

Unrestricted Document Pack

APOLOGIES Committee Services
Tel. 01621 875791

Council Chamber 01621 859677

CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

01 May 2018

Dear Councillor

You are summoned to attend the forty six;

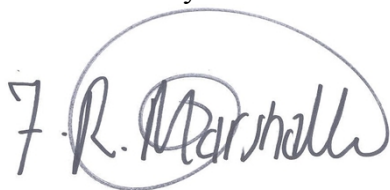
ANNUAL MEETING OF THE MALDON DISTRICT COUNCIL

on **THURSDAY 10 MAY 2018** at 7.30 pm.

in the Council Chamber - Council Offices, Princes Road, Maldon.

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Fiona Marshall', is written over a circular stamp or seal. The signature is written in a cursive style.

Chief Executive

NB: Serving Members who are past Chairmen of the District Council are invited to wear their past Chairman's badges and medals.

Limited hard copies of this agenda and its related reports will be available at the meeting. Electronic copies are available via the Council's website
<https://democracy.maldon.gov.uk/ieListDocuments.aspx?CIId=196&MIId=1280>

THIS PAGE IS INTENTIONALLY BLANK



AGENDA
ANNUAL MEETING OF THE MALDON DISTRICT COUNCIL
THURSDAY 10 MAY 2018

1. **Chairman's notices**

2. **Election of Chairman**

To elect the Chairman of the Maldon District Council for the ensuing Municipal Year.

3. **Chairman's Statutory Declaration of Acceptance of Office**

Chairman to make the Statutory Declaration of Acceptance of Office.

4. **Election of Vice-Chairman**

To elect the Vice-Chairman of the Maldon District Council for the ensuing municipal year.

5. **The Vice-Chairman's Statutory Declaration of Acceptance of Office.**

Vice-Chairman to make the Statutory Declaration of Acceptance of Office.

6. **Apologies for absence**

7. **Declarations of Interest**

To declare the existence and nature of any 'personal' or 'personal and prejudicial' interests relating to items on the agenda having regard to paragraphs 8 to 12 inclusive of the Code of Conduct for Members.

(Members are reminded that they are also required to declare interests as soon as they become aware should the need arise throughout the meeting).

8. **Minutes - 22 March 2018** (Pages 9 - 14)

To confirm the Minutes of the meeting of the Council held on 22 March 2018 (copy enclosed).

9. **Public Questions**

To receive questions from members of the public, of which prior notification in writing has been received (no later than noon on the Tuesday prior to the day of the meeting).

10. **Chairman's Announcements**

11. **Minute Book**

To consider the Minutes of the under mentioned Committees (copy be circulated).

* Please note that where Minutes contain recommendations to the Council the Minute references for these recommendations are listed below for Members' information.

Overview and Scrutiny Committee (meeting as the Crime and Disorder Committee)	14 March 2018
Audit Committee * • Review of Risk Management Policy	26 March 2018
Community Services Committee	27 March 2018
Overview and Scrutiny Committee	28 March 2018
Planning and Licensing Committee * • Renewable and Low Carbon Technology Supplementary Planning Document • River Blackwater Task and Finish Working Group Update	17 April 2018
Finance and Corporate Services Committee * • Human Resources Policies and Procedures	19 April 2018

12. **Minutes of Meetings**

To note that since the last meeting of the Council, up until Tuesday 1 May 2018 (Council agenda dispatch) the following Committees have met, and to receive any questions in accordance with Council and Committee Procedure Rule 6 (2).

Minutes published:

North Western Area Planning Committee	3 April 2018
Appointments Committee	5 April 2018
South Eastern Area Planning Committee	9 April 2018
Joint Standards Committee	10 April 2018

Minutes NOT finalised for publication:

South Eastern Area Planning Committee (special meeting	17 April 2018
Central Area Planning Committee	18 April 2018

13. **Questions in accordance with Procedure Rule 6 (2) of which notice has been given**

14. **Leaders and Composition of Political Groups** (Pages 15 - 16)

- (i) To consider the report of the Chief Executive on the Leaders and composition of each political group (copy enclosed).
- (ii) The Council to consider the ratification of the Leader-designate as Leader or to elect the Leader of the Council.
- (iii) To elect the Deputy Leader of the Council.

15. **Appointment of Membership of Committees of the Council**

To appoint Members to serve on Committees, as required by Procedure Rule 17. (Report of the Chief Executive on the nominations of the Leader of the Council and the Opposition Leader to the places allocated to their respective groups to be circulated).

16. **Adjournment of meeting**

To adjourn the meeting to allow Committees of the Council and the Area Planning Committees to proceed to elect Chairmen and Vice-Chairmen.

Special Meeting of the Finance and Corporate Services Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Community Services Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Planning and Licensing Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Overview and Scrutiny Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Audit Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Joint Standards Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Investigating and Disciplinary Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Central Area Planning Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the North Western Area Planning Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the South Eastern Area Planning Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

17. **Resumption of Business**

To continue with the business of the Statutory Annual Meeting of the Council.

18. **Appointment of Representatives to Local Government and Outside Bodies**

To consider the report of the Chief Executive (copy to follow).

19. **Appointment of Members to serve on Working Groups of the Council**

To consider the report of the Chief Executive (copy to follow).

20. **Chief Executives' Pay Agreement 2018 - 20** (Pages 17 - 20)

To consider the report of the Director of Resources, (copy enclosed).

21. **Schedule of Meetings 2018 / 19**

To consider the following revisions to the 2018 / 19 Schedule of Meetings:

- Audit Committee – Additional meeting on Thursday 21 April 2018 to consider the Annual Governance Statement.
- Finance and Corporate Services Committee - Additional meeting on Tuesday 16 April 2019 as a meeting in April 2019 had been omitted in error.

22. **Business by reason of special circumstances considered by the Chairman to be urgent.**

NOTICES

Sound Recording of Meeting

Please note that the Council will be recording any part of this meeting held in open session for subsequent publication on the Council's website. At the start of the meeting an announcement will be made about the sound recording. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

Closed-Circuit Television (CCTV)

This meeting is being monitored and recorded by CCTV.

This page is intentionally left blank



**MINUTES of
COUNCIL
22 MARCH 2018**

PRESENT

Chairman	Councillor H M Bass
Vice-Chairman	Councillor N R Pudney
Councillors	Mrs B F Acevedo, J P F Archer, E L Bamford, B S Beale MBE, R G Boyce MBE, A T Cain, Mrs P A Channer, CC, 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, J V Keyes, 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

913. CHAIRMAN'S NOTICES

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

914. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Miss A M Beale, R P F Dewick, I E Dobson, M W Helm, Miss M R Lewis and D M Sismey.

915. DECLARATIONS OF INTEREST

Councillor Mrs P A Channer, M F L Durham and R Pratt declared an interest as a Member of Essex County Council in any items of business pertinent to that Council.

916. MINUTES - 8 FEBRUARY 2018

RESOLVED

- (i) that the Minutes of the Council held on 8 February 2018 be received.

Minute 801 – Declarations of Interest

Councillor H M Bass proposed that the following paragraph be added to the end of Minute 801 – Declarations of Interest. This was duly agreed.

The Chairman drew Members' attention to and read out the paragraph contained on the agenda relating to Section 106 of the Local Government Finance Act

1992. In response to a question from the Chairman, Councillor S J Savage raised a point of order and clarified that he would not be making any declaration of interest.

Minute 809 - Revised 2017 / 18 and Original 2018 / 19 Budget Estimates and Council Tax 2018 / 19,

Minute 810 – Council Tax 2018 / 19

Minute 811 – Medium Term Financial Strategy 2018 / 19 to 2021 / 22:

Councillor Mrs B F Acevedo highlighted that the recorded votes detailed in the following above Minute numbers should include reference to herself and not Councillor Miss A M Beale.

These amendments were duly agreed.

In response to a question from a Member regarding why responses (in verbatim) to the Leaders' speech were not attached to the Minutes, the Chairman advised that this was a matter to be brought up for future debate.

RESOLVED

- (ii) that subject to the above amendments, the Minutes of the Council held on 8 February 2018 be adopted.

917. PUBLIC QUESTIONS

There were none.

918. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that he had attended a number of events (detailed below), and thanked the Vice-Chairman for also attending some events on his behalf.

09/02/2018	Planting trees at the Maldon and East Essex District Scouts, Wickham Bishops
21/02/2018	Visit to Springfield Industrial Estate
21/02/2018	Maldon Community Voluntary Service Annual General Meeting
23/02/2018	Maldon District Council Chairman's Business Awards
25/02/2018	RNLI Sherry Morning
27/02/2018	Queen's Awards for Voluntary Services Reception
04/03/2018	Essex County Council Chairman Civic Service, Chelmsford Cathedral
05/03/2018	Visit to the Maldon Oyster Company
06/03/2018	Apprenticeships Event, Maldon District Council
09/03/2018	Rochford Annual Civic Dinner
13/03/2018	Visit to Braxted Park

13/03/2018	New Nuclear Local Government Association Group Dinner
14/03/2018	Chelmsford Civic Lunch - Hylands House
15/03/2018	Three Rivers Golf and Country Club
21/03/2018	Topping out Ceremony for Blackwater Retail Park

919. MINUTE BOOK

a) MINUTES OF OVERVIEW AND SCRUTINY COMMITTEE – 14 FEBRUARY 2018

RESOLVED that the Minutes of the meeting of the Overview and Scrutiny Committee held on 14 February 2018 be adopted.

(b) MINUTE OF FINANCE AND CORPORATE SERVICES COMMITTEE – 6 MARCH 2018

RESOLVED

Minute 868 – Pay Policy Statement (Annual Review)

RESOLVED

- (i) That the Pay Policy Statement attached at Appendix 1 to the Minutes of the Finance and Corporate Services Committee be adopted for the financial year 2018 /19.

Minute 869 – Treasury Management and Annual Investment Strategy

RESOLVED

- (ii) that the draft Treasury Management and Annual Investment Strategy together with the embedded Prudential Indicators for 2018 / 19, as set out in Appendices 2, 3 and 4 to the Minutes of the Finance and Corporate Services Committee, be approved

Minute 870 – Financial Services Policy – Mileage and Expenses

RESOLVED

- (iii) that subject to the above amendment outlined in the Minutes of the Finance and Corporate Services Committee, the Mileage and Expenses Policy attached at Appendix 5 to those Minutes, be approved and adopted

Minute 871 – Information and Data Security Policies

RESOLVED

- (iv) that the following information and data security policies (attached as Appendix 6 to the Minutes of the Finance and Corporate Services Committee) be agreed and adopted.
- Conditions of Acceptable Use V7.1 2018
 - Corporate Information Security Policy V2.1 2018
 - Using Email and Digital Communications V1.0 2018

Minute 871 – Data Protection Policy 2018

RESOLVED

- (v) that subject to the amendment detailed in the Minutes of the Finance and Corporate Services Committee, the Data Protection Policy, attached at Appendix 7 to those Minutes, be approved.

Minute 873 – Information Security Data Breach Incident Reporting Management Policy

RESOLVED

- (vi) that subject to the amendment detailed in the Minutes of the Finance and Corporate Services Committee, the Information Security Incident Reporting and Data Breach Management Policy, attached at Appendix 8 to those Minutes, be approved.

RESOLVED

- (vii) that subject to the above decisions, the Minutes of the meeting of the Finance and Corporate Services Committee held on 14 February 2018 be adopted.

(c) MINUTE OF PLANNING AND LICENSING COMMITTEE – 8 MARCH 2018

Minute 882 – Essex Coastal Recreational Avoidance and Mitigation Strategy (RAMS) Update

In response to a comment regarding the funding priorities, Councillor Mrs P A Channer, Chairman of the Planning and Licensing Committee, provided a brief update on discussions at the meeting and advised that an update report would be brought to the next meeting of the Committee.

RESOLVED that the Minutes of the meeting of the Planning and Licensing Committee held on 8 March 2018 be adopted.

920. 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 14 March 2018 for which Minutes had been published.

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

There were none.

922. IMPLEMENTATION OF THE GARDEN SUBURBS

The Council considered the report of the Director of Planning and Regulatory Services providing an update on the implementation of the Garden Suburbs as set out in Policy S2 of the Local Development Plan (LDP) approved in July 2017. It was noted that the Garden Suburb Master Plan documents were available as background papers to the report.

Delivery of Policy S2 sites was a priority to ensure that the Council achieved the supply of affordable homes and met its Five Year Housing Land Supply. The report provided an update on progress and highlighted issues being addressed for the South Maldon and North Heybridge Garden Suburbs Master Plans which were presented for adoption as a Supplementary Planning Document.

The Leader of the Council drew Members' attention to an addendum to the report, circulated at the meeting, which highlighted concerns raised regarding the adoption of the North Heybridge Garden Suburb (NHGS) Master Plan as a Supplementary Planning Document. The addendum suggested the deletion of recommendation (ii) to the report and the Leader explained that deferring approval of the NHGS Master Plan would not impact on the South Maldon Garden Suburb Master Plan which was still recommended for approval by the Council. The Leader proposed that the recommendations as set out on the addendum be agreed. This was duly seconded and agreed.

Following agreement of the recommendations there was some discussion during which additional information was provided by the Leader of the Council and Officers, including clarification regarding the new Section 106 agreement relating to the South Maldon Garden Suburb Master Plan.

RESOLVED

- (i) That the progress on the delivery of the Garden Suburbs be noted and that reports are made back to the Council as appropriate;
- (ii) That the South Maldon Garden Suburb Master Plan be Adopted as a Supplementary Planning Document.

923. SCHEDULE OF MEETINGS 2017 / 18

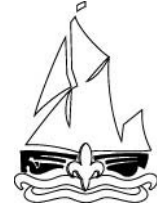
RESOLVED that the extraordinary meeting of the Council (planning) scheduled for 5 June 2017 be changed to 5 July 2018.

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

Councillor B S Beale asked the Leader of the Council if he agreed that the problem of clearing the South Eastern Area Planning Committee enforcement backlog had grown to an untenable position. He advised that the Committee were concerned and required assurance that the situation would be sorted as soon as possible and if further assistance to Officers was required this should also be addressed. In response, the Leader of the Council agreed with Councillor Beale and advised that these concerns also related to the North Western and Central Area Planning Committees. He informed Members that Officers had been asked to present a business case to provide extra resource and a further report in respect of enforcement was being drafted regarding the South Eastern area which would be shared with Councillor Boyce and the Chairman / Vice-Chairman of that Committee.

There being no further items of business the Chairman closed the meeting at 8.05 pm.

H M BASS
CHAIRMAN



REPORT of CHIEF EXECUTIVE

**to
ANNUAL COUNCIL
10 MAY 2018**

LEADERS AND COMPOSITION OF POLITICAL GROUPS

1. As required by the Local Government and Housing Act 1989, the Chief Executive has been notified that the compositions of the political Groups on the Council are as follows:-

Conservative	27 Members	Leader: Councillor M F L Durham CC
Independent	3 Members	Leader of the Opposition Group: Councillor B S Beale MBE

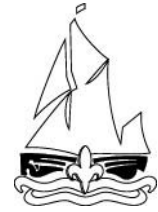
In addition, there is a single Member who although not part of a political Group constitutes the political make-up of the Council:

- Councillor Mrs B E Acevedo (Independent (non-aligned)),

In accordance with the Council's Political Parties and Associated Arrangements, Councillor M F L Durham is therefore recognised as Leader-designate.

2. Council is now asked:
- (i) to consider the ratification of the Leader-designate as Leader of the Council;
 - (ii) in the event that the Council does not confirm the Leader-designate, to elect the Leader of the Council.
3. To elect the Deputy Leader of the Council.

This page is intentionally left blank



REPORT of DIRECTOR OF RESOURCES

**to
ANNUAL COUNCIL
10 MAY 2018**

CHIEF EXECUTIVE'S PAY AGREEMENT 2018 - 20

1. PURPOSE OF THE REPORT

- 1.1 At the meeting of the Finance and Corporate Services Committee on 30 January 2018, a recommendation was approved (Minute No. 781 refers) that a pay award for Council staff and Directors for 2018 / 19 and 2019 / 20 be awarded in line with any National Joint Council (NJC) approved pay offer. Any pay award pertaining to the Chief Executive is outside of this agreement and is governed by the Joint Negotiating Committee for Chief Executives of Local Authorities (JNC).
- 1.2 The JNC pay claim 2018 / 19 for Chief Executives has been submitted and has requested that the salaries of Chief Executives be increased by 2% per annum over the next two years. The National Employers for local government services (Employers) offer has also been put forward for Chief Executives at a lower amount of a 1% increase to salary to be paid in 2018 / 19 only and no further increase agreed for 2019 / 20. Subject to final agreement being reached by the JNC and Employers, this report seeks approval for the Chief Executive salary to be revised in line with that agreement.
- 1.3 The NJC pay award of officers was confirmed on 10 April 2018 and a 2% increase has been agreed by both parties. In line with paragraph 1.1 above this increase will now be applied to all officer salaries with the exception of the Chief Executive.

2. RECOMMENDATION

That the Chief Executive's pay (SCP 57 – 60) be revised following confirmation of final agreement between the Joint Negotiating Committee for Chief Executives of Local Authorities and the Employers, up to a maximum of 2% increase for 2018 / 19 and 2019 / 20, with effect from 1 April 2018.

3. SUMMARY OF KEY ISSUES

3.1 Background

- 3.1.1 In November 2010, the Council resolved to adopt the national pay award for staff from 2011 / 12 onwards (Minute Nos. 401 and 476 refer).

- 3.1.2 As the appointment of the Chief Executive is a Member decision, precedent is that the pay band in relation to the Chief Executive requires specific approval from the Council.
- 3.1.3 The Chief Executive has terms and conditions of employment that are separate from the NJC, and so the NJC national pay award would not automatically apply. There is a separate national pay bargaining arrangement for Chief Executives, conducted by their representative body, the Association of Local Authority Chief Executives (ALACE).
- 3.1.4 The JNC agreed on 21 December 2017 that a pay award claim in line with officer's increases would be submitted for Chief Executive salaries. This covers the period from 1 April 2018 – 31 March 2020. The table below in paragraph 4.2 shows the amended pay band for the Chief Executive grade based on this claim. It should be noted that a 2% increase is included in the 2018 - 20 base budgets.
- 3.1.5 On 10 April 2018, the Employers made an offer for Chief Executives of 1% from 1 April 2018, and is a one year offer. The table below in 4.3 shows the amended pay band for the Chief Executive grade based on this offer.
- 3.1.6 There will now be a period of negotiation before a final settlement is agreed between the Employer and JNC.

4. CONCLUSION

- 4.1 There is currently a claim from the JNC and an offer from the Employers for a pay award for Chief Executives, both are detailed below with their impact. As these are not in agreement, these will now be negotiated before a final pay award settlement is made.
- 4.2 The JNC has submitted a pay claim that an increase in line with officers should be applied to Chief Executive Salaries. The 2% being proposed would have the following impact on the Chief Executive Salary Band, the current Chief Executive is on point 60.

	SCP	01-Apr-17	01-Apr-18	01-Apr-19
Chief Executive	57	£97,192	£99,136	£101,119
	58	£100,176	£102,180	£104,223
	59	£103,158	£105,221	£107,326
	60	£106,142	£108,265	£110,430

- 4.3 The Employers have made an offer for Chief Executives of 1% from 1 April 2018. This would have the following impact on the Chief Executive Salary Band.

	SCP	01-Apr-17	01-Apr-18
Chief Executive	57	£97,192	£98,164
	58	£100,176	£101,178
	59	£103,158	£104,190
	60	£106,142	£107,203

5. IMPACT ON CORPORATE GOALS

- 5.1 This report relates to the pay for the Chief Executive, who has overall responsibilities to ensure that the corporate goals are delivered.

6. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – Ensuring the JNC agreement is applied to the Chief Executives salary will provide equity in terms of the national pay agreement for Chief Executives.
- (iii) **Impact on Risk** – Following any JNC agreement, should the Council not implement the agreed change it could be at risk to Legal Challenge
- (iv) **Impact on Resources (financial)** – The revised pay line for the Chief Executive has no additional impact on the 2018 / 19 agreed budget if it is equal or less than a 2% increase. Compared to prior year, the increase is £2,123 for 2018 / 19 and £2,165 for 2019 / 20. If the 1% increase is approved, the increase would be £1,061.
- (v) **Impact on Resources (human)** – To ensure that the agreed negotiated pay award in relation to Chief Officers pay is applied.
- (vi) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Emma Foy, Director of Resources, (Tel: 01621 875762).

This page is intentionally left blank