



**MINUTES of
COUNCIL
2 NOVEMBER 2017**

PRESENT

Chairman	Councillor H M Bass
Vice-Chairman	Councillor N R Pudney
Councillors	Mrs B F Acevedo, E L Bamford, B S Beale MBE, R G Boyce MBE, A T Cain, Mrs P A Channer, CC, R P F Dewick, I E Dobson, M F L Durham, CC, Mrs H E Elliott, P G L Elliott, A S Fluker, Mrs B D Harker, B E Harker, M S Heard, M W Helm, Miss M R Lewis, M R Pearlman, R Pratt, CC, S J Savage, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, A K M St. Joseph, Mrs M E Thompson and Miss S White

531. CHAIRMAN'S NOTICES

The Chairman referred the recent passing of David Fisher OBE a Member of the Council from 1974 to 1987 and Chairman of the Council from 1983 to 1985. The Council confirmed that it wished the Chairman to send a letter of condolence to his widow. The Chairman also advised the Council of the recent death of Stephen Packham, Chief Executive of this Council from 2001 to 2004 and former Urban District Councillor P H Green. All present then stood for a few moments of silent tribute.

The Chairman then referred to the notices printed on the agenda.

532. APOLOGIES FOR ABSENCE

Apologies for absence were received from J P F Archer, Miss A M Beale and D M Sismey.

533. MINUTES - 7 SEPTEMBER 2017

RESOLVED that the Minutes of the Council held on 7 September 2017 be approved and confirmed.

534. MINUTES - 21 SEPTEMBER 2017

RESOLVED

- (i) that the Minutes of the extraordinary meeting of the Council held on 21 September 2017 be received.

Minute 462 – RES/MAL/17/00712 – Land Holloway Road, Heybridge, Essex

Councillor B E Harker advised that the last but one paragraph of this Minute should refer to Councillor B E Harker and not B D. This was noted.

RESOLVED

- (ii) that subject to the above amendment, the Minutes of the extraordinary meeting of the Council held on 21 September 2017 be adopted.

535. DECLARATIONS OF INTEREST

Councillor S J Savage declared a non-pecuniary interest in Agenda Item 6 – Public Questions regarding the Post Office as he had a standing order. He also declared he had no interest in Agenda Item 16 – Llys Helig Update as in spite of the Minutes and the tabled addendum which was confidential he no longer had an interest to declare.

Councillor Mrs P A Channer declared a non-pecuniary interest as a Member of Essex County Council in any matters pertinent to them. She also declared an interest in Agenda Item 16 – Llys Helig Update as a Member of the Crouch Harbour Advisory Committee and advised that she would seek further clarification on this interest when the Council reached that matter of business.

Councillor R Pratt declared a non-pecuniary interest as a Member of Essex County Council in any matters pertinent to them.

Councillor N R Pudney declared a non-pecuniary interest in Agenda Item 16 – Llys Helig Update as he sat on the Crouch Harbour Authority Advisory Committee on behalf of Burnham-on-Crouch Town Council.

Councillor A S Fluker declared in the interest of openness and transparency in relation to Agenda Items 8 – Recommendation of Committees for Decision by the Council and 9 – Petition to Reinstate the Marine Lake, Promenade Park, Maldon he was a Maldon Harbour Improvement Commissioner.

536. PUBLIC QUESTIONS

In accordance with Procedure Rule 1(3)(e) and the Council's Public Question Time and Participation at Council and Committee Meetings Scheme, the Leader of the Council referred to three questions from Mr Tom Kelly of which prior notification had been given. A copy of the questions and prepared responses from the Leader of the Council were circulated to all Members and those in attendance at the meeting.

Mr Kelly read out his questions.

Question one:

In view of recent problems, can I ask if finance is available, assured, and guaranteed for a replacement HOIST at Blackwater Leisure Centre.?

Response:

The Council is currently consulting with Baracuda's Swimming Club and the Council's leisure management provider, Places for People Leisure Limited, for the replacement of the hoist at the Blackwater Leisure Centre. This matter will be considered at the November meeting of the Finance and Corporate Services Committee.

Question two:

Without Consultation. with the business owner or the public, Post Office Ltd, partly owned by Govt, has withdrawn years of the sub post office supplying collectors and the public with New Issues and Pictorial Sets of Commemorative Events (e.g. Queen's Jubilee,) Themes such as birds, castles etc etc, on the FALSE basis of 1. lack of counter space (unchanged after revamp) 2. When challenged about 1., then claimed "Lack of Footfall". CAN I ASK THAT MDC MAKE REPRESENTATIONS AT GOVT LEVEL. PLEASE, as this policy damages both the Revenue of the business and my personal COLLECTION?

Response:

Post Office Counters is a private company and therefore the Council has no influence over what is sold in Post Offices. However, Commemorative covers and special additions are available online from the Post Office Shop.

Post Office Limited comprises of 11,000 branches and it was suggested that Mr Kelly wrote to Paula Vennells, Chief Executive.

Question Three:

As the Chairman of Mid Essex Clinical Commissioning Group considers challenging on Finance as Political, and our local NHS receives less funding than entitled under Govt Criteria, leading to a historical deficit of £millions, should the Govt not be asked to create a "level playing field" and allow an NHS Precept on same basis as exists for Local Govt, Fire Service etc etc?"

Response:

The Council has previously written to Government to challenge the inconsistent funding per capita paid to Clinical Commissioning Groups (CCGs) across the country and the fact that Mid Essex has a recognised shortfall compared to neighbouring CCGs.

I agree that this is a subject that should continue to raise with our Member of Parliament (MP) to seek a level playing field and I will raise with our MP when we meet him tomorrow.

537. CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to a number of events he and the Vice-Chairman had attended.

Members were reminded of the Chairman's Business Awards and the Chairman requested recommendations from Members for the following four categories:

- Young Entrepreneur of the Year Award
- New Business of the Year Award
- Fast Track Business of the Year Award
- Best Established Business of the Year Award

The Chairman advised that he had attended a number of events which are detailed below and thanked the Vice-Chairman for attending an event on his behalf.

08/09/2017	High Sherrif Garden Party, Walcotte Hall
09/09/2017	Little Braxted Fete - no further info
13/09/2017	Burnham on Crouch Chamber of Commerce Funding for Business Event
14/09/2017	Action for Family Carers Coffee and Cake, visit Garden and Day Centre
15/09/2017	Visit to Blackwater Printing, Maldon
15/09/2017	ECC Chairman's Civic Reception
16/11/2017	Opening of the Tolleshunt Major newly refub parish rooms
19/09/2017	Launch of Queen Mother Memorial Shelter, Friends of Maldon Prom
20/09/2017	Grenfell cheque presentation - Green Recycling
24/09/2017	Car Rally - The Warren - no further info
26/09/2017	Woodham Walter Parish Council Village Design Statement Launch Reception
27/09/2017	Knightswood Visit - Dengie Project Trust
30/09/2017	Queens' Tea - Burnham Carnival - 4pm Royal Corinthian Yacht Club
07/10/2017	Saltmarsh 75 - be at Marsh Farm - South Woodham
08/10/2017	High Sheriff Justice Service
11/10/2017	Aquila Ground Breaking Works - Blackwater Retail Park
12/10/2017	Visit to Tollesbury Businesses - Gibbons Engineering Group Ltd, Volspec
18/10/2017	Visit to Local Businesses - Chelmer and Blackwater Navigation, Museum of Power, Combined Military Services Museum
20/10/2017	Maldon Shedders Event
24/10/2017	Epping Forest Lunch and Trip on the Epping Ongar Railway - be there for 9.30am
25/10/2017	Maldon District Sports Awards <i>Vice-Chairman</i>
02/11/2017	Visit to local businesses - Maldon Brewery Co., Heritage Marine

538. RECOMMENDATION OF COMMITTEES FOR DECISION BY THE COUNCIL

(a) REPORT OF THE CHIEF EXECUTIVE

The Council considered the report of the Chief Executive presenting recommendations of Committees to the Council.

Planning and Licensing Committee – 14 September 2017

Historic Revival Waterfront Project Outcomes

RESOLVED

- (i) that the Council's Corporate Projects Task and Finish Working Group be requested to manage the next steps of the Historic Revival Waterfront Project as set detailed in Appendices 1 and 2 to the report and below:

The Consultants recommendations are set out in the following list. The main project should be an application to the Heritage Lottery Fund Parks for the People fund for work that involves:

- restoring the qualities of the historic Edwardian park.
- creating a park café with new toilets for the public and changing rooms for the splash park to replace the current toilet block. We (the consultants) think that it would probably be optimal for it to incorporate a flexible space that can incorporate community events of different type and functions such as weddings. It would probably be a popular facility and offer a good return on investment.
- improving the appearance of the kiosks (if not replaced) and creating a more attractive outdoor seating area in their vicinity.
- extending and modernising Maldon District Museum, and employing a curator – manager. Maldon District Council (MDC) should help the museum to take a wider role in conserving and telling the whole Maldon story, including the maritime heritage.
- replacing the public realm at Hythe Quay with surfacing that is more attractive and in keeping with the heritage, and reduces the impact of parking, while not compromising the operation of the businesses there.
- adapting the Bailiff's workshop and classroom occupied by the Gig Club to provide flexible ground floor space that can be used for activities of different sort.
- providing a better interpretation and wayfinding system, including panels that tell the story of the Battle of Maldon and Maldon Salt. This would ideally extend to the town centre and along the river.

Maldon and Heybridge Central Area Masterplan – Adoption as Supplementary Planning Document

Councillor Mrs P A Channer, Chairman of the Planning and Licensing Committee proposed the following amendments to the Masterplan (Appendix 3 to the report) which were duly agreed.

Page Number (Masterplan document)	Page Number (Agenda pack)	Location of amendment	Amendment
78	128	Project 7 (detailed in table)	Wording to be replaced with 'delivery of improved connections from Heybridge Creek'
78	128	Project 4 (detailed in table)	Removal of: <ul style="list-style-type: none"> • New seasonal food market • Establish market management regime in consultation with local businesses
17	67	After second paragraph of section 3.2 – Maldon and Heybridge Central Area Masterplan Framework	Addition of the following: 'Diagrams sketches and images are for indicative purposes only.'
Front cover	51	Front Cover	Councillor Mrs Channer advised that once agreed would become a Maldon District Council document and therefore the follow amendments were required: <ul style="list-style-type: none"> • Removal of reference to the consultants used • Update the date shown • Addition of reference to the document being a Supplementary Planning document • Addition of the Council's logo
79	129	Note – bottom right hand side of the page	Amendment to read 'Note: S106 (or potentially CIL) – to seek...'

It was further agreed that the Chairman of the Planning and Licensing Committee and Officers be authorised to take forward any further minor amendments as part of the final proof reading process.

In response to a comment regarding the document referring to the battle site in Maldon and it being unclear as to where this was, the Chairman advised that the Chairman of the Planning and Licensing Committee would consider this as part of the final proof reading.

RESOLVED

- (ii) That the Chairman of the Planning and Licensing Committee and Officers be authorised to take forward any further minor amendments as part of the final proof reading process of the Maldon and Heybridge Central Area Masterplan;
- (iii) that subject to (ii) and the above amendments the Maldon and Heybridge Central Area Masterplan be adopted.

Code of Good Practice and Guidance on the Conduct of Planning Matters

Councillor Mrs Channer proposed that the Code of Practice and Guidance on the Conduct of Planning Matters (Appendix 4 to the report) be withdrawn from consideration by the Council and she highlighted a problem with the tracked changes within the document. She suggested that this be deferred to the Planning and Licensing Committee and then brought back to the December meeting of the Council. This proposal was duly seconded.

As the Minute relating this item of business contained a number of recommendations Councillor Mrs Channer clarified that she was proposing that under recommendation (ii) the matters relating to ‘Planning and Licensing Committee Scheme of Delegation’ and ‘Terms of Reference of Area Planning Committees’ be agreed by the Council and the other recommendations be pulled and brought back to a future meeting of the Council following further consideration by the Planning and Licensing Committee. This was duly seconded and agreed.

RESOLVED

- (iv) that the changes to constitutional arrangements as set out below be agreed:

Planning and Licensing Committee Scheme of Delegation
To the Chief Executive (Director) –

In consultation with the Chairman of the Committee, to review the accuracy of agreed planning conditions due to the passage of time between the Committee decision and the issue of a decision notice consequent upon the completion of a S106 planning obligation.

Terms of Reference of Area Planning Committees
Delete provision (a) – To consider and report to the Council
Amend existing para. (b)(i)11 by the deletion of “The approval of

Planning Enforcement (please note: addendum incorrectly titled Council Constitution – Planning Applications for Development of Strategic Interest)

Councillor Mrs Channer proposed that this document be approved but with a proviso for further proof reading and to ensure that all amendments requested by the Overview and Scrutiny Committee had been incorporated. This was agreed.

RESOLVED

- (v) That subject to further proof reading and any further minor amendment, the revised Planning Enforcement Policy, Practice and Guidance be adopted.

Finance and Corporate Services Committee – 26 September 2017

Asset Management Working Group

Councillor I E Dobson, Vice-Chairman of the Finance and Corporate Services Committee, proposed the following amendments to the recommendations set out in the report:

- (i) that the Asset Management Working Group be re-formed with immediate ~~effect in accordance with the~~ and its Terms of Reference (attached at APPENDIX 5) be agreed by the Members of the Working Group at its first scheduled meeting;
- (ii) ~~that subject to (i) above the Council's constitution be amended to allow meetings of the Asset Management Working Group to take place in the evening;~~
- (iii) that a copy of the report considered by the Finance and Corporate Services Committee on 23 June 2015 which led to the resolution to disband the Asset Management Working Group be circulated to all Members.

Councillor Dobson then referred to the Leader of the Council who outlined the Membership of the Asset Management Working Group as follows.

- Leader of the Council
- Deputy Leader of the Council
- From the Community Services Committee:
 - Councillor R G Boyce MBE (Chairman of the Committee)
 - Councillor E L Bamford
- From the Finance and Corporate Services Committee:
 - Councillor D M Sismey (Chairman of the Committee)
 - Councillor I E Dobson (Vice-Chairman of the Committee)
- From the Planning and Licensing Committee:
 - Councillor Mrs P A Channer CC (Chairman of the Committee)
 - Councillor A K M St. Joseph (Vice-Chairman of the Committee)

These proposed changes were duly seconded and agreed.

RESOLVED

- (vi) that the Asset Management Working Group be re-formed with immediate effect and its Terms of Reference be agreed by the Members of the Working Group at its first scheduled meeting;
- (vii) that the Membership of the Asset Management Working Group be agrees as follows:
 - Leader of the Council
 - Deputy Leader of the Council
 - From the Community Services Committee:
 - Councillor R G Boyce MBE (Chairman of the Committee)
 - Councillor E L Bamford
 - From the Finance and Corporate Services Committee:
 - Councillor D M Sismey (Chairman of the Committee)
 - Councillor I E Dobson (Vice-Chairman of the Committee)

- From the Planning and Licensing Committee:
 - Councillor Mrs P A Channer CC (Chairman of the Committee)
 - Councillor A K M St. Joseph (Vice-Chairman of the Committee)
- (viii) that a copy of the report considered by the Finance and Corporate Services Committee on 23 June 2015 which led to the resolution to disband the Asset Management Working Group be circulated to all Members.

(b) MINUTES OF MEETINGS OF COMMITTEES

The Council noted the list of Committees that had met before and since the last meeting of the Council, up until Wednesday 25 October 2017 for which Minutes had been published.

539. PETITION TO REINSTATE THE MARINE LAKE, PROMENADE PARK, MALDON

The Council considered the report of the Director of Customers and Community advising of a petition submitted by the Prom Swimming Committee calling for the reinstatement of the former Marine Lake at Promenade Park, Maldon.

Ms M Ellis, representing the Prom Swimming Committee, presented the petition and provided the Council with detailed information regarding reinstatement of the Marine Lake including:

- the number of signatures gathered;
- a history of the lake;
- supporting documents which had been circulated to the Council;
- how the change would reduce risks relating to legionella and other diseases;
- revenue streams which had been identified.

The Leader of the Council responded, highlighting a number of points set out in the report and how this had been brought before the Council for debate in light of the strong public interest and social medial and press coverage. He advised Members that the Council needed to consider the implications of changing the ornamental lake and creating a swimming and boating facility at Promenade Park. The Leader proposed that the recommendations as set out the report be agreed and this was duly seconded.

Councillor R G Boyce advised the Council that if the motion on the flook was not supported he ¹wished to move another motion to the recommendations outlined in the report and outlined the following reasons for urging the Council the reject the petition:

- the lake in its current format was a major ecological asset to the Council and enjoyed by upwards of half a million people a year;
- reinstatement of the lake would result in the creation of an artificial lake;
- it was not practicable to fill and empty the lake – he referred to when previously a swimming lake it had taken six or seven days to empty and refill it.

A lengthy debate ensued. During which the Director of Customers and Community and Solicitor provided Members with information regarding the Council’s statutory duty of

¹ Minute No. 690 (21 December 2017)

care under the Occupier Liability Act. The Solicitor advised that by creating the lake this would have a greater degree of responsibility and he felt that this would be greater than its ordinary statutory duty.

In accordance with Procedure Rule No. 13 (3) Councillor M F L Durham requested a recorded vote. This was duly seconded.

The Chairman then put the recommendations set out in the report and the voting was as follows:

For the recommendation:

Councillors A T Cain, M F L Durham and Rev. A E J Shrimpton.

Against the recommendation:

Councillors Mrs B F Acevedo, E L Bamford, B S Beale, R G Boyce, Mrs P A Channer, R P F Dewick, I E Dobson, Mrs H E Elliot, P G L Elliott, A S Fluker, Mrs B D Harker, B E Harker, M W Helm, Miss M E Lewis, M R Pearlman, R Pratt, N R Pudney, S J Savage, Mrs N G F Shaughnessy, A K M St. Joseph, Mrs M E Thompson and Miss S White.

Abstentions:

Councillors H M Bass and M S Heard.

This motion was declared lost.

Councillor R G Boyce referred to the recommendations set out in the report and proposed that the Council agree the alternative action and ²not take the action requested by the Petition (to reinstate Maldon Prom Swimming Lake and Paddle Boats) for the following reasons:

- The proposal to reinstate the Maldon Swimming Lake and paddle boats would effectively require this Council to construct an artificial lake.
- This would mean that the Council would then fall under the Health and Safety Executive guidance managing Health and Safety in Swimming pools.
- Guidance suggests that a higher duty of care is required for children and young adults particularly if they are unsupervised.
- The risk levels associated with the reinstatement of the lake are unacceptable for the public and this Council to manage.

This was duly seconded and upon a vote being taken the voting was as follows:

For the recommendation:

Councillors Mrs B F Acevedo, E L Bamford, B S Beale, R G Boyce, Mrs P A Channer, R P F Dewick, I E Dobson, Mrs H E Elliot, P G L Elliott, A S Fluker, Mrs B D Harker, B E Harker, M W Helm, Miss M E Lewis, M R Pearlman, R Pratt, N R Pudney, S J Savage, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, A K M St. Joseph, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillor M S Heard.

² Minute 690 (21 December 2017)

Abstention:

Councillors H M Bass, A T Cain and M F L Durham.

RESOLVED that the Council not take the action requested by the Petition (to reinstate Maldon Prom Swimming Lake and Paddle Boats) for the follows reasons:

- The proposal to reinstate the Maldon Swimming Lake and paddle boats would effectively require this Council to construct an artificial lake.
- This would mean that the Council would then fall under the Health and Safety Executive guidance managing Health and Safety in Swimming pools.
- Guidance suggests that a higher duty of care is required for children and young adults particularly if they are unsupervised.
- The risk levels associated with the reinstatement of the lake are unacceptable for the public and this Council to manage.

540. QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 6(3) OF WHICH NOTICE HAS BEEN GIVEN

There were none.

541. ADOPTION OF WORKING DEFINITION OF ANTI-SEMITISM

The Council considered the report of the Director of Customers and Community seeking formal adoption of the working definition of Anti-Semitism as defined by the International Holocaust Remembrance Alliance (IHRA).

Members were advised that the Secretary of State for Communities and Local Government had written to all Local Authorities calling on them to formally adopt the working definition of anti-Semitism. This letter was attached at Appendix 1 to the report. Appendix 2 detailed the definition as agreed by the IHRA.

RESOLVED that the Council formally adopts the definition of Anti-Semitism as proposed by the International Holocaust Remembrance Alliance, as follows:

‘Anti-Semitism is a certain perception of Jews, which may be expressed as hatred towards Jews. Rhetorical or physical manifestations of anti-Semitism are directed towards Jewish or non-Jewish individuals and/or their property, towards Jewish community institutions and religious facilities’.

542. COMMITTEE STRUCTURE REVIEW

The Council considered the report of the Chief Executive, reporting back following a Member led activity in response to a Committee Structure Review undertaken by BDO (Internal Audit) and considered by this Council at its meeting on 5 April 2017.

It was noted that output from meetings with Group Members had been used to compile the recommendations set out in the report. The report provided a summary of the following issues considered:

- Officer attendance at Committee meetings;

- Reports for noting and information;
- Alignment of the decisions of different Committees;
- Replacement of the Parish Trigger and extending the Member call in area;
- Paperless Committee meetings;
- Screening of Committee meetings;
- Review of Area Planning Committees;
- Structure of Committee Services;
- Linking the Director roles with key programme Committees;
- Training for Members of Area Planning Committees.

RESOLVED

- (i) That Committee reports are presented by either the appropriate Director or their deputy at each programme Committee meeting to minimise the cost of officer time at meetings. Other officers should only be in attendance at the request of, or with the approval of, the Committee Chairman with the exception of Area Planning Committee and Extraordinary Council meetings where senior planning officers, in conjunction with the Committee Chairman, will decide which officers attend to present reports and take questions;
- (ii) That reports for noting and information will be brought to the attention of all Members but will not be included in the agenda of Committees / the Council. Members wishing to debate such reports can apply to the appropriate Committee Chairman or Leader of the Council;

Where reports concern Corporate Risk and Staff Statistics, these will still be presented to Committees by way of a recommendation ‘for review and comment’;

- (iii) That where a decision is required by more than one Committee and such decisions are not aligned the final decision will be made at the next meeting of the Council;
- (iv) That the current Town and Parish Council Trigger be replaced by member call in to Area Planning Committees, as detailed below:

Members Call in to Area Planning Committees

The process of Members calling in planning applications to the Central Area Planning Committee remains unchanged.

The process of Members calling in planning applications to the South Eastern and North Western Area Planning Committees is changed to allow for Ward Members to call in any planning application that falls within their call in area, as follows:

South Eastern Area Planning Committee

Call in area 1Burnham-on-Crouch North and Burnham-on-Crouch South

Call in area 2Althorne, Mayland, Southminster and Tillingham

North Western Area Planning Committee

Call in area 1Tollesbury, Tolleshunt D'Arcy and the Tothams

Call in area 2Purleigh, Wickham Bishops and the Woodhams.

- (v) That the Council delivers additional IT training to Members and carries out a full review of technology and hardware to ensure it is fit for purpose;
- (vi) That the Council will fully implement Mod.Gov and achieve paperless meetings, save for extraordinary individual circumstances, by May 2019;
- (vii) That Officers bring forward a proposal to improve the ability to screen Committee meetings in the Northey Room (formerly the Training Room at the Council Offices) through improved cameras and sound recording equipment and present a proposal to live stream meetings for consideration;
- (viii) That the Director of Resources in conjunction with the Leader of the Council, Deputy Leader of the Council, Chairmen and Vice Chairman of the programme Committees reviews both the scope of Directorships and the terms of reference of programme Committees to align the Corporate Leadership Team (CLT) roles better with those of the programme Committees;
- (ix) That mandatory training is provided to all Area Planning Committee members no later than the Statutory Annual meeting of the Council in May 2018. This training should cover core planning regulations and guidance to support and inform Members when making decisions on planning applications;
- (x) That the Director of Resources reviews the outcome of these changes and reports back to Members no later than the end of quarter one 2018 / 19.

543. QUESTIONS TO THE LEADER OF THE COUNCIL IN ACCORDANCE WITH PROCEDURE RULE 1 (3) (M)

Councillor Miss M R Lewis asked the Leader of the Council following Councillor S J Savage's question to the Leader at the last meeting of the Council, if there was any further information regarding the Peer review report.

In response the Leader advised that he was due to meet with representatives from the Local Government Association on Monday 6 November 2017 and confirmed that once the report was finalised it would be brought back to the Council.

544. 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 urgent item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

545. LLYS HELIG UPDATE

The Council considered the report of the Director of Customers and Community providing an update on progress in resolving the capsized vessel known as Llys Helig berthed on the foreshore in Burnham-on-Crouch.

Councillor Mrs P A Channer provided details regarding her earlier declaration and following advice from the Deputy Monitoring Officer left the chamber along with Councillor N R Pudney.

It was requested that the Monitoring Officer review the liabilities of Members that sat on Outside Bodies. The Monitoring Officer confirmed that he would do this.

An addendum to the report was circulated at the meeting providing additional information, Counsel advice and Members' attention drawn to the additional recommendations set out in it.

RESOLVED

- (i) that Members note the update on the Llys Helig;
- (ii) that Officers continue to report back to the Leader and Deputy Leader of the Council on an ongoing basis and to the next meeting of the Council (or sooner if necessary) on progress to resolve the situation;
- (iii) that Officers instruct Counsel to draft a letter to the Crouch Harbour Authority advising this Council believes the duty for the clearance of the Llys Helig rests with the Crouch Harbour Authority and this Council will take no further action in this respect.
- (iv) that Officers maintain open dialogue with Council's insurers but take no further action at this time with regard to the physical salvage of the Llys Helig.

There being no further items of business the Chairman closed the meeting at 8.50 pm.

H M BASS
CHAIRMAN