it is not simply within our gift to provide a new community hospital, it would have been done now if that was the case, we have relentlessly lobbied, identified opportunities and funding possibilities. In the light of the further delays, and the recent temporary closure of wards at St. Peters hospital, we are seeking the formal commitment from the Mid Essex Clinical Commissioning Group to deliver an up to date, good quality community health facility in the District and that they will take the lead in delivering this critical project whilst assuring them of our continued support and that assistance we can give. We do not give up!

As I expressed in my Budget Statement in February, it is down to shrewd and prudent management over many years that this Authority finds itself in a sound **financial position**. That being said, this year once again we will need to have a close look at our financial standing and ensure that we get to a position where we have reduced our costs further in order to balance our budget. We will continue to focus on maximising recovery of council tax and business rates. We will continue to tackle fraud. We will look at income generating opportunities and ensure that we are making effective use of our assets. We will look closely at our services to challenge whether they are delivering positive outcomes for our community and prioritise where best to allocate our resources.

I draw to a **conclusion** then Members.

This municipal year is undoubtedly set to be another busy and challenging one, but this is nothing new to Maldon District Council. Whilst not exhaustive, I trust my Statement this evening provides a strong flavour of where our efforts are being directed. I am a firm believer that we must continue to ensure everything we are involved in adds positive value to the well-being of the District.

Mr Chairman, I commend my Statement to Council.

Councillor Miss M R Lewis
Leader of the Maldon District Council
14 July 2016

