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CHIEF EXECUTIVE'S OFFICE
CHIEF EXECUTIVE
Fiona Marshall

20 June 2018

Dear Councillor

You are summoned to attend the;

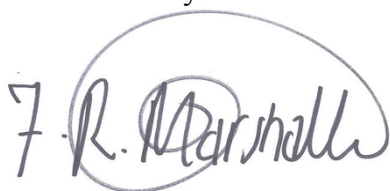
MEETING OF THE MALDON DISTRICT COUNCIL

on **THURSDAY 28 JUNE 2018** at **7.30 pm**.

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

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in black ink, appearing to read 'F. R. Marshall', enclosed within a hand-drawn oval.

Chief Executive

Please note: Limited hard copies of this agenda and its related papers will be available at the meeting. Electronic copies are available via the Council's website.

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AGENDA COUNCIL

THURSDAY 28 JUNE 2018

1. **Chairman's notices**

2. **Apologies for Absence**

3. **Declaration of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, other Pecuniary Interests or Non-Pecuniary Interests relating to items of business on the agenda having regard to paragraphs 6 - 8 inclusive of the Code of Conduct for Members.

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

4. **Minutes - 10 May 2018** (Pages 7 - 24)

To confirm the Minutes of the Statutory Annual meeting of the Council held on Thursday 10 May 2018 (copy enclosed).

5. **Minutes - 17 May 2018** (Pages 25 - 32)

To confirm the Minutes of the extraordinary meeting of the Council held on Thursday 17 May 2018 (copy enclosed).

6. **Minutes - 7 June 2018** (Pages 33 - 36)

To confirm the Minutes of the extraordinary meeting of the Council held on Thursday 7 June 2018 (copy enclosed).

7. **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).

8. **Chairman's Announcements**

9. **Minute Book** (Pages 37 - 78)

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

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

Community Services Committee	22 May 2018
Planning and Licensing Committee *	5 June 2018
Overview and Scrutiny Committee (copy to be circulated)	6 June 2018
Finance and Corporate Services Committee * <ul style="list-style-type: none"> • Chief Executive's Performance Appraisal • Human Resources Policies and Procedures • Annual Treasury Outturn 2017 / 18 • Proposals to Change to Office Opening Time to Public 	12 June 2018

10. **Minutes of Meetings of Committees**

To note that since the last meeting of the Council, up until Wednesday 20 June 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:

Appointments Committee	3 May 2018
Finance and Corporate Services Committee (special)	10 May 2018
Community Services Committee (special)	10 May 2018
Planning and Licensing Committee (special)	10 May 2018
Overview and Scrutiny Committee (special)	10 May 2018
Audit Committee (special)	10 May 2018
Investigating and Disciplinary Committee (special)	10 May 2018
Central Area Planning Committee (special)	10 May 2018
North Western Area Planning Committee (special)	10 May 2018
South Eastern Area Planning Committee (special)	10 May 2018
North Western Area Planning Committee	14 May 2018
South Eastern Area Planning Committee	21 May 2018
Central Area Planning Committee	30 May 2018

Minutes NOT finalised for publication:

North Western Area Planning Committee	11 June 2018
South Eastern Area Planning Committee	18 June 2018

11. **Statement of the Leader of the Council**

To consider the Statement of the Leader of the Council setting out the Council's report and programme for the current municipal year.

12. **Questions in accordance with Procedure Rule 6(3) of which notice has been given**
13. **Review of Performance 2017 / 18** (Pages 79 - 114)

To consider the report of the Chief Executive, (copy enclosed).
14. **Committee Terms of Reference and Scheme of Delegation Update** (Pages 115 - 120)

To consider the report of the Director of Planning and Regulatory Services, (copy enclosed).
15. **Anglian Ruskin University's Build Factory: Proposal for Adoption as a Corporate Project to Support Community Led Housing** (Pages 121 - 126)

To consider the report of the Director of Planning and Regulatory Services, (copy enclosed).
16. **Business by reason of special circumstances considered by the Chairman to be urgent**
17. **Exclusion of Public and Press**

To resolve that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.
18. **Council Structure Report**

To consider the report of the Leader of the Council, (copy to follow).

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

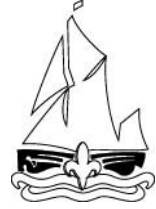
In event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

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.



**MINUTES of
STATUTORY ANNUAL COUNCIL
10 MAY 2018**

PRESENT

Chairman (presiding) Councillor H M Bass

Councillors Mrs B F Acevedo, J P F Archer, E L Bamford,
B S Beale MBE, R G Boyce MBE, 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, J V Keyes,
Miss M R Lewis, R Pratt, CC, S J Savage,
Mrs N G F Shaughnessy, Rev. A E J Shrimpton, D M Sismey,
A K M St. Joseph, Mrs M E Thompson and Miss S White

7. CHAIRMAN'S NOTICES

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

8. ELECTION OF CHAIRMAN

It was proposed by Councillor P G L Elliott and seconded by Councillor R G Boyce that Councillor H M Bass be re-elected as Chairman of the Maldon District Council for the ensuing Municipal Year.

There being no further nominations it was:

RESOLVED that Councillor H M Bass be re-elected Chairman of the Maldon District Council for the ensuing Municipal Year.

9. CHAIRMAN'S STATUTORY DECLARATION OF ACCEPTANCE OF OFFICE

Councillor H M Bass made the Statutory Declaration of Acceptance of the Office of Chairman of the Council.

IN THE CHAIR : COUNCILLOR H M BASS

10. ELECTION OF VICE-CHAIRMAN

It was proposed by Councillor H M Bass, and seconded by Councillor Mrs P A Channer that Councillor N R Pudney be re-elected as Vice-Chairman of the Maldon District Council for the ensuing Municipal Year.

There being no further nominations it was:

RESOLVED that Councillor N R Pudney be re-elected as Vice-Chairman of the Maldon District Council for the ensuing Municipal Year.

11. THE VICE-CHAIRMAN'S STATUTORY DECLARATION OF ACCEPTANCE OF OFFICE.

Councillor N R Pudney made the Statutory Declaration of Acceptance of the Office of Vice-Chairman of the Council.

12. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Miss A M Beale, A T Cain and M R Pearlman.

13. DECLARATIONS OF INTEREST

Councillor Mrs P A Channer declared a non-pecuniary interest as a Member of Essex County Council advising that a number of the Minutes had ramifications for the County Council.

14. MINUTES - 22 MARCH 2018

RESOLVED that the Minutes of the extraordinary meeting of the Council held on 22 March 2018 be approved and confirmed.

15. PUBLIC QUESTIONS

There were none.

16. CHAIRMAN'S ANNOUNCEMENTS

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

23/03/2018	Southend Civic Dinner
29/03/2018	Visit to Dengie hundred sports Centre
29/03/2018	Visit to Blackwater Leisure Centre
29/03/2018	Visit to Metal Matters
05/04/2018	Maldon Multi Agency Centre – Maldon District Council
09/04/2018	Declaration Ceremony of the new High Sheriff

10/04/2018	Visiting Little Braxted Hall
11/04/2018	Royal Visit Mackmurdo Place
13/04/2018	Pride of Maldon Awards (<i>Vice-Chairman</i>)
14/04/2018	Harbour 10th Birthday Celebrations
15/04/2018	All Saints Church Civic Service, Little Totham
16/04/2018	Visit to St Peter's Canteen
17/04/2018	Essex Millennium Fund Awards (<i>Vice-Chairman</i>)
18/04/2018	Greens Recycling
19/04/2018	Visit to the Blue House Farm and North Fambridge Yacht Harbour
19/04/2018	Royal National Lifeboat Institute (RNLI) Annual General Meeting
25/04/2018	Burnham-on-Crouch (BOC) RNLI Station - Cheque presentation
25/04/2018	New Hall Vineyard
27/04/2018	BOC Town Council Annual Civic Reception
29/04/2018	Witham Civic Service
01/05/2018	Heyward and Barratt, Terra Therma
01/05/2018	Wentworth Primary School - Launch of the 3PR School Parking Initiative
02/05/2018	Maldon Primary School Visit - Council Meeting in Chamber
04/05/2018	Goldhanger - Wilkins and Sons
05/05/2018	STO-kers - Stow Maries Great War Aerodrome - Kids workshop, cadets also attending
08/05/2018	Woodham Mortimer with Hazeleigh Parish Council Annual Council
09/05/2018	Visit to Rural Discovery Church, St Lawrence
09/05/2018	Visit to Beeleigh Mill Project

The Chairman read a short statement and thanked Members for reappointing him into the role of Chairman of the Council. The Chairman thanked the Public Relations Manager and his team for their support over the last year.

The Chairman then presented a long service award to Russell Dawes who was shortly due to complete 20 years with the Council.

17. MINUTE BOOK

(a) MINUTES OF OVERVIEW AND SCRUTINY COMMITTEE – 14 MARCH 2018

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

(b) MINUTES OF AUDIT COMMITTEE – 26 MARCH 2018

RESOLVED

- (i) That the Minutes of the Audit Committee held on 26 March 2018 be received.

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

Minute 930 – Review of Risk Management Policy

RESOLVED

- (ii) that the Risk Management Policy attached at Appendix 1 to the Minutes of the Audit Committee, be adopted.

RESOLVED

- (iii) that subject to the above decision, the Minutes of the Audit Committee held on 26 March 2018 be adopted.

(c) MINUTES OF COMMUNITY SERVICES COMMITTEE – 27 MARCH 2018

RESOLVED that the Minutes of the meeting of the Community Services Committee held on 27 March 2018 be adopted.

(d) MINUTES OF OVERVIEW AND SCRUTINY COMMITTEE – 28 MARCH 2018

RESOLVED that the Minutes of the meeting of the Overview and Scrutiny Committee held on 28 March 2018 be adopted.

(e) MINUTES OF PLANNING AND LICENSING COMMITTEE – 17 APRIL 2018

RESOLVED

- (i) That the Minutes of the Planning and Licensing Committee held on 17 April 2018 be received.

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

Minute 1008 – Renewable and Low Carbon Technology Supplementary Planning Document

RESOLVED

- (i) that subject to amendment, the Maldon District Renewable and Low Carbon Technologies Supplementary Planning Document (attached as Appendix 1 to the Minutes of the Planning and Licensing Committee) be adopted.

Minute 1012 – River Blackwater Task and Finish Working Group Update

RESOLVED

- (ii) that a Member Task and Finish Working Group or alternative body with two or three Members from each of the three programme Committees be set up to look at other work relating to the Rivers Blackwater and Crouch.

RESOLVED

- (iii) that subject to the above decisions, the Minutes of the Planning and Licensing Committee held on 17 April 2018 be adopted.

(f) MINUTES OF FINANCE AND CORPORATE SERVICES COMMITTEE – 19 APRIL 2018

RESOLVED

- (i) That the Minutes of the Finance and Corporate Services Committee held on 19 April 2018 be received.

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

RESOLVED

Minute 1035 – Human Resources Policies and Procedures

RESOLVED

- (ii) That the Equality and Diversity Policy (attached as Appendix 1 to the Minutes of the Finance and Corporate Services Committee) and Equality Act 2010 Guidance (attached as Appendix 2 to the Minutes of the Finance and Corporate Services Committee) be approved.

RESOLVED

- (iii) that subject to the above decision, the Minutes of the Finance and Corporate Services Committee held on 19 April 2018 be adopted.

18. MINUTES OF MEETINGS

The Council noted the list of Committees that had met before and since the last meeting of the Council, up until Tuesday 1 May 2018 for which Minutes had been produced.

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

There were none.

20. LEADERS AND COMPOSITION OF POLITICAL GROUPS

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

Political Group	Number of Members	Leader
Conservative	27	Councillor M F L Durham
Independent	3	Councillor B S Beale MBE

It was noted that there was one single Member, Councillor Mrs B E Acevedo (non-aligned) who although not part of a political Group constituted part of the political make-up of the Council.

In accordance with the Council's Constitution, Councillor M F L Durham was therefore recognised as Leader-designate. There being no further nominations it was:

RESOLVED

- (i) that the Leader-designate, Councillor M F L Durham, be ratified as Leader of the Council;

Councillor M F L Durham then proposed that Councillor A S Fluker be elected as Deputy Leader of the Council and this was seconded by Councillor Miss S White. There being no further nominations it was:

RESOLVED

- (ii) that Councillor A S Fluker be elected as Deputy Leader of the Council for the ensuing Municipal Year.

21. APPOINTMENT OF MEMBERSHIP OF COMMITTEES OF THE COUNCIL

The Council considered the report of the Chief Executive, circulated prior to the meeting.

Councillor R G Boyce raised a point of order in relation to Procedure Rule 1 (7(j)), (8) and (9). He referred to understanding that it was to be proposed that appointment of the Chairman and Vice-Chairman of the Joint Standards Committee would not take place at this meeting. Having spoken to the Chairman of the Council and the Monitoring Officer, Councillor Boyce felt that the Council, in not making these appointments, would be in conflict of its standing orders. Councillor Boyce felt that the current Membership should remain in place until the next Statutory Annual meeting of the Council.

In response the Interim Monitoring Officer advised that the Local Government Act 1972 overrode the Council's constitution and an error when issuing the summons letter for this meeting meant that the appointment could not take place. Members agreed that in accordance with the advice from the Monitoring Officer, appointment of the Chairman and Vice-Chairman of the Joint Standards Committee would take place at its first meeting.

RESOLVED

- (i) that the the nominations of the Leader of the Council and the Opposition Leader to the places allocated to their respective Groups and the proposed allocations made for Councillor Mrs B E Acevedo, be noted;
- (ii) that appointment of the Chairman and Vice-Chairman of the Joint Standards Committee takes place at its first meeting;
- (iii) that the membership of the Committees of the Council as set out below, be agreed:

Finance and Corporate Services Committee	Councillors: Mrs B F Acevedo J P F Archer I E Dobson P G L Elliott A S Fluker B E Harker M S Heard Rev. A E J Shrimpton D M Sismey <i>Plus ex-officio non-voting Members: Leader of the Council Leader of the Opposition</i>
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<p>Community Services Committee</p>	<p>Councillors: E L Bamford H M Bass Miss A M Beale R G Boyce MBE A T Cain Mrs H E Elliott Mrs B D Harker J V Keyes Miss M R Lewis Mrs N G F Shaughnessy</p> <p><i>Plus ex-officio non-voting Members:</i> <i>Leader of the Council</i> <i>Deputy Leader of the Council</i> <i>Leader of the Opposition</i></p>
<p>Planning and Licensing Committee</p>	<p>Councillors: B S Beale MBE R G Boyce MBE Mrs P A Channer, CC M F L Durham, CC A S Fluker M R Pearlman R Pratt, CC S J Savage A K M St. Joseph Mrs M E Thompson</p> <p><i>Plus ex-officio non-voting Members:</i> <i>None</i></p>
<p>Overview and Scrutiny Committee</p> <p><i>(including the Overview and Scrutiny Committee (meeting as the Crime and Disorder Committee))</i></p>	<p>Councillors: R P F Dewick I E Dobson P G L Elliott M S Heard M W Helm N R Pudney S J Savage Miss S White</p>
<p>Audit Committee</p>	<p>Councillors: E L Bamford P G L Elliott A S Fluker B E Harker M S Heard Miss M R Lewis A K M St. Joseph Mrs M E Thompson</p>

<p>Joint Standards Committee</p>	<p>Councillors: Mrs B F Acevedo E L Bamford I E Dobson Rev. A E J Shrimpton Mrs M E Thompson</p> <p>Parish Councillors: Councillor J Anderson Councillor S Nunn</p>
<p>Investigating and Disciplinary Committee</p>	<p>Councillors: Mrs B F Acevedo E L Bamford I E Dobson Rev. A E J Shrimpton Mrs M E Thompson</p>
<p>Appointments Committee</p> <p><i>Procedure Rule 16 (6) provides for the Committee to consider five Members drawn from those listed, politically balanced where possible.</i></p>	<p>Leader of the Council Chairman of the Council Leader of the Opposition</p> <p>Chairman or Vice-Chairman of the relevant service Committee where a Director appointment is to be made.</p> <p>Councillors A S Fluker Mrs B D Harker</p>

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

<p>Central Area Planning Committee</p>	<p>Councillors: Miss A M Beale A T Cain I E Dobson Mrs B D Harker B E Harker M S Heard Miss M R Lewis M R Pearlman S J Savage Mrs N G F Shaughnessy Rev. A E J Shrimpton</p> <p><i>Plus ex-officio non-voting Member: Chairman of Planning and Licensing Committee</i></p>
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<p>North Western Area Planning Committee</p>	<p>Councillors J P F Archer E L Bamford H M Bass M F L Durham, CC J V Keyes A K M St. Joseph D M Sismey Mrs M E Thompson Miss S White</p> <p><i>Plus ex-officio non-voting Member: Chairman of Planning and Licensing Committee</i></p>
<p>South Eastern Area Planning Committee</p>	<p>Councillors Mrs B F Acevedo B S Beale MBE R G Boyce MBE Mrs P A Channer, CC R P F Dewick Mrs H E Elliott P G L Elliott A S Fluker M W Helm R Pratt, CC N R Pudney</p> <p><i>Plus ex-officio non-voting Member: None</i></p>

22. ADJOURNMENT OF MEETING

RESOLVED that the meeting be adjourned at 8:14pm to allow special meetings to be held to appoint a Chairman and Vice-Chairman as follows:

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

23. RESUMPTION OF BUSINESS

RESOLVED that the business of the Annual Meeting of the Council be resumed at 8:18pm.

24. APPOINTMENT OF REPRESENTATIVES TO LOCAL GOVERNMENT AND OUTSIDE BODIES

The Council considered the report of the Chief Executive listing the nominations of the Leader of the Council, circulated prior to the meeting.

RESOLVED

- (i) that the changes to the Local Government and Outside Bodies as set out in paragraph 3.2 of the report be noted; and
- (ii) that the appointment of representatives to Local Government and Outside Bodies, as detailed in **APPENDIX 1** to these Minutes, for the ensuing Municipal Year, be agreed.

25. APPOINTMENT OF MEMBERS TO SERVE ON WORKING GROUPS OF THE COUNCIL

The Council considered the report of the Chief Executive seeking Members' agreement to appoint Members to serve on Working Groups of the Council for the municipal year, circulated prior to the meeting.

RESOLVED that the appointments to the Working Group of the Council for the municipal year, as set out in **APPENDIX 2** to these Minutes, be agreed.

26. CHIEF EXECUTIVES' PAY AGREEMENT 2018 - 20

The Chief Executive left the meeting prior to consideration of this item of business.

The Council considered the report of the Director of Resources, seeking Members' approval for the Chief Executive salary to be revised in line with the final agreement, once reached, by the Joint Negotiating Committee for Chief Executives and Local Authorities (JNC) and Employers.

The report provided background information regarding a claim from the JNC and an offer from the Employers for a pay award for Chief Executives. It was noted that these were not in agreement and would therefore be negotiated before final pay award settlement was made. The Director of Resources reported that to date no agreement had been reached but was expected over the forthcoming months.

Members were reminded that the Council's agreement of this revision was required as the Chief Executive had separate terms and conditions to all other staff.

Councillor M F L Durham proposed that the recommendation as set out in the report be agreed. This was duly seconded and agreed.

RESOLVED that the Chief Executive's pay (SCP 57 – 60) be revised following confirmation of the 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.

27. SCHEDULE OF MEETINGS 2018 / 19

The Council considered the proposed changes to the schedule of meetings for 2018 / 19. It was noted that the additional meeting of the Audit Committee was proposed for 21 *June* 2018 and not as detailed on the agenda.

RESOLVED that the following revisions to the Schedule of Meetings 2018 / 19, be agreed.

- Audit Committee – Additional meeting on Thursday 21 June 2018.
- Finance and Corporate Services Committee - Additional meeting on Tuesday 16 April 2019.

There being no further items of business the Chairman closed the meeting at 8.26 pm.

H M BASS
CHAIRMAN

**APPOINTMENT OF REPRESENTATIVES ON LOCAL GOVERNMENT AND
OUTSIDE BODIES 2018 / 19**

LOCAL GOVERNMENT BODIES	2018 / 19 REPRESENTATIVE
East of England Local Government Association	Leader of the Council
Essex Local Government Association	Leader of the Council
Local Government Association	Leader of the Council

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

OUTSIDE BODIES	2018 / 19 REPRESENTATIVE(S)
Bradwell Local Community Liaison Council	Councillors B S Beale MBE, A S Fluker and Rev. A E J Shrimpton
British Red Cross Society – Essex County Branch	Chairman of the Council
Essex Countywide Traveller Unit Committee	Councillor M F L Durham, CC
Essex Flood Partnership Board	Councillor A K M St. Joseph <i>Substitute: Councillor Mrs P A Channer CC</i>
Haven Gateway Partnership <i>(Previously Heart of Essex and Haven Gateway Local Enterprise Partnerships)</i>	Leader of the Council and Chairman of the Planning and Licensing Committee <i>Substitute: Deputy Leader of the Council and / or Vice-Chairman of the Planning and Licensing Committee, as appropriate</i>
Maldon Locality Board	Leader of the Council Deputy Leader of the Council Leader of the Opposition (or representative) Chairmen (or Vice-Chairmen) of the Community Services, Planning and Licensing and Finance and Corporate Services Committees
Maldon Harbour Improvement Commissioners <i>This position is an appointment as a Commissioner for a minimum period of three years (appointment will continue even if Member leaves the Council)</i>	Councillor A S Fluker (until June 2021)
Maldon and District Youth Strategy Group	Councillor Miss S White

OUTSIDE BODIES	2018 / 19 REPRESENTATIVE(S)
Mid Essex Hospital Services NHS Foundation Trust - Council of Governors	Councillor N R Pudney
Police and Crime Panel	Councillor Mrs P A Channer, CC <i>Substitute Councillor M F L Durham, CC</i>
Plume Educational Trust <i>(Four yearly appointment)</i>	Councillor A T Cain <i>(to June 2019)</i> Councillor P G L Elliott <i>(to June 2021)</i>
The Thomas Plume Library Charitable Incorporated Organisation	Leader of the Council <i>Substitute: Deputy Leader of the Council</i>

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

OUTSIDE BODIES	2018 / 19 REPRESENTATIVE(S)
Drapers Farm Sports Club Committee	Councillor Miss M R Lewis
Essex Waste Inter Authority Agreement Member Working Group	Chairman of Community Services <i>Substitute: Vice Chairman of Community Services</i>
Essex Waste Member Partnership Board	Chairman of Community Services <i>Substitute: Vice Chairman of Community Services</i>
Community 360 Liaison Group <i>(formally Maldon and District Community Transport Liaison Group)</i>	Councillors B E Harker and Rev. A E J Shrimpton
Maldon Sure Start	Councillor N R Pudney <i>Substitute: Councillor Rev. A E J Shrimpton</i>
Parking and Traffic Regulations outside London Adjudication Joint Committee (PATROL)	Councillor R Pratt, CC <i>Substitute: Councillor Rev. A E J Shrimpton</i>
Responsible Authorities Group (RAG) (Community Safety)	Councillor Miss S White <i>Substitute: Councillor Mrs B D Harker</i>
South Essex Parking Partnership – Joint Committee <i>(NB representative to be member of Community Services Committee)</i>	Councillor R Pratt, CC <i>Substitute: From Community Services Committee (If use of substitute, must notify the Committee 30 minutes prior to the start of a meeting)</i>
West Maldon Community Association Management Committee	Councillor M S Heard

Outside Bodies aligned with the Planning and Licensing Committee’s responsibilities

OUTSIDE BODIES	2018 / 19 REPRESENTATIVE(S)
Bradwell Legacy Partnership (Membership amended by the Council 07/04/16)	Chairman of the Planning and Licensing Committee <i>(Substitute: Vice-Chairman of the Planning and Licensing Committee)</i> <u>Representing the Dengie Peninsular</u> Councillor R G Boyce MBE <i>(Substitute: Councillor E L Bamford)</i>

OUTSIDE BODIES	2018 / 19 REPRESENTATIVE(S)
Blackwater Estuary Siltation Steering Group	Councillor A K M St. Joseph
“Dawn” Sailing Barge Trust Limited	Councillor R G Boyce MBE
Essex Coastal Forum	Councillor M F L Durham CC <i>Substitute: Councillor A S Fluker</i>
Essex Planning Policy Portfolio and Chairman’s Group	Chairman of the Planning and Licensing Committee <i>Substitute: Vice-Chairman of the Planning and Licensing Committee</i>
Local Government Association Coastal Issues Special Interest Group	Councillor A K M St. Joseph <i>Substitute: Councillor Miss S White</i>
Local Government Flood Forum	Councillor Miss M R Lewis <i>Substitute: Councillor A K M St. Joseph</i>
Local Area Highways Panel	Councillors Mrs B F Acevedo, H M Bass and M S Heard
Sense of Place Board	Chairman of the Planning and Licensing Committee <i>Substitute: Vice-Chairman of the Planning and Licensing Committee</i>
Southend Airport Consultative Committee	Councillor P G L Elliott
Southminster Heritage Economic Regeneration Scheme Steering Group	Councillor A S Fluker

The following body is not appointed by Maldon District Council but involves Members of the Council:

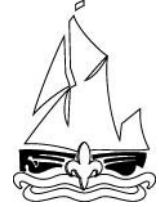
Essex Partnership Board (Mid Essex representative)	Leader of the Council (appointed 4 April 2013)
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APPOINTMENT OF CORPORATE WORKING GROUPS

Body	2018 / 19 Representatives
Asset Management Working Group	<p><u>From the Community Services Committee:</u></p> <ul style="list-style-type: none"> • Councillor R G Boyce MBE • Councillor E L Bamford <p><u>From the Finance and Corporate Services Committee:</u></p> <ul style="list-style-type: none"> • Councillor I E Dobson • Councillor D M Sismey <p><u>From the Planning and Licensing Committee:</u></p> <ul style="list-style-type: none"> • Councillor Mrs P A Channer CC • Councillor A K M St. Joseph <p>Leader of the Council Deputy Leader of the Council</p>
<p>Corporate Projects Member Task and Finish Working Group</p> <p><i>(Appointed by the Council on 8 September 2016)</i></p>	<p><u>From the Community Services Committee:</u></p> <ul style="list-style-type: none"> • Councillor Mrs B D Harker • <i>Vacancy (to be confirmed)</i> <p><u>From the Finance and Corporate Services Committee:</u></p> <ul style="list-style-type: none"> • Councillor I E Dobson • Councillor A S Fluker <p><u>From the Planning and Licensing Committee:</u></p> <ul style="list-style-type: none"> • Councillor A K M St. Joseph • Councillor S J Savage
Corporate Governance Working Group	<p>Councillor M F L Durham, CC (Leader of the Council)</p> <p>Councillors B S Beale MBE, R G Boyce MBE, H M Bass, P G L Elliott, A S Fluker, and Mrs M E Thompson</p>
<p>Investigating and Disciplinary Panel</p> <p><i>(Council 21 December 2016 – Minute No. 698)</i></p>	<p>Councillors E L Bamford, B S Beale MBE, R G Boyce MBE, Mrs P A Channer CC, P G L Elliott, Mrs B D Harker, M W Helm, N R Pudney, D M Sismey and A K M St. Joseph</p> <p><u>Independent Persons:</u> Mr N Hodson and Mr S Anthony <i>Reserve – Ms C Gosling</i></p>
Maldon Health Hub	Councillors Mrs P A Channer CC and Mrs B D Harker

Body	2018 / 19 Representatives
<p>Strategic Housing Board</p> <p><i>(Council 16 February 2017 – Minute No, 991)</i></p>	<p><u>From the Community Services Committee:</u> Councillors B S Beale MBE and Mrs B D Harker</p> <p><u>From the Finance and Corporate Services Committee:</u> Councillors A S Fluker and Rev. A E J Shrimpton</p> <p><u>From the Planning and Licensing Committee:</u> Councillors R G Boyce MBE and <i>one Vacancy (to be confirmed)</i></p>
<p>Transformation Programme Board</p> <p><i>(Council (19/12/14) Min No. 675 refers)</i></p>	<p>Councillors M F L Durham CC and A S Fluker</p>



**MINUTES of
COUNCIL (EXTRAORDINARY)
17 MAY 2018**

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, Mrs P A Channer, CC, R P F Dewick, M F L Durham, CC, A S Fluker, M S Heard, M W Helm, J V Keyes, Miss M R Lewis, M R Pearlman, S J Savage, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, A K M St. Joseph and Mrs M E Thompson

66. CHAIRMAN'S NOTICES

The Chairman referred to the notices shown on the agenda.

67. APOLOGIES FOR ABSENCE.

Apologies of absence had been received from Councillors J P F Archer, A T Cain, Mrs H E Elliott, P G L Elliott, Mrs B D Harker, B E Harker, R Pratt, D M Sismey and Miss S White.

68. DISCLOSURE OF INTERESTS

Councillor N R Pudney declared a non-pecuniary interest in Agenda Item 10 – Llys Helig Update as he was a member of the Crouch Harbour Authority and on advice would leave the chamber for consideration of this item.

Councillor Mrs P A Channer declared a non-pecuniary interest as a Member of Essex County Council on matters associated with planning applications, highways etc. She also advised that she would be leaving the chamber in respect of Agenda Item 10 – Llys Helig Update as she was on the Crouch Harbour Advisory Committee.

Councillor J V Keyes disclosed a non-pecuniary interest in Agenda Item 4 MLA/MAL/17/00582 – Land Opposite 34 Hall Road, Great Totham, Essex as he sat on Great Totham Parish Council and knew some of the objectors.

Councillor M F L Durham declared a non-pecuniary interest as a Member of Essex County Council, relating to any items pertaining to that Authority.

69. MLA/MAL/17/00582 - LAND OPPOSITE 34 HALL ROAD, GREAT TOTHAM, ESSEX

The Committee considered the report of the Director of Planning and Regulatory Services and determined the following planning application, having taken into account all representations and consultation replies received, including those listed on the Members' Update.

Application Number	MLA/MAL/17/00582
Location	Land Opposite 34 Hall Road Great Totham Essex
Proposal	Application to the part relinquishing of Section 52 Agreement (MAL/408/84) dated 10/10/1984 relating to land at the rear of Seagers and Millways
Applicant	Mr M Payne - J & M Developers
Agent	Miss A Lai - Smart Planning Ltd
Target Decision Date	08 February 2018
Case Officer	Mark Woodger, TEL: 01621 875851
Parish	GREAT TOTHAM
Reason for Referral to the Committee / Council	No scheme of delegation applies.

It was noted from the Members' Update that an email had been circulated to all Councillors by Great Totham Parish Council and two further letters of representation had been received.

Following the Officers' presentation, an objector, Mr Garood, Councillor F A Delderfield on behalf of Great Totham Parish Council and the Agent, Mr Forde of Smart Planning addressed the Committee.

The Leader of the Council referred Members to a number of legal points which he felt the Council needed to be fully appraised of before it considered and made a decision in respect of this planning application. He therefore proposed that the Council go into private session to consider the information detailed in Appendix 1 to the report. This proposal was duly seconded and agreed.

70. EXCLUSION OF PUBLIC AND PRESS

It was proposed, seconded and duly **RESOVED** that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the specific purpose of the consideration of Appendix 1 to the report associated with consideration of planning application MLA/MAL/17/00582 – Land Opposite 34 Hall Road, Great Totham, Essex (Agenda Item 4) on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 5 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

71. ADJOURNMENT OF THE MEETING

The Chairman declared that the meeting be adjourned.

RESOLVED that the meeting be adjourned to allow the public and press to leave the Chamber.

72. RESUMPTION OF BUSINESS IN CLOSED SESSION

The Chairman called the meeting back to order.

RESOLVED that the extraordinary meeting of the Council resumes at 7:51pm in closed session.

73. MLA/MAL/17/00582 - LAND OPPOSITE 34 HALL ROAD, GREAT TOTHAM

The Council considered Appendix 1 to the report of the Director of Planning and Regulatory Services relating to planning application MLA/FUL/17/00582 – Land Opposite 34 Hall Road, Great Totham.

A lengthy debate ensued, during which advice was provided by the Senior Solicitor in response to a number of queries / comments raised by Members.

The Chairman then proposed that prior to resuming the meeting in open session that the meeting be adjourned for five minutes and reconvene at 9:10pm. This was duly agreed.

74. ADJOURNMENT OF THE MEETING

The Chairman declared that the meeting be adjourned.

RESOLVED that the meeting be adjourned until 9:10pm.

75. RESUMPTION OF BUSINESS IN CLOSED SESSION

The Chairman called the meeting back to order.

RESOLVED that the extraordinary meeting of the Council resumes at 9:10pm in closed session.

76. RESUMPTION IN OPEN SESSION

RESOLVED that the extraordinary meeting of the Council continues in open session for further consideration of Agenda Item 4 – MLA/MAL/17/00582 Land Opposite 34 Hall Road, Great Totham, Essex.

77. ADJOURNMENT OF THE MEETING

The Chairman declared that the meeting be adjourned.

RESOLVED that the extraordinary meeting of the Council be adjourned at 9:11pm to allow the members of the public and press in attendance to rejoin the meeting.

78. RESUMPTION OF BUSINESS IN OPEN SESSION

The Chairman called the meeting back to order.

RESOLVED that the extraordinary meeting of the Council be resumed at 9:13pm in open session.

79. MLA/MAL/17/00582 - LAND OPPOSITE 34 HALL ROAD, GREAT TOTHAM (CONTINUED)

The Development Management Team Leader provided a brief resume of the planning application and the recommendations of Officers.

The Senior Solicitor reminded Members at this point of Section 84 of the Law of Property Act and in particular ‘upper chamber’ which can formally / legally remove a restriction if they consider the restriction impedes some reasonable user of land. He advised that this should be considered by the Council.

The Chairman then proposed recommendation (i) be agreed as set out in the report to the Council. This was duly seconded.

In accordance with Procedure Rule No. 13 (3) Councillor S J Savage requested a recorded vote. This was duly seconded by Councillor M W Helm.

The Council then voted on recommendation (i) as set out in the report as follows:

For the recommendation:

Councillors Mrs B F Acevedo, E L Bamford, B S Beale, R G Boyce, R P F Dewick, M F L Durham, A S Fluker, M S Heard, H M Helm, J V Keyes, Miss M R Lewis, M R Pearlman, N R Pudney, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, A K M St. Joseph and Mrs M E Thompson.

Against the recommendation:

None

Abstention:

Councillors H M Bass, Mrs P A Channer and S J Savage.

Recommendation (i) was therefore agreed.

Councillor Miss M R Lewis proposed that recommendation (ii) as set out in the report not be accepted. This was duly seconded and 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, M S Heard, H M Helm, J V Keyes,

Miss M R Lewis, M R Pearlman, N R Pudney, S J Savage, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, A K M St. Joseph and Mrs M E Thompson.

Against the recommendation:

None

Abstention:

Councillors H M Bass, M F L Durham and A S Fluker.

Recommendation (ii) was therefore not agreed along with the variation to the Section 52 Agreement.

RESOLVED

- (i) the Local Planning Authority resolves to refuse to determine the application for the variation of a legal agreement pursuant to Section 106A of the Town and Country Planning Act 1990;
- (ii) the Local Planning Authority resolves not to voluntarily vary the existing Section 52 Agreement because the covenant about non-development still had a planning purpose on the grounds that the land was outside the development boundary.

80. RESTRUCTURE OF PLANNING COMMITTEES

The Council considered the report of the Director of Planning and Regulatory Services providing feedback on changes to the demand on the three Area Planning Committees as the Local Development Plan (LDP) was embedded and provided options for consideration regarding the future operation of these Area Planning Committees.

The report provided background information following the decision by the Council in November 2017 for a Member led review of the current arrangements. It was agreed that the results of this would be reported back to the Council no later than May 2018.

An analysis of data provided within the report was set out in Appendix 1 and Members were advised how this demonstrated that Council processes and Committees relating to planning decision had become more efficient in light of the adoption of the LDP and the changes recommended as part of the recent Committee structure review.

Members were advised that it would be necessary to consider the trends over a longer period to enable further analysis of the data to assist Members in making a fully informed decision. If agreed, it was proposed that a further report on this matter would therefore be brought to the September meeting of the Council.

RESOLVED

- (i) that Members note the data showing the changes to the demands on the three Area Planning Committees since November 2017;

- (ii) that Members undertake a further review of data in September 2018, and agree at that time, either:
- a. continuation of the three Area Planning Committees
 - b. change to a single Planning Committee for the Maldon District. This would include:
 - proposed options for structure of single planning committee for all Members to take part in the planning process in their wards;
 - schedule for implementation.

81. COMMUNITY LED HOUSING - PROGRESS AND GRANT FUNDING

Prior to consideration of the report the following Members disclosed non-pecuniary interests in this item of business as a member of an Almshouse Trust

- Councillor R G Boyce
- Councillor Mrs P A Channer (as a member of the Henry Guilden Drake Trust)
- Councillor M W Helm
- Councillor S J Savage (as a member of two Almshouse Trusts)

The Council considered the report of the Director of Customers and Community providing Members with a progress update on the implementation of the Council's Community Led Housing programme. Members' approval was also sought for allocation of the capital funding in relation to this programme.

The report provided detailed background information regarding the Community Led Housing Programme. It was noted that the programme was beginning to gain interest beyond the initial community groups which helped to highlight the Council's commitment to meeting the District's need for affordable housing and its ability to innovate in order to achieve this and make best use of resources, including the engagement of local community groups.

The report set out a number of criteria which it was proposed should apply in respect of capital funding and would be useful to use as a head of terms for both Officers and partners as and when funds became available. It was noted that such heads of terms would not bind the Council in any way but would demonstrate its commitment to the government's plans to encourage Community Led Housing as a way to support local communities and diversify the way that homes are delivered.

RESOLVED

- (i) that Members note the progress and positive contribution that Community Led Housing contributes towards the reputation of the Council and local housing need; and
- (ii) that capital funding is set to a maximum of £30,000 per unit subject to meeting the criteria outlined in this report, availability of funds and the approval of the Council.

82. EXCLUSION OF PUBLIC AND PRESS

Councillor Mrs P A Channer reiterated her non-pecuniary interest in the following item of business and advised that in light of consistency she would be leaving the chamber.

It was proposed, seconded and duly **RESOLVED** that under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

In accordance with their earlier declarations, Councillors Mrs P A Channer and N R Pudney left the chamber at this point and did not return.

83. 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 and seeking Members' consideration of the future use of the mud berth.

Councillor A S Fluker proposed a revision to recommendation (iv) to include the Chairman of the Finance and Corporate Services Committee or Leader and Deputy Leader of the Council as he felt this decision should involve Members. This amendment was duly agreed.

The Director of Customers and Community provided the Council with further update on matters relating to the Llys Helig and responded to questions raised by Members.

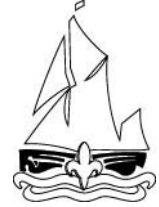
RESOLVED

- (i) that authority is given to the Director of Customers and Community to seek planning consent to use the foreshore for the purpose of residential houseboats;
- (ii) that expressions of interest are to be sought from the market for the use of the foreshore for residential houseboat use;
- (iii) that the necessary procurement documentation is to be finalised as required (and as detailed within section 5.7.2 of the report) ready for issue;
- (iv) that Authority is given to the Director of Resources in consultation with the Chairman of the Finance and Corporate Services Committee or Leader and Deputy Leader of the Council to enter negotiations and agree the outcomes as detailed in section 5.4 of the report;
- (v) that Officer's report to Members at the next meeting or sooner (via extraordinary meeting) progress of the work streams identified within the report.

There being no further items of business the Chairman closed the meeting at 9.40 pm.

H M BASS
CHAIRMAN

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**MINUTES of
COUNCIL (EXTRAORDINARY)
7 JUNE 2018**

PRESENT

Chairman	Councillor H M Bass
Vice-Chairman	Councillor N R Pudney
Councillors	J P F Archer, E L Bamford, Miss A M Beale, B S Beale 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, J V Keyes, Miss M R Lewis, R Pratt, CC, S J Savage, Mrs N G F Shaughnessy, Rev. A E J Shrimpton, D M Sismey, A K M St. Joseph, Mrs M E Thompson and Miss S White

148. CHAIRMAN'S NOTICES

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

149. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B F Acevedo, R G Boyce MBE and M R Pearlman.

150. DISCLOSURE OF INTERESTS

There were none.

151. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised the Council that the Maldon District Design Guide had won first prize for design excellence at the Planning Awards in London the previous night. The Chairman of the Planning and Licensing Committee, Councillor Mrs P A Channer, Catherine Bailey, Countryside and Coast Officer (Major Applications) and Jackie Longman, Urban Design Officer, were in attendance and had accepted the award on behalf of the Council and its consultants BDP.

The Chairman referred to this being an amazing achievement and that the Council had been shortlisted along with eight others. He advised that judge, Ayesha Hazarika had stated that "the Award for Design Excellence is presented to this project for its

ambition, clarity and usability to achieve high quality design and placemaking”. The Chairman then invited Jackie Longman to present the award which was accepted on behalf of the Council by Councillor Mrs P A Channer. Councillor Mrs Channer thanked Officers for their work on this project and referred to how the Design Guide would now form a material consideration as part of the planning application process.

At this point, the Chairman thanked Councillor N R Pudney for being in attendance at the meeting following a recent minor operation.

152. EXCLUSION OF PUBLIC AND PRESS

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

153. OPTIONS FOR FULL COUNCIL TRANSFORMATION

The Council considered the report of the Chief Executive seeking Members’ confirmation of the Council’s agreed pathway to transformation, to meeting the financial challenges ahead whilst increasing the customer service and experience.

The Leader of the Council presented the report highlighting a number of points that had been taken into consideration as part of the proposals. He also provided the Council with further detail regarding the suggested timescales for both options moving forwards. The Leader proposed that recommendations (i), (ii)a and (iii) as set out in the report be agreed. This proposal was duly seconded.

In response to a number of questions the Leader and Officers provided the Council with additional information.

In accordance with Procedure Rule No. 13 (3) Councillor P G L Elliott requested a recorded vote. This was duly seconded.

The Chairman then put the proposition of the Leader of the Council and the voting was as follows:

For the recommendation:

Councillors E L Bamford, H M Bass, Miss A M Beale, A T Cain, Mrs P A Channer, R P F Dewick, I E Dobson, M F L Durham, Mrs H E Elliott, P G L Elliott, A S Fluker, Mrs B D Harker, B E Harker, M W Helm, J V Keyes, R Pratt, N R Pudney, S J Savage, Rev. A E J Shrimpton, D M Sismey, A K M St. Joseph and Mrs M E Thompson.

Against the recommendation:

Councillors B S Beale, M S Heard and Mrs N G F Shaughnessy.

Abstention:

None (see below).

RESOLVED

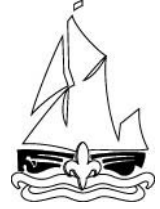
- (i) That the contents of the report be noted;
- (ii) That the commissioning of Ignite's Future Council project be progressed, subject to the success of blueprint work and in accordance with the Council's Contract Procedure Rules;
- (iii) That the Director of Resources in conjunction with the Leader and Deputy Leader of the Council be authorised to confirm and allocate usable reserves to the approved project as detailed in table 1 to the report.

Councillors J P F Archer, Miss M R Lewis and Miss S White joined the meeting during this item of business but did not partake in any part of the vote.

There being no further items of business the Chairman closed the meeting at 8.00 pm.

H M BASS
CHAIRMAN

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**MINUTES of
COMMUNITY SERVICES COMMITTEE
22 MAY 2018**

PRESENT

Chairman	Councillor R G Boyce MBE
Vice-Chairman	Councillor Mrs B D Harker
Councillors	E L Bamford, H M Bass, A T Cain, J V Keyes, Miss M R Lewis and Mrs N G F Shaughnessy
Ex-Officio Non-Voting Member	Councillors B S Beale MBE and A S Fluker

97. CHAIRMAN'S NOTICES

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

98. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs H E Elliott and M F L Durham.

99. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 27 March 2018 be approved and confirmed.

100. DISCLOSURE OF INTEREST

There were none.

101. PUBLIC PARTICIPATION

No requests had been received.

102. CHAIRMAN'S GOOD NEWS ANNOUNCEMENTS

The Chairman referring to events at Promenade Park reported that the Bank Holiday weekend had been a real success with large numbers of visitors enjoying the good

weather. The Splash Park, on Bank Holiday Monday had over 3,000 visitors and over the weekend as a whole there were over 5,000 visitors. Overall this was a really good news story that the facility was being appreciated and used by children and adults alike.

He informed the Committee that on Friday 25 May 2018, the Chairman of the Council, Councillor H M Bass and himself, will formally open the new Coastal Hub. It was noted that all members had been emailed an invitation to the event.

103. REVIEW OF PERFORMANCE 2017 / 18

The Committee considered the report of the Director of Customers and Community seeking Members' comments on the information as set out in both the report and Appendix 1.

The Chairman informed the Committee that in accordance with the recommendation they would go through Appendix 1 page by page focussing on performance indicators and key council activities relating to the Customers and Community Directorate. With reference to the report he drew Members' attention to paragraphs 3.3.1 and 3.3.2 outlining key successes and achievements over the past year. It was noted that this was a record to be proud of.

In response to a question concerning the 'Warm Maldon Project' the Director of Customers and Community said that he would report back to Members by email on the number of vulnerable people who were supported by the project.

Councillor H M Bass, referring to the 'Crucial Crew' project, paragraph 3.3.1, third bullet point, commented that this was an exceptional project that must be maintained. This was unanimously supported.

In response to an enquiry regarding recorded complaints the Director of Customers and Community said he would investigate and provide a written explanation to all members of the Committee. He then drew Members' attention to paragraph 3.3.2, bullet point nine, regarding the excellent volunteer support from members of the local community, in particular volunteer work on green spaces.

Key Council Activity – 'Level of reported crime' – Councillor E L Bamford asked if other activity in this area was on track and if all information had been included in this report. In response, the Director of Customers and Community said that he would check and report back to Members as appropriate. It was further noted that the Council did not have overall influence in this area given that the police had prime responsibility for crime levels.

Key Council Activity- 'Work with partners to seek funding/bring forward flood relief projects for identified surface and coastal flooding risk areas'. Councillor Miss M R Lewis expressed concern regarding the North Heybridge Flood Alleviation scheme and the Environment Agency's response to this. The Committee agreed that this key council activity be referred to Planning and Licensing (P&L) committee along with Councillor Miss M R Lewis' concerns regarding the Environment Agency's response.

Key Council Activity – ‘Total household waste arising per household’. Following a lengthy discussion Members agreed that having two targets would be more useful, one on waste and one on recycling.

Key Council Activity - ‘Average number of justified missed collections per collection day’. A debate ensued as to whether the focus should be on ‘justified’ missed collections. Councillor A S Fluker informed the Committee that there had been a large number of missed collections. He stressed the importance of notifying residents via the website as soon as problems were known. He requested a meeting with the Director of Customers and Community to go through the data on missed collections. It was agreed that the key council activity should report on missed collections highlighting areas of poor performance where contractors were not meeting the Service Level Agreement (SLA).

RESOLVED

- (i) that the information set out in the report and appendices be noted;
- (ii) that statistics on numbers of vulnerable people supported by the ‘Warm Maldon Project’, (paragraph 3.3.1, bullet point 4 of the report) be provided to the Committee;
- (iii) that the outstanding complaints and compliments data at paragraph 3.4 in the report be provided in writing to the Committee;
- (iv) that the information on Key Corporate Activity –‘Level of Reported Crime’ – be checked to ensure all associated information had been provided;
- (v) that Key Council Activity – ‘Work with partners to seek funding/bring forward flood relief projects for identified surface and coastal flooding risk areas in the District’ – report findings and feedback be referred to P&L together with Councillor Miss M R Lewis’ comments;
- (vii) that Key Council Activity – ‘Total Household waste arising per household’ – be amended to *Total general waste and recycling* etc. showing a target for waste and a target for recyclables, thus demonstrating how the scheme is impacting/educating (positively/negatively) our residents;
- (viii) that Key Council Activity – ‘Average number of justified missed collections per collection day’ – be changed to focus reporting on ‘missed’ collections and report/record statistics on poor performance/not meeting the agreed SLA;
- (ix) that the Deputy Leader and the Director meet to go through the statistics with a view to providing a separate report back to the Committee on findings and trends.

104. APPOINTMENT OF REPRESENTATIVES ON LIAISON COMMITTEES/PANELS

Following a brief discussion on the appointment of representatives on liaison committees/panels members agreed the replacement for Councillor R Pratt and the substitute member on 'Places and People Liaison Committee' as follows:-

RESOLVED

- (i) that Councillor Miss M R Lewis replace Councillor R Pratt on the following:-
 - Car Parking Task and Finish Working Group;
 - Cemeteries and Crematorium Group, and,
 - Maldon Citizens Advice Bureau Liaison Committee.
- (ii) that Councillor Miss M R Lewis replace Councillor Mrs B D Harker as substitute on the Places and People Liaison Committee.

105. PUBLIC SPACE PROTECTION ORDER - CONSULTATION

The Committee considered the report of the Director of Customers and Community seeking Members' approval to proceed with public consultation on the implementation of the Public Space Protection Order (PSPO) for dog control in publicly owned areas District wide.

Members were advised that Plans set out in the appendices to the report detailed the locations where dogs were required to be on leads at all times. Appendix 1 detailed the areas in Maldon Cemetery, appendix 2 the areas in Promenade Park and appendix 3 the areas in Riverside Park.

A discussion ensued regarding this report with particular reference to paragraph 4.2.1 of the report 'Dogs on Leads by Direction'. Members expressed concern regarding the potential lack of clarity around officer powers and the need for clear guidance for both officers and members of the public.

Councillor Miss M R Lewis proposed a change to the wording in 4.2.1 'Dogs on Leads by Direction' to replace 'request' with 'direct' as follows: - 'authorised officers be given the power to **direct** that owners place dogs....'. This was agreed by the Committee.

Other areas popular to dog walkers, but not included in the report, were discussed. Members asked that Drapers Lane and Brickhouse Farm be included along with the public places within the District listed in the report at paragraph 4.2.2.

Subsequent to the meeting the Group Manager, Community and Living advised that before an area is considered for inclusion the legislation states that there must be good reason i.e. evidence of dog nuisance as a consequence of not being on a lead, dog attacks and aggressive dogs off leads. Therefore, it would not be possible to investigate and establish the requirement for 'Dogs on Leads At All Times' in these areas prior to the commencement of the Consultation, which is due to start Thursday 1 June 2018. However, there would be a second tranche of areas to be considered and if the

requirement for 'Dogs on Leads At All Times' was established by then at Drapers Lane and Brickhouse Farm, they would be included.

RESOLVED

- (i) that the Council begins a 12 week public consultation on the proposal in the Public Space Protection Order from 1 June 2018;
- (ii) that the wording in 4.2.1 be changed to 'authorised officers be given the power to **direct** that....';
- (iii) that Drapers Farm and Brickhouse Farm be included in the second tranche of consultation, if the rationale had been established.

106. MARKETS WORKING GROUP UPDATE

The Committee considered the report of the Markets Task and Finish Working Group providing an overview of the work carried out to date by the Markets Working Group in relation to Market provision within Maldon Town. The report also sought Members' approval to extend the existing contract with the Maldon Market Co-Operative for a further six months to allow further research to be completed and reported back to Members.

Councillor Mrs B D Harker informed the Committee that the Markets Working Group's recommendation was that the proposed six months extension would not be adequate given the work involved and that an additional six months was required.

RESOLVED the extension of the Maldon Market Co-Operative for a further 12 months.

107. REVIEW OF ALLOCATIONS POLICY

The Committee considered the report of the Director of Customers and Community seeking Members' approval for a formal review of the effectiveness of the Council's policy for the allocation of affordable housing.

Councillor Miss M R Lewis referring to the Review of Allocations report commented that this was an excellent opportunity to undertake a root and branch review on what is happening with the policy. This was unanimously agreed.

RESOLVED that a formal review and analysis of the current policy and procedure for the allocation of social housing, with a report outlining the findings, be presented to this Committee for consideration and possible further action if required.

108. CEMETERY CHAPEL REPAIRS

The Committee considered the report of the Director of Customers and Community seeking Members' views on whether the project to repair the Heybridge cemetery

chapel roof should continue and whether alternative uses for the building should be considered.

The Director of Customers and Community referring to Heybridge cemetery chapel informed the Committee that since no evidence was found relating to bat activity the roof repairs could go ahead. He added that alternative sympathetic uses for the chapel were also being explored.

Councillor Miss M R Lewis welcomed the news as the state of disrepair was now very serious. She proposed the launch of a 'Friendship Group' during the summer to share suggestions and ideas regarding proposed use. The Committee agreed that this was a sensible way forward and the Director of Customers and Community said he would welcome proposals for usage.

RESOLVED

- (i) that work on the cemetery chapel roof would be implemented as planned;
- (ii) that the Director of Customers and Community, in consultation with the Chairman of the Committee, invite proposals for alternative/sympathetic usage;
- (ii) that Officers report on the proposals for the use of Heybridge Chapel at a future meeting of this Committee.

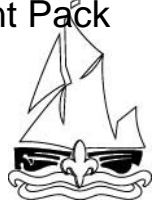
109. EVENTS WORKING GROUP UPDATE

The Committee received a verbal update from the Director of Customers and Community on the status of the Events Working Group. He reported that a proactive Events Working Group meeting had taken place and officers were now tasked with looking at a series of options, work through those, and report back to the Events Working Group.

RESOLVED that Officers explore all viable options and report back to a future meeting of this Committee.

There being no further items of business the Chairman closed the meeting at 8.48 pm.

R G BOYCE MBE
CHAIRMAN



**MINUTES of
PLANNING AND LICENSING COMMITTEE
5 JUNE 2018**

PRESENT

Chairman	Councillor Mrs P A Channer, CC
Vice-Chairman	Councillor A K M St. Joseph
Councillors	B S Beale MBE, A S Fluker, M R Pearlman, R Pratt, CC, S J Savage and Mrs M E Thompson
Substitute Member	Councillor E L Bamford

118. CHAIRMAN'S NOTICES

The Chairman welcomed all to the first meeting of the municipal year. She introduced Mr Graham Thomas, Head of Planning and Development at Essex County Council who was attending the meeting in his role as Chairman of the Essex Planning Officers Association and in relation to Agenda Item 6 – Essex Coastal Recreational Avoidance and Mitigation Strategy Update.

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

119. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

Apologies for absence were received from Councillor M F L Durham CC. In accordance with notice duly given it was noted that Councillor E L Bamford was attending as a substitute for Councillor Durham.

120. MINUTES OF THE LAST MEETING

RESOLVED

- (i) that the Minutes of the meeting of the Committee held on 17 April 2018 be received.

Minute 1003 – Disclosure of Interest

Councillor Mrs P A Channer advised that in respect of her declaration she was appointed to the River Blackwater Coastal Community Team by Maldon District Council in her capacity of Chairman of this Committee and not Essex County Council as detailed in the Minutes.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the meeting of the Committee held on 17 April 2018 be confirmed.

121. DISCLOSURE OF INTEREST

Councillor R Pratt declared a non-pecuniary interest as a Member of Essex County Council and in any item of business that was pertinent to that Authority.

Councillor A S Fluker congratulated the Chairman on her reappointment and declared in the interest of openness and transparency that in relation to Agenda Item 19 – Preferred Site Options for Maldon Enterprise Centre he knew some of the owners of the identified sites.

Councillor Mrs P A Channer declared a non-pecuniary interest as a Member of Essex County Council and any item of business that was pertinent to that Authority and commented that the County Council were referenced in a number of reports. She also declared a non-pecuniary interest in Agenda Item 19 – Preferred Site Options for Maldon Enterprise Centre as she knew some of the owners of the identified sites.

122. PUBLIC PARTICIPATION

No requests had been received.

123. ESSEX COASTAL RECREATIONAL AVOIDANCE AND MITIGATION STRATEGY (RAMS) UPDATE

The Committee received the report of the Director of Planning and Regulatory Services providing an update on the Essex Coastal Recreational Avoidance and Mitigation Strategy (RAMS) and seeking Members' views on matters which may affect future planning policies and procedures.

The report provided background information regarding the RAMS which was a joint initiative between 11 Essex authorities to identify the recreational impacts new homes would have on the international and nationally protected sites along the Essex Coast. These sites were set out within the report.

Members noted the progress to date, as outlined in the report, and Appendix 1 to the report set out the revised timetable and identified key milestones. The project was moving towards the end of the evidence gathering stage with second stakeholder workshops due to take place. The outputs from the first stakeholder workshops were set out in Appendix 2 to the report.

Following a request at the last meeting of this Committee for a Members' Forum to ensure Members from participating authorities had the opportunity to engage in the RAMS process. The draft Terms of Reference and governance structure for this Forum were attached as Appendix 3 to the report.

The Chairman welcomed Mr Graham Thomas, in his capacity as the Chairman of the Essex Planning Officers Association, who were sponsoring the RAMS project.

Members raised a number of points which are detailed below along with additional information provided by Officers:

- The information detailed in Appendix 2 to the report was the notes of stakeholder workshops and not Officer proposals. The Director of Planning and Regulatory Services agreed to feed back to the Steering Group that there was a need to ensure that any such notes were accurate.
- Clarification was sought on the ‘spreading room’ referred to in the appendix.
- Reference was made to whether Northey Island would be included in the National England changes to pathways.
- Osea Island – although there was public access to the island below the high water mark it was felt that the shingle above the high water mark could be a very important nesting site for wild birds.
- It was commented that it would be beneficial to receive a summary of the information in respect of the Blackwater Estuary summer and winter surveys.
- Summer Survey – Concern was raised that the survey points were some distance from critical disturbance points.
- Members’ Forum – It was questioned who the decision making body would be in respect of this.
- Further questions were raised regarding approval of mitigation measures, how monies were to be spent and the process for collecting and spending in other authorities. In response the Chairman advised that she understood the decision making process would come back to this Authority and any Supplementary Planning Document (SPD) would have to be agreed by the Council. Mr Thomas informed Members that in respect of the decision process the SPD (one document owned across the 11 Local Authorities) would respond to the draft Strategy and the proposed Member Forum would assist in this process.
- It was noted that the date relating to the drafting of the RAMS mitigation as detailed in the report should refer to 21 June 2018.
- In response to a question regarding the options regarding mitigation, habitat creation etc., Mr Thomas advised that this would come about as the technical work progressed and that locations would be variable in terms of mitigation packages.

The Chairman thanked Mr Thomas for attending the meeting.

RESOLVED

- (i) that the Recreational Avoidance and Mitigation Strategy (RAMS) update outlined in the report be noted;
- (ii) that the comments raised by the Committee are noted and taken forward by Officers, where appropriate.

124. REVIEW OF PERFORMANCE 2017 / 18

The Committee considered the report of the Director of Planning and Regulatory Services giving details of performance against targets set for 2017 / 18 and to ensure that progress was being achieved towards the corporate goals and objectives detailed in the Corporate Plan 2015 / 19 adopted by the Council.

The Key corporate activities assessed as being “behind schedule” or “at risk of not being achieved” along with indicators which had not achieved their end of year target were set out in Appendix 1 to the report. A summary of the complaints and compliments received during 2017 / 18 were set out in the report.

A lengthy debate took place during which Members raised a number of points and information was provided by Officers in relation to the following:

- Complaints received – It was noted that of the complaints received 50 related directly to a single application. Members requested that they be provided with details of the complaints received. The Director of Planning and Regulatory Services agreed to provide this information.
- Planning application acknowledgements - In response to a question the Director of Planning and Regulatory Services outlined work being undertaken to address and meet targets in respect of acknowledging planning application.
- Empty Home return to use – It was noted that the reporting methodology would be change for the forthcoming year.
- Validation of planning applications - Members were advised that validation of planning applications were carried out in two stages, the first, acknowledgement of the application, by Planning administrative Officers and then the validation by Planning Officers.

RESOLVED that performance against the targets set for 2017 / 18 be noted.

125. UPDATE ON APPEAL DECISIONS (OCTOBER 2017 - MARCH 2018)

The Committee received the report of the Director of Planning and Regulatory Services informing Members of planning appeal performance on appeal decisions from October 2017 to March 2018.

It was noted that the Council’s performance at appeal was relatively consistent but the last six months had seen a continued increase. It was considered that the adoption of the Local Development Plan put the Council in a stronger position when defending appeals.

The Director of Planning and Regulatory Services drew Members’ attention to the Council’s performance against the government target and how there had been a significant reduction.

In response to a question regarding planning decisions made under delegated powers, the Director of Planning and Regulatory Services advised that some benchmarking was required against other Local Authorities to look at what further actions could be adopted to reduce the number of overturned appeals. The Director agreed to provide Members with details of the applications decided under delegate powers.

RESOLVED that the contents of the report be noted.

126. APPOINTMENT OF REPRESENTATIVES ON LIAISON COMMITTEES / PANELS

The Committee considered the report of the Chief Executive seeking Members' consideration of appointment to the Committees / Panels as set out in the report for the ensuing municipal year.

The Chairman proposed and it was agreed that the Recreational Avoidance and Mitigation Strategy Member Forum be added to the list and that Councillor A K M St. Joseph be appointed as the Council's representative.

RESOLVED that the appointments to the following bodies for the municipal year 2018 / 19 be agreed:

Body	2018 / 19 Representative(s)
Blackwater River Member Task and Finish Working Group	Councillors H M Bass, B S Beale MBE, R G Boyce MBE, S J Savage, A K M St. Joseph and Mrs M E Thompson
Bradwell Power Station Working Party (politically balanced)	<u>Conservative Group:</u> Councillors R G Boyce MBE, A S Fluker, R Pratt and <i>one vacancy</i> . <u>Independent Group:</u> Councillor B S Beale MBE Chairman and Vice-Chairman of the Planning and Licensing Committee and Ward Member for Bradwell-on-Sea
Maldon and Blackwater Estuary Coastal Community Team (Management Team)	Chairman and Vice-Chairman of the Community Services and Planning & Licensing Committees <i>Substitutes: Councillors A S Fluker and R Pratt</i>
Member representative for Heritage and Design	Chairman of the Planning and Licensing Committee (or their substitute)
Place Board (Minute 704 – 17/12/15)	Chairman of the Planning and Licensing Committee
Recreational Avoidance and Mitigation Strategy Member Forum	Councillor A K M St. Joseph

Body	2018 / 19 Representative(s)
River Crouch Coastal Community Team (Management Team)	Chairman and Vice-Chairman of the Community Services and Planning & Licensing Committees <i>Substitutes: Councillors A S Fluker and R Pratt</i>

127. **BURNHAM-ON-CROUCH TOURIST INFORMATION CENTRE PROVISION UPDATE**

The Committee considered the report of the Director of Customers and Community updating Members on the performance of the Burnham-on-Crouch Tourist Information Centre (TIC) and seeking agreement to operate for a further two years.

The report provided background information regarding the agreement in 2016 to undertake a two year trial to operate a TIC in Burnham-on-Crouch. Appendix 1 to the report provided key statistics from both the Maldon and Burnham-on-Crouch TICs and this information was further highlighted in the report.

It was noted that the Burnham-on-Crouch TIC had been delivered on budget and subject to the continuation of the partnership with Burnham-on-Crouch Town Council and retail sales was set to continue without need for further investment.

The Chairman advised that any reference within the report to seeking agreement for operation of the Burnham-on-Crouch Tourist Information Centre (TIC) for a further two years should be amended to one year.

Some concern was raised regarding the costs relating to the Burnham-on-Crouch TIC and the savings required by the Council over the next few years.

Councillor A S Fluker advised that he could not support the Officers' recommendations and highlighted a number of concerns he had regarding the proposal, referring specifically to paragraphs 3.1.5 and 3.1.6 of the report and the high cost disproportionate to the number of visits to the TIC. He informed the Committee that based on the figures in the report, he could not support the proposed investment into the TIC.

The Chairman at this point made reference to the total income from the TIC not being detailed within the report. The Director of Planning and Regulatory Services, in response to a question, commented on value for money and to enable judgement of this, in his view, felt that further information was required.

Councillor Fluker then proposed that the decision to extend the current arrangements be deferred until the next meeting of this Committee, as further detail was required, including income figures. He also proposed that the Chairman of the Committee and himself should meet with the Director of Customers and Community to discuss the additional information to be included in the report. This proposal was duly seconded.

Councillor R Pratt indicated that he was totally against this proposal and fully supported the Officers recommendation, as set out in the report. Speaking as a Burnham-on-Crouch Ward Member he commented that Burnham-on-Crouch was the second jewel in the Maldon District, highlighted the tourism in and around the town and need for a TIC in the town.

The Chairman then put the proposal of deferral in the name of Councillor Fluker and upon a vote being taken this was agreed.

RESOLVED that the decision to continue the Burnham-on-Crouch Tourist Information Centre for a further year be deferred to the next meeting of this Committee pending further information including income figures.

128. MALDON DISTRICT STATEMENT OF COMMUNITY INVOLVEMENT

The Committee considered the report of the Director of Planning and Regulatory Services seeking Members' approval for public consultation of the draft Statement of Community Involvement (SCI), attached as Appendix 1 to the report.

It was noted that the current SCI required updating to take into account changes to national legislation and planning practice guidance and to reinstate the Council's commitment towards transparency and engagement with the community it serves. The report provided detailed information regarding these changes.

In response to a question regarding the inclusion of the Community Infrastructure Levy (CIL) within the Statement of Community Involvement, the Planning Policy Manager advised that the CIL would be included at this time and until a decision on its future had been made.

A comment was raised regarding Officers attending Parish / Town Council meetings and in response the Planning Policy Manager advised that Officers had and were happy to attend such meetings, as this was part of the engagement process. It was noted that Officers were in attendance at the Parish Clerks Forum meetings.

RESOLVED that the draft Statement of Community Involvement be approved for six weeks' public consultation starting in June 2018.

129. MALDON DISTRICT SELF-BUILD AND CUSTOM HOUSE BUILDING REGISTER

The Committee considered the report of the Director of Planning and Regulatory Services seeking Members' views on a proposed local connections eligibility test for applicants seeking entry onto the Self-Build and Custom Housebuilding Register.

The report provided detailed information regarding the Self-Build and Customer Housebuilding Register and how the amendments to the 2015 Act and information contained in the Regulations 2016 would affect the Council's review of the Self-Build and Customer Housebuilding Register.

National guidance advised that the Council could establish local connections criteria for entry onto the register. Given the significant affordability issues in the District and the evidenced demand for smaller market and affordable properties in the Strategic Housing Market Assessment it was suggested that an eligibility test be introduced to ensure that local people who live and work in the District are prioritised on the Register.

RESOLVED

- (i) that the report be noted and the Committee supports the need for a review of the Maldon District Self-Build and Custom Housebuilding Register;
- (ii) that the addition of a local connections eligibility test for applicants seeking entry onto the Maldon District Self-Building and Custom Housebuilding Register, be agreed.

130. DRAFT MALDON DISTRICT VEHICLE PARKING STANDARDS SUPPLEMENTARY PLANNING DOCUMENT: STAKEHOLDER AND PUBLIC CONSULTATION

The Committee considered the report of the Director of Planning and Regulatory Services seeking Members' approval for public consultation of the draft Maldon District Vehicle Parking Standards Supplementary Planning Document (SPD), attached as Appendix 1 to the report.

Members were advised that consultation on SPDs was a requirement of Section 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The Draft Vehicle Parking Standards SPD set out the Council's approach to securing vehicle parking provision in development in the Maldon District. It also provides clarification on Policies D1, H4 and T2 and support implementation of the Local development Plan. The report provided detailed information regarding these.

It was noted that the aim of the Parking Standards was to help create functional developments, whilst maximising opportunities for use of sustainable modes of transport. This would enable people to sustainably and easily carry out their daily travel requirements without an unacceptable detrimental impact on the local road network, or the visual appearance of the development, from excessive and inconsiderate on street parking.

In response to a number of questions the Planning Policy Manager provided Members with the following information:

- A further explanation regarding Electric Vehicle Charging (EVC) points was provided and it was noted that the proposals for EVC reflected the number of registered electric vehicles within the District which it was thought would increase in the future.
- The consultation document included a proposed increase to the size of garages and car parking spaces to facilitate larger vehicles.
- In response to a question regarding including enforcement within the document, the Planning Policy Manager advised that this could be looked at as part of the consultation process.

- Members were also advised that they could submit representations during the consultation period.

RESOLVED that the draft Maldon District Vehicle Parking Standards Supplementary Planning Document be approved for six weeks' public consultation starting in June 2018.

131. COMMITTEE TERMS OF REFERENCE AND SCHEME OF DELEGATION UPDATE

The Committee considered the report of the Director of Planning and Regulatory Services seeking consideration of some minor changes to the classification of 'Development of Strategic Interest' in the Terms of Reference of the Area Planning Committees, and the designation of Officers in the Scheme of Delegation for the Licensing function of this Committee.

The report set out the reasons behind the proposed changes to the Area Planning Committee Terms of Reference and the Scheme of Delegation for the Licensing function.

Some concern was raised regarding the proposed removal of reference to Planning Performance Agreements (PPAs) from the list of 'Development of Strategic Interest'. Particular reference was made to Members being consulted about particular PPAs and it was suggested that some PPAs could be considered by Area Planning Committees. It was noted that the proposed removal did not provide clarification in respect of which PPAs would be brought before the Council for consideration. The Director of Planning and Regulatory Services advised that the proposed change only related to PPAs and the other criteria for strategic development would not change and therefore be brought before the Council.

Councillor A S Fluker proposed that the changes to the classification of 'Development of Strategic Interest' in the Terms of Reference of the Area Planning Committees not be agreed. This was duly seconded and agreed. The proposed changes to the delegation of Officers in the Scheme of Delegation for the Licensing function of the Committee were agreed.

RESOLVED

- (i) that the classification of 'Development of Strategic Interest' in the Terms of Reference remain unchanged;

RECOMMENDED

- (ii) that the designation of Officers in the Scheme of Delegation for the Licensing function of the Planning and Licensing Committee (as set out in **APPENDIX 1** to these Minutes) be agreed.

132. LICENSING ACT 2003: DRAFT STATEMENT OF POLICY AND CONSULTATION

The Committee considered the report of the Director of Planning and Regulatory Services, seeking Members' approval for consultation of the reviewed and updated Statement of Licensing Policy, attached as Appendix 1 to the report.

Members were advised that the Licensing Act 2003 required each Licensing Authority to publish a Statement of Licensing Policy and to periodically review that policy at least once every five years. The current Statement had been updated and Appendix 1 showed key changes tracked. A two month consultation period was suggested and the results of this would be reported back to this Committee.

The deletion of paragraph 4 under the introduction of the document (Appendix 1 to the report) was questioned and where reference to open air concerts was now referenced. In response, the Director of Planning and Regulatory Services agreed to look into this and advise Members accordingly.

RESOLVED

- (i) that the reviewed and updated Statement of Licensing Policy be agreed as a consultation draft;
- (ii) that Officers proceed with a low key consultation as described in the report.

133. GAMBLING ACT 2005: DRAFT STATEMENT OF POLICY AND CONSULTATION

The Committee considered the report of the Director of Planning and Regulatory Services, seeking Members' approval for consultation of the reviewed and updated Statement of Gambling Policy, attached as Appendix 1 to the report.

Members were advised that the Gambling Act 2005 required each Licensing Authority to publish a Statement of Gambling Policy and to periodically review that policy at least once every five years. The current Statement had been updated and Appendix 1 showed key changes tracked. A two month consultation period was suggested and the results of this would be reported back to this Committee.

RESOLVED

- (i) that the reviewed and updated Statement of Gambling Policy be agreed as a consultation draft;
- (ii) that Officers proceed with a low key consultation as described in the report.

134. EXCLUSION OF PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it

involves the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

135. PREFERRED SITE OPTIONS FOR MALDON ENTERPRISE CENTRE

The Committee considered the report of the Director of Planning and Regulatory Services providing an update on work undertaken on the feasibility study for delivery of an Enterprise Centre in the District and seeking Members' endorsement of the four selected preferred sites.

A summary of the brief on which the feasibility study work was commissioned was attached as Appendix 1 and Appendix 2 detailed the interim findings.

Councillor Mrs P A Channer highlighted her interest in this item of business as a Member of Essex County Council.

It was discussed whether the Committee, under its Terms of Reference, could make a decision on this item of business or if it required a recommendation to the Council for decision.

It was requested that in respect of the report provided by the external consultants they be asked to provide an executive summary.

Following further discussions, Councillor S J Savage proposed that consideration of this item of business be deferred until a Member seminar was arranged for all Members and following this a report is taken to a meeting of the Council for decision. This was duly seconded and agreed.

RESOLVED that consideration of this item of business be deferred until a Member seminar was arranged for all Members and following this a report is taken to a meeting of the Council for decision.

There being no further items of business the Chairman closed the meeting at 9.43 pm.

MRS P A CHANNER, CC
CHAIRMAN

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PUBLIC LICENSING FUNCTION:

LICENSING ACT 2003

REVISED SCHEME OF DELEGATION

1. Licensing Act 2003

Environmental Health Manager - Commercial:-

1. The grant of a Premises Licence or Club Premises Certificate where no representations are made by a Responsible Authority or Interested Party.
2. In consultation with a Legal Advisor, a determination that representations made by a Responsible Authority or Interested Party regarding an application for the grant of (or a variation of) a Premises Licence or Club Premises Certificate or for the grant of a Provisional Statement are frivolous or vexatious.
3. The grant of an application to vary a Premises Licence or Club Premises Certificate where no representations are made by a Responsible Authority or Interested Party, and in the case of an application for a Minor Variation to determine that application having taken into account any representations received.
4. The grant of an application to transfer a Premises Licence where no Notice has been given by the Chief Officer of Police.
5. The determination of an exemption from the requirement to obtain a Personal Licence holder's consent for an application to transfer a Premises Licence.
6. The issue of a Notice specifying the date of entry and inspection (or any extension of that date) where a Club applies for a Club Premises Certificate, a variation of a Certificate or on a review of a Certificate.
7. In consultation with a Legal Advisor, a determination that an application for a review of a Premises Licence or Club Premises Certificate on the grounds that the ground for review is not relevant to one or more of the Licensing Objectives or is frivolous, vexatious or repetitious.
8. In consultation with a Legal Advisor, a determination that a Club is not a Qualifying Club or has ceased to be a Qualifying Club.
9. The grant of an application for a Provisional Statement in respect of a premises which are being or are about to be constructed or extended where no representations are made by a Responsible Authority or Interested Party.
10. The determination of an application to vary the Designated Premises Supervisor where no Notice has been given by the Chief Officer of Police.
11. The issue of a Notice granting or rejecting an application to vary the Designated Premises Supervisor.

12. The receipt of a Notice requesting the removal of a person as a Designated Premises Supervisor.
13. The determination of whether or not a Temporary Event Notice is void.
14. The acknowledgement of receipt of a Temporary Event Notice.
15. Where appropriate, following consideration of any Objection Notice to a Temporary Event Notice, the issue of a Counter Notice where it is considered necessary for the prevention of the crime prevention objective.
16. The issue of a Counter Notice where any of the Permitted Limits are exceeded in any Temporary Event Notice.
17. The rejection of applications for Personal Licences where applicants have failed to meet the statutory conditions.
18. The grant of an application for (or the renewal of) a Personal Licence where no Objection Notice has been given by the Chief Officer of Police.
19. The issue of a Notice to the Chief Officer of Police that an applicant for the renewal of a Personal Licence has a Relevant or Foreign Offence.
20. To issue Notices to the Chief Officer of Police where a Personal Licence holder has been convicted during the application period of a Relevant or Foreign Offence after the grant or renewal of a Personal Licence.
21. The issue and certification as a true copy of any Premises Licence or Club Premises Certificate (or a summary of either) or any Temporary Event Notice or Personal Licence where it has been lost, stolen, damaged or destroyed.
22. Unless specified to the contrary, the issue of all Licences, Certificates, Notices and any other formal notifications required under the Licensing Act 2003.
23. In consultation with a Legal Advisor and the Chairman of the Planning and Licensing Committee, the institution of legal proceedings in respect of any of the Council's powers under the Licensing Act 2003.
24. To keep the Licensing Register and any Central Register prescribed by the Secretary of State.
25. In consultation with the Service Manager – Environmental Health, to authorise Officers and duly appoint Contractors who are appropriately qualified and experienced to discharge the powers and duties delegated to the Service Manager- Environmental Health.
26. To determine, as part of applications by a management committee of a community premises for a new Premises Licence, whether the alternative licence condition in relation to the sale of alcohol should apply instead of the mandatory condition, provided that no representation is received from the Chief Officer of Police.

27. To suspend premises licences and club premises certificates for non-payment of the annual fee.
28. To make representations on behalf of the Licensing Authority in respect of all applications for premises licenses or club premises certificates and to apply for reviews of the same.

To the Group Manager - Planning Services and the Environmental Protection Team Leader:-

1. To respond to the Licensing Authority on behalf of the Council (as a Responsible Authority) to applications for (or variations of or reviews of) Premises Licences or Club Premises Certificates.
2. To respond to the Licensing Authority on behalf of the Council (as a Responsible Authority) to applications for Provisional Statements in respect of premises.
3. To make applications on behalf of the Council (as a Responsible Authority) to the Licensing Authority for a review of Premises Licences or Club Premises Certificates.
4. In consultation with the Director to authorise Officers and duly appoint Contractors who are appropriately qualified and experienced to discharge the delegated powers and duties set out in 1. – 3. above.

To the Environmental Health Manager – Commercial (MOVE to previous section):-

2. Gambling Act 2005

To the Environmental Health Manager - Commercial

1. Consideration and determination of applications for the following matters where no objections have been received or any so received have been withdrawn:
 - (a) premises licences;
 - (b) variation to licences;
 - (c) transfers of licences;
 - (d) provisional statements;
 - (e) club gaming / club machine permits.
2. Consideration and determination of applications or decisions on the following matters:
 - (a) other permits;
 - (b) cancellation of licensed premises gaming machine permits.
3. Consideration of Temporary Use Notices and Occasional Use Notices.

3. Other Licensing Functions

(Hackney Carriage Drivers and Vehicle Licences; Private Hire Drivers, Vehicle and Operators Licences; Street Collections; House to House Collections; Registration of Society Lotteries; Sex Establishments and Scrap Metal Dealers)

To the Environmental Health Manager - Commercial:-

1. Subject to no objections being received, the grant and issue of licences and permits for:-
 - Charitable Collections (Street Collections and House to House Collections);
 - Registration of Society Lotteries;
2. The issue of Hackney Carriage and Private Hire Vehicle, Drivers and Operators Licences, except in the case of Drivers Licences where the applicant has unspent convictions or endorsements exceeding six points accrued on his/her Driving Licence.
3. The refusal of an application for a Drivers Licence on the recommendation of the applicant's GP in a medical report.
4. With regard to the Carriage of Assistance Dogs in Taxis:-
 - The issue of Exemption Certificates under Section 37(5) of the Disability Discrimination Act 1995 where satisfactory medical evidence is provided by the applicant's GP of relevant medical grounds.
 - The determination of whether the exemption is to apply to a 'specified taxi' or a 'specified type of taxi'.
5. In consultation with the Chairman of the Planning and Licensing Committee, the suspension or revocation of Hackney Carriage and Private Hire Drivers' licences.
6. To authorise Officers and duly appoint Contractors who are appropriately qualified and experienced to discharge the powers and duties delegated to the Service Manager – Environmental Health.
7. The grant, issue, renewal or variation of a Scrap Metal Dealer Licence where the applicant is deemed to be a suitable person and no objections are received.
8. The refusal or rejection of an application for a Scrap Metal Dealer Licence where no representations are received.
9. In consultation with the Chairman of the Planning and Licensing Committee, the revocation of a Scrap Metal Dealers Licence where no representations are received.
10. To ensure all Scrap Metal Dealer Licences are reported to the National database.

To the Director of Planning and Regulatory Services:-

1. In consultation with a Legal Advisor and the Chairman of the Planning and Licensing Committee, the institution of legal proceedings in respect of any of the Council's licensing powers.
2. To authorise Officers and duly appoint Contractors who are appropriately qualified and experienced to discharge the powers and duties delegated to the Chief Executive.

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**MINUTES of
FINANCE AND CORPORATE SERVICES COMMITTEE
12 JUNE 2018**

PRESENT

Chairman	Councillor D M Sismey
Vice-Chairman	Councillor I E Dobson
Councillors	Mrs B F Acevedo, J P F Archer, P G L Elliott, A S Fluker, B E Harker and Rev. A E J Shrimpton
Substitute Member	Councillor B S Beale MBE
In attendance	Councillor Miss M R Lewis

163. CHAIRMAN'S NOTICES

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

164. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham and M S Heard.

In accordance with notice given it was noted that Councillor B S Beale MBE was attending as a substitute for Councillor Heard.

165. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 19 April 2018 be approved and confirmed.

166. DISCLOSURE OF INTEREST

Councillor D M Sismey disclosed that he was Managing Director of Goldman Sachs and would therefore leave the meeting for Agenda Item 12 – Annual Treasury Outturn 2017 / 18.

167. PUBLIC PARTICIPATION

No requests had been received.

168. CHAIRMANS' GOOD NEWS

The Chairman advised that the accounts for 2017 / 18 had been published and were now subject to an audit which had been started by Ernst Young UK (the Council's External Auditors).

He asked that the thanks of the Committee be passed to the finance team and Carrie Cox, Finance Manager for their hard work on the accounts.

169. RESOURCES DIRECTORATE

The Chairman advised that there would not be a presentation.

170. CHIEF EXECUTIVE'S PERFORMANCE APPRAISAL

It was agreed that this item of business would be brought up the agenda and considered next.

The Committee considered the report of the Leader of the Council updating Members on progress of the Chief Executive's performance appraisal.

The report set out the process undertaken by the Leader of the Council in respect of the Chief Executive's appraisal. It was noted that dates for performance reviews had been set and Appendix 1 to the report provided a summary of progress against objectives.

In the absence of the Leader of the Council, Councillor A S Fluker as Deputy Leader of the Council presented the report and provided detailed background history regarding the Chief Executive's performance appraisal. During his introduction he asked that the Committee pass on their wishes to the Leader of the Council for a speedy recovery following an accident he had over the weekend. Councillor Fluker then proposed that the contents of the report be noted.

Councillor D M Sismey clarified that he had been consulted on the proposed objectives but was not consulted either before or afterwards regarding Councillor Fluker attending the appraisal meeting in his place. He also referred to the Chief Executive's objectives set for 2016 and felt that by virtue of Councillor Miss M R Lewis (Leader of the Council at that time) and Councillor I E Dobson (representing the Chairman of the Finance and Corporate Services Committee) being authorised by this Committee and the Council to undertake the appraisal these objectives were adopted and were not draft. Notwithstanding a change in leadership these objectives should therefore stand until another appraisal was carried out or replaced by updated ones.

Councillor B S Beale, Leader of the Opposition, referred to the previous processes undertaken for carrying out the Chief Executive's appraisal to which he had always been part of. However, in relation to the 2017 appraisal he clarified that had not been consulted at any stage and refuted the statement in the report at paragraph 3.4 that he had.

A lengthy debate ensued during which a number of Members expressed concern regarding the process undertaken. The Chairman highlighted paragraph 3.8 of the

report which contained a number of recommendations proposed to address the breakdown in procedure.

In response to comments made the Chief Executive outlined the background regarding her 2016 and 2017 appraisals and the reasons which had led to the identified breakdown in procedure. She advised that she had put forward the recommendations in section 3.8 of the report to make provide clarity to the process.

Councillor Sismey commented on the proposed recommendations at paragraph 3.8 and proposed that in addition to these that the Committee add;

- That the deadline for the Chief Executive's appraisal to be undertaken be aligned to the deadline for all staff of 30 June.
- that the Director of Resources or an appointment made by them from within the HR department be required to:
 - a) objectively ensure that the process for the Chief Executive's appraisal is followed;
 - b) report to the following meeting of the Finance and Corporate Services Committee immediately after the June deadline that the process has been followed and the appraisal taken place.

With the permission of the Chairman, Councillor Miss M R Lewis addressed the Committee and provided a detailed history regarding her undertaking of the Chief Executive's appraisal in 2016 when she was Leader of the Council. She pointed out a number of discrepancies within the report of the Leader of the Council and felt that it inferred that she had not carried out her duties and requirements as Leader of the Council which she had.

The Chairman requested that it be minuted that Members raised a number of questions over the accuracy of some of the historic elements of the report and emphasised the importance to make sure that the procedure was on a sound footing going forward.

Councillor Beale proposed that the Council receive an explanation as to how the current situation had occurred and the matter be referred to the Overview and Scrutiny Committee. In response the Chairman suggested that this would be best dealt with as a question to the Leader of the Council.

Councillor P G L Elliott commented on the report and suggested that going forward, prior to the Statutory Annual meeting of the Council, a final meeting for the municipal year be undertaken with the Chief Executive to review the objectives and identify any points of action. Then new objections could be set following the statutory annual meeting. The Chairman suggested that this could be covered by way of clarification to point (e) so that the third review meeting take place just before the end of the municipal year.

Councillor Elliott commented as it was clear that the process had not been followed that consideration of the report be deferred and brought back to the Committee following completion of the procedure. The Chairman agreed that in light of there being a query over the current objectives these should be renewed and going forward the process followed.

Following further discussion Councillor Sismey proposed that the Council's Procedure Rules be updated to set out the requirements (a) to (e), as detailed in section 3.8 of the report with the following amendments and additions:

- been that point (c) be amended as follows:
 - The appraisal will take place soon after the Statutory Annual meeting of the Council *and before 30 June*.
- that point (e) be amended as follows:
 - Performance reviews against the agreed objectives will be undertaken at least every four months *and an end of year review be undertaken prior to the Statutory Annual meeting of the Council*.
- that the Director of Resources or an appointment made by them from within the HR department be required to:
 - a) objectively ensure that the process for the Chief Executive's appraisal is followed
 - b) report to the following meeting of the Finance and Corporate Services Committee immediately after the June deadline that the process has followed and the appraisal taken place.

It was noted that this would be a recommendation to the Council as it involved a change to the Council's Procedure Rules.

He also proposed that the current objectives be renewed and brought back to a future meeting of this Committee.

This proposal was duly seconded and agreed.

RESOLVED

- (i) that the contents of the report be noted;
- (ii) that the current objectives be renewed and brought back to a future meeting of this Committee.

RECOMMENDED

- (iii) that the procedure rules be updated to set out the requirements (a) to (e), as detailed in section 3.8 of the report with the following amendments and additions:
 - that point (c) be amended as follows:
 - The appraisal will take place soon after the Statutory Annual meeting of the Council *and before 30 June*.
 - that point (e) be amended as follows:
 - Performance reviews against the agreed objectives will be undertaken at least every four months *and an end of year review be undertaken prior to the Statutory Annual meeting of the Council*.

- that the Director of Resources or an appropriate appointment of theirs in the HR department is required to:
 - objectively ensure that the process for the Chief Executive’s appraisal is followed
 - report to the following meeting of the Finance and Corporate Services Committee immediately after the June deadline that the process has been followed and the appraisal has taken place.

Councillor Miss M R Lewis left the meeting at this point and did not return.

171. REVIEW OF PERFORMANCE 2017 / 18

The Committee considered the report of the Chief Executive giving details of performance against targets set for 2017 / 18 and to ensure that progress was being achieved towards the corporate goals and objectives detailed in the Corporate Plan 2015 - 19 adopted by the Council.

The Key Corporate Activities assessed as being “behind schedule” or “at risk of not being achieved” along with indicators which had not achieved their end of year target were set out in Appendix 1 to the report.

RESOLVED that performance against the targets set for 2017 / 18 be noted.

172. HUMAN RESOURCES STATISTICS - QUARTER FOUR 2017 / 18

The Committee received and noted the report of the Director of Resources presenting Human Resources statistics for the period 1 January to 31 March 2018.

Statistics and updates relating to the following areas were detailed in the report:

- Labour Turnover;
- Exit Questionnaires;
- Recruitment;
- Job Vacancies;
- Staff Sickness Levels
- Workforce Statistics – attached as Appendix 1 to the report.

Members noted that the overall staff sickness levels had decreased by 20% in comparison to the previous financial year.

RESOLVED that the contents of the report be noted.

173. HUMAN RESOURCES POLICIES AND PROCEDURES

The Committee considered the report of the Director of Resources seeking Members consideration of Human Resources policies and procedures which had been amended and developed.

The report set out a proposed change to the Council's Code of Conduct and it was noted that this change had been brought forward in consultation with the Corporate Leadership Team and Unison.

In response to a question, the Director of Resources informed the Committee of the Employee Assistance Programme, a confidential service available to all employees and advised that as part of the policy staff were asked to raise any difficulties they may be having with Human Resources.

RECOMMENDED that the following two sections be added to the Code of Conduct:

24 Financial

24.1 All employees will ensure:

- they do not default on payments owed to the Council i.e. Council Tax.
- never make fraudulent claims for public money to gain a financial advantage i.e. housing benefit.
- to adhere to any agreements reached for the repayment of such debts.

24.2 Employees who are in debt or at risk to the Council or are concerned that missed payments may occur should discuss the matter as soon as is possible with a member of the Human Resources team. Failure to do so could lead to formal action being taken.

24.3 Employees in receipt of any allowances or rebates administered by the Council (e.g. council tax rebates) must notify the Council of any change in circumstance that affect the entitlement.

25 Accessing IT systems

25.1 Employees will at all times ensure that they comply with the Officer Conditions of Acceptable Use and Personal Commitment Statement policy relating to use of IT equipment.

25.2 It is recognised that staff can face a conflict of interest when undertaking their roles. To protect the interests of both the staff concerned and the Council against criticism or allegation of malpractice, as a matter of procedure no employee shall;

- amend or seek to influence the processing of any computer or other record concerning any matter in which they, a family member or friend have an interest;
- use the Councils IT systems or any other records held to view either their own data or that of records of family or friends.

- use data obtained from any of the Councils IT systems or any other records to give themselves, family or friends any advantage.
- update any records that relate to themselves, family or friends.

174. ANNUAL REPORT ON THE WHISTLEBLOWING POLICY

The Committee considered the report of the Director of Resources reporting on any complaints made under the Whistleblowing Policy for 2017 / 18.

The Director of Resources advised that no reports had been made under the Whistleblowing for the year 2017 / 18.

RESOLVED that the content of the report be noted.

175. FINANCIAL OUTTURN 2017 / 18

The Committee received the report of the Director of Resources providing information on the outturn position for the 2017 / 18 financial year and also movements in relation to the Council's General Fund / Earmarked Reserves and Capital Commitments as at 31 March 2018. It was noted that the table detailed in paragraph 3.1.2 of the report incorrectly referred to the figures as being in thousands (£000's). Appendix 1 to the report gave details of the salary budgets and actual expenditure at the end of the financial year and Appendix 2 detailed the Earmarked Reserves and the movements in 2017 / 18.

RESOLVED

- (i) That the estimated outturn position for the 2017 / 18 financial year be reviewed;
- (ii) That the movement in earmarked reserves be reviewed;
- (iii) That the capital commitment roll forwards be reviewed.

Following his earlier declaration Councillor D M Sismey left the meeting at this point.

IN THE CHAIR : COUNCILLOR I E DOBSON

176. ANNUAL TREASURY OUTTURN 2017 / 18

The Committee considered the report of the Director of Resources seeking Members' approval of the annual report (attached as Appendix A to the report), in accordance with the code of practice on Treasury Management.

In response to a question, the Finance Manager advised that Arlingclose were the Council's Treasury Management Advisors and had been so for a number of years.

In response to questions about the recent agreement of the Council regarding Full Council Transformation, the Director of Resources advised of the up-front investment required which would come from reserves. However, savings were due to be delivered in respect of this in year two.

RECOMMENDED that annual Treasury Management Report for 2017 / 18 attached at **APPENDIX 1** to these Minutes be approved.

Councillor Sismey returned to the chamber.

IN THE CHAIR : COUNCILLOR D M SISMEY

177. SUPPLEMENTARY CAPITAL ESTIMATE

The Committee considered the report of the Director of Resources, seeking Members' approval of a supplementary capital estimate of £26,500 to purchase a replacement vehicle for use within the Parks and Countryside Team. An overview to the project was attached as Appendix 1 to the report.

It was noted that if approved, the supplementary estimate would enable replacement of an elderly vehicle and ensure operations were not adversely effected.

Members were reminded that in accordance with revised guidance for capital projects, any budget not provisioned in the year it was requested would be put back into reserves until a project was reconsidered by Members. This project did not progress as originally planned and therefore was being brought back to Members for reconsideration.

RESOLVED that a supplementary capital estimate of £26,500 to purchase a replacement vehicle for use within the Parks and Countryside Team be agreed.

178. STRATEGIC AND FINANCIAL PLANNING PROCESS

The Committee received the report of the Director of Resources seeking agreement to the annual Strategic and Financial Planning Process (S&FPP) for 2018 / 20 as set out in Appendix 1 to the report.

It was noted that the Strategic and Financial Planning Process aimed to ensure available resources were effectively directed towards achievement of the Council's agreed corporate goals.

RESOLVED that the Strategic and Financial Planning Process for 2019 / 20, be approved.

179. PROPOSALS TO CHANGE TO OFFICE OPENING TIME TO PUBLIC

The Committee considered the report of the Director of Customers and Community, updating Members on the outcome of a three month trial of a revised opening time to

the public of 10am on the last Wednesday of each month. The report sought Members' approval to make this revised opening time permanent.

The report provided background information regarding the trial and it was noted that it had been very successful with good use of the time to undertake staff briefings, meetings and training.

It was requested that the Committee receive quarterly or six monthly reports on the outcomes of these changes.

RECOMMENDED that on the last Wednesday of each month the Council Offices open at 10am to enable staff meetings and training to be undertaken during that time.

There being no further items of business the Chairman closed the meeting at 8.28 pm.

D M SISMEY
CHAIRMAN

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Annual Treasury Report 2017-18

1. Background

The Chartered Institute of Public Finance and Accountancy's Treasury Management Code (CIPFA's TM Code) requires that authorities report on the performance of the treasury management function at least twice a year (mid-year and at year end).

The Council's Treasury Management Strategy for 2017/18 was approved by the Council on 22 March 2018 (Minute No. 919 refers).

The Council has invested substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. This report covers treasury activity and the associated monitoring and control of risk.

2. Economic Background provided by Arlingclose

Economic background. 2017-18 was characterised by the push-pull from expectations of tapering of Quantitative Easing (QE) and the potential for increased policy rates in the US and Europe and from geopolitical tensions, which also had an impact.

The UK economy showed signs of slowing with latest estimates showing GDP, helped by an improving global economy, grew by 1.8% in calendar 2017, the same level as in 2016. This was a far better outcome than the majority of forecasts following the EU Referendum in June 2016, but it also reflected the international growth momentum generated by the increasingly buoyant US economy and the re-emergence of the Eurozone economies.

The inflationary impact of rising import prices, a consequence of the fall in sterling associated with the EU referendum result, resulted in year-on-year CPI rising to 3.1% in November before falling back to 2.7% in February 2018. Consumers felt the squeeze as real average earnings growth, i.e. after inflation, turned negative before slowly recovering. The labour market showed resilience as the unemployment rate fell back to 4.3% in January 2018. The inherent weakness in UK business investment was not helped by political uncertainty following the surprise General Election in June and by the lack of clarity on Brexit, the UK and the EU only reaching an agreement in March 2018 on a transition which will now span Q2 2019 to Q4 2020. The Withdrawal Treaty is yet to be ratified by the UK parliament and those of the other 27 EU member states and new international trading arrangements are yet to be negotiated and agreed.

The Bank of England's Monetary Policy Committee (MPC) increased Bank Rate by 0.25% in November 2017. It was significant in that it was the first rate hike in ten years, although in essence the MPC reversed its August 2016 cut following the referendum result. The February *Inflation Report* indicated the MPC was keen to return inflation to the 2% target over a more conventional (18-24 month) horizon with 'gradual' and 'limited' policy tightening. Although in March two MPC members voted to increase policy rates immediately and the MPC itself stopped short of committing itself to the timing of the next increase in rates, the minutes of the meeting suggested that an increase in May 2018 was highly likely.

In contrast, economic activity in the Eurozone gained momentum and although the European Central Bank removed reference to an 'easing bias' in its market communications and had yet to confirm its QE intention when asset purchases end in September 2018, the central bank appeared some way off

normalising interest rates. The US economy grew steadily and, with its policy objectives of price stability and maximising employment remaining on track, the Federal Reserve Open Market Committee (FOMC) increased interest rates in December 2017 by 0.25% and again in March, raising the policy rate target range to 1.50% - 1.75%. The Fed is expected to deliver two more increases in 2018 and a further two in 2019. However, the imposition of tariffs on a broadening range of goods initiated by the US, which has led to retaliation by China, could escalate into a deep-rooted trade war having broader economic consequences including inflation rising rapidly, warranting more interest rate hikes.

Financial markets: The increase in Bank Rate resulted in higher money markets rates: 1-month, 3-month and 12-month LIBID rates averaged 0.32%, 0.39% and 0.69% and at 31st March 2018 were 0.43%, 0.72% and 1.12% respectively.

Gilt yields displayed significant volatility over the twelve-month period with the change in sentiment in the Bank of England's outlook for interest rates. The yield on the 5-year gilts which had fallen to 0.35% in mid-June rose to 1.65% by the end of March. 10-year gilt yields also rose from their lows of 0.93% in June to 1.65% by mid-February before falling back to 1.35% at year-end. 20-year gilt yields followed an even more erratic path with lows of 1.62% in June, and highs of 2.03% in February, only to plummet back down to 1.70% by the end of the financial year.

The FTSE 100 had a strong finish to calendar 2017, reaching yet another record high of 7688, before plummeting below 7000 at the beginning of 2018 in the global equity correction and sell-off.

Credit background:

Credit Metrics

In the first quarter of the financial year, UK bank credit default swaps reached three-year lows on the announcement that the Funding for Lending Scheme, which gave banks access to cheaper funding, was being extended to 2018. For the rest of the year, CDS prices remained broadly flat.

The rules for UK banks' ring-fencing were finalised by the Prudential Regulation Authority and banks began the complex implementation process ahead of the statutory deadline of 1st January 2019. As there was some uncertainty surrounding which banking entities the Council would be dealing with once ring-fencing was implemented and what the balance sheets of the ring-fenced and non ring-fenced entities would look like, in May 2017 Arlingclose advised adjusting downwards the maturity limit for unsecured investments to a maximum of 6 months. The rating agencies had slightly varying views on the creditworthiness of the restructured entities.

Barclays was the first to complete its ring-fence restructure over the 2018 Easter weekend; wholesale deposits including local authority deposits will henceforth be accepted by Barclays Bank plc (branded Barclays International), which is the non ring-fenced bank.

Money Market Fund regulation: The new EU regulations for Money Market Funds (MMFs) were finally approved and published in July and existing funds will have to be compliant by no later than 21st January 2019. The key features include Low Volatility Net Asset Value (LVNAV) Money Market Funds which will be permitted to maintain a constant dealing NAV, providing they meet strict new criteria and minimum liquidity requirements. MMFs will not be prohibited from having an external fund rating (as had been suggested in draft regulations). Arlingclose expects most of the short-term MMFs it recommends to convert to the LVNAV structure and awaits confirmation from each fund.

Credit Rating developments

The most significant change was the downgrade by Moody's to the UK sovereign rating in September from Aa1 to Aa2 which resulted in subsequent downgrades to sub-sovereign entities including local authorities.

Changes to credit ratings included Moody's downgrade of Standard Chartered Bank's long-term rating to A1 from Aa3 and the placing of UK banks' long-term ratings on review to reflect the impending ring-fencing of retail activity from investment banking (Barclays, HSBC and RBS were on review for downgrade; Lloyds Bank, Bank of Scotland and National Westminster Bank were placed on review for upgrade).

Standard & Poor's (S&P) revised upwards the outlook of various UK banks and building societies to positive or stable and simultaneously affirmed their long and short-term ratings, reflecting the institutions' resilience, progress in meeting regulatory capital requirements and being better positioned to deal with uncertainties and potential turbulence in the run-up to the UK's exit from the EU in March 2019. The agency upgraded Barclays Bank's long-term rating to A from A- after the bank announced its plans for its entities post ring-fencing.

Fitch revised the outlook on Nationwide Building Society to negative and later downgraded the institution's long-term ratings due to its reducing buffer of junior debt. S&P revised the society's outlook from positive to stable.

Other developments:

In February, Arlingclose advised against lending to Northamptonshire County Council (NCC). NCC issued a section 114 notice in the light of severe financial challenge and the risk that it would not be in a position to deliver a balanced budget.

In March, following Arlingclose's advice, the Council removed RBS plc and National Westminster Bank from its counterparty list. This did not reflect any change to the creditworthiness of either bank, but a tightening in Arlingclose's recommended minimum credit rating criteria to A- from BBB+ for FY 2018-19. The current long-term ratings of RBS and NatWest do not meet this minimum criterion, although if following ring-fencing NatWest is upgraded, the bank would be reinstated on the Council's lending list.

Local Authority Regulatory Changes

Revised CIPFA Codes: CIPFA published revised editions of the Treasury Management and Prudential Codes in December 2017. The required changes from the 2011 Code will be incorporated into Treasury Management Strategies and monitoring reports.

The 2017 Prudential Code introduces the requirement for a Capital Strategy which provides a high-level overview of the long-term context of capital expenditure and investment decisions and their associated risks and rewards along with an overview of how risk is managed for future financial sustainability. Where this strategy is produced and approved by full Council, the determination of the Treasury Management Strategy can be delegated to a committee. The Code also expands on the process and governance issues of capital expenditure and investment decisions. A Capital Strategy will be produced in 2018/19.

In the 2017 Treasury Management Code the definition of 'investments' has been widened to include financial assets as well as non-financial assets held primarily for financial returns such as investment property. These, along with other investments made for non-treasury management purposes such as loans supporting service outcomes and investments in subsidiaries, must be discussed in the Capital Strategy or Investment Strategy. Additional risks of such investments are to be set out clearly and the impact on financial sustainability is to be identified and reported.

MHCLG Investment Guidance and Minimum Revenue Provision (MRP): In February 2018 the MHCLG (Ministry of Housing, Communities and Local Government) published revised Guidance on Local Government and Investments and Statutory Guidance on Minimum Revenue Provision (MRP).

Changes to the Investment Guidance include a wider definition of investments to include non-financial assets held primarily for generating income return and a new category called “loans” (e.g. temporary transfer of cash to a third party, joint venture, subsidiary or associate). The Guidance introduces the concept of proportionality, proposes additional disclosure for borrowing solely to invest and also specifies additional indicators. Investment strategies must detail the extent to which service delivery objectives are reliant on investment income and a contingency plan should yields on investments fall.

The definition of prudent MRP has been changed to “put aside revenue over time to cover the CFR”; it cannot be a negative charge and can only be zero if the CFR is nil or negative. Guidance on asset lives has been updated, applying to any calculation using asset lives. Any change in MRP policy cannot create an overpayment; the new policy must be applied to the outstanding CFR going forward only.

MiFID II: As a result of the second Markets in Financial Instruments Directive (MiFID II), from 3rd January 2018 local authorities were automatically treated as retail clients but could “opt up” to professional client status, providing certain criteria was met which includes having an investment balance of at least £10 million and the person(s) authorised to make investment decisions on behalf of the council have at least a year’s relevant professional experience. In addition, the regulated financial services firms to whom this directive applies have had to assess that that person(s) have the expertise, experience and knowledge to make investment decisions and understand the risks involved.

The Council has met the conditions to opt up to professional status and has done so in order to maintain its former MiFID II status prior to January 2018. The Council will continue to have access to products including money market funds, pooled funds, treasury bills, bonds, shares and to financial advice.

Local Context

At 31/03/2018 the Council’s underlying need to borrow for capital purposes as measured by the Capital Financing Requirement (CFR) was zero.

At 31/03/2018, the Council had no borrowing and £11.5 m of investments. The Council may however have to borrow to pre fund future years requirements or unexpected capital expenditure that occurs in the year providing this does not exceed the authorised limit for borrowing of £10m.

The Council is currently debt free and its approved capital expenditure plans do not imply any need to borrow over the forecast period. Investments are forecast to fall to £9m as capital receipts are used to finance capital expenditure and reserves are used to finance the revenue budget over the next three years.

Investment Activity

The Council holds significant invested funds, representing income received in advance of expenditure plus balances and reserves held. During 2017/18, the Council’s investment balance ranged between £11 and £22 million due to timing differences between income and expenditure. The year-end investment position and the year-on-year change is shown in the table below

Investment Activity in 2017 / 18

Investments	Balance on 01/04/2017 £'000	Investments Made £'000	Maturities/ Investments Sold £'000	Balance on 31/03/2018 £'000
Short term fixed Investments	2,000	6,000	8,000	0
Cash Accounts	2,000	0	0	2,000
Money Market Funds	2,500	44,000	43,000	3,500
Certificates of Deposit	2,000	2,000	3,000	1,000
LAMIT Property Fund	3,000	0	0	3,000
Investec Diversified Income fund	0	2,000	0	2,000
TOTAL INVESTMENTS	11,500			11,500
Increase/ (Decrease) in Investments £m				-

Both the CIPFA Code and government guidance require the Council to invest its funds prudently, and to have regard to the security and liquidity of its investments before seeking the highest rate of return, or yield. The Council's objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

In furtherance of these objectives, and given the increasing risk and low returns from short-term unsecured bank investments, the Council diversified into higher yielding asset classes during 2017/18. £2m that is available for longer-term investment was moved from bank and building society deposits into the Investec Diversified Income Fund. As a result the average rate of return has increased by 1.15% to 3.04%.

Compliance Report

All treasury management activities undertaken during 2017/18 complied fully with the CIPFA Code of Practice and the Council's approved Treasury Management Strategy.

The Council continues to be debt free so compliance with the authorised limit and operational boundary for external debt is confirmed.

Treasury Management Indicators

The Council measures and manages its exposures to treasury management risks using the following indicators.

Security: The Council has adopted a voluntary measure of its exposure to credit risk by monitoring the value-weighted average credit score of its investment portfolio. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

	31.3.18 Actual	2017/18 Threshold	Complied
Portfolio average credit score	2.7	6	✓

Liquidity: The Council has adopted a voluntary measure of its exposure to liquidity risk by monitoring the amount of cash available to meet unexpected payments within a rolling three-month period, without additional borrowing.

	31.3.18 Actual	2017/18 Target	Complied
Total cash available within 3 months	5m	5.5m	✓

Interest Rate Exposures: This indicator is set to control the Council's exposure to interest rate risk. The upper limits on fixed and variable rate interest rate exposures, expressed as the amount of interest payable, should borrowing become necessary, would be:

	31.3.18 Actual	2017/18 Limit	Complied
Upper limit on fixed interest rate exposure	0	100%	✓
Upper limit on variable interest rate exposure	0	100%	✓

Fixed rate investments and borrowings are those where the rate of interest is fixed for at least 12 months, measured from the start of the financial year or the transaction date if later. All other instruments are classed as variable rate.

Maturity Structure of Borrowing: This indicator is set to control the Council's exposure to refinancing risk. The upper and lower limits on the maturity structure of fixed rate should borrowing become necessary, would be:

	31.3.18 Actual	Upper Limit	Lower Limit	Complied
Under 12 months	0%	100%	0%	✓
12 months and within 24 months	0%	100%	0%	✓
24 months and within 5 years	0%	100%	0%	✓
5 years and within 10 years	0%	100%	0%	✓

10 years and above	0%	100%	0%	✓
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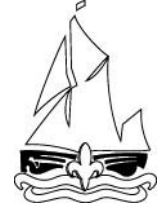
Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

Principal Sums Invested for Periods Longer than 364 days: The purpose of this indicator is to control the Council's exposure to the risk of incurring losses by seeking early repayment of its investments. The limits on the long-term principal sum invested to final maturities beyond the period end will be:

	2017/18	2018/19	2019/20
Limit on principal invested beyond year end	1m	1m	1m
Complied	✓		

There were no investments made beyond 364 days in 2017/18

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REPORT of CHIEF EXECUTIVE

**to
COUNCIL
28 JUNE 2018**

REVIEW OF 2017 / 18 PERFORMANCE

1. PURPOSE OF THE REPORT

- 1.1 A Corporate Plan covering the period 2015 - 2019 was approved and adopted by Council in February 2015 (Minute No. 828 refers) and is the subject of annual updates approved by Council. The Plan sets the vision and corporate goals that the Council has agreed to focus on over the four year period, along with objectives associated with each of these goals that it wishes to achieve.
- 1.2 The purpose of this report is to supply Members with details of performance against the targets that were set for 2017 / 18 and to ensure that progress was achieved towards the Council's corporate goals and objectives as detailed in the Corporate Plan
- 1.3 All of the performance information contained within this report is recorded on the Council's Performance Management System (TEN) to which all Members have access.

2. RECOMMENDATION

That Members review and comment on the information as set out in this report and **APPENDIX 1.**

3. SUMMARY OF KEY ISSUES

3.1 BACKGROUND

- 3.1.1 The Corporate Plan is an over-arching document, detailing the Council's goals and objectives. It provides focus and direction so that all services are clear on how both operational day-to-day tasks and more key, strategic or developmental activities contribute to the Council's goals.
- 3.1.2 The Corporate Leadership Team (CLT) identified activities for 2017/18 that would help to achieve the priorities and objectives. These key corporate activities (KCAs) were monitored at a corporate level by CLT with quarterly reports submitted to the Overview and Scrutiny Committee, which scrutinises decisions made by, and the performance of both Committees and Council Officers.

3.1.3 A number of key indicators were also monitored corporately to measure or track the impact of the actions and to provide evidence of achievements.

3.2 2017 / 18 PERFORMANCE

3.2.1 **APPENDIX 1** to this report includes for each Corporate Goal:

- The status of all the key corporate activities contributing to the goal;
- Comments for those activities assessed as being “at risk” or behind schedule”;
- Performance for the last three years and against 17/18 indicator targets;
- Graphs and comments for those indicators where a target has not been achieved;
- For tracking measures a table with figures for the last three years. Targets are not set for tracking measures as the Council has little control over performance, but establishing these measures assists us in gauging the impact of our actions on the objectives outlined in the Corporate Plan. As there are no targets, it is not appropriate to show these in a graph.

3.2.2 In addition to the information included in **APPENDIX 1**, Members may want to note the following achievements and successes:

3.2.1.1 Corporate

- A balanced budget has been set for 2018 / 19.
- The annual total days lost per Full Time Equivalent (FTE) for 2017 / 18 is 10.86 compared to 12.4 for 2016 / 17 - a reduction of 1.54 total days lost per FTE - and the lowest since 2013 / 14.
- At an awards ceremony in December 2017 Council staff proudly accepted the Active Work Place of the Year award from Active Essex.
- The new Essex Police base at the Council Offices was officially opened in July 2017.

3.2.1.2 Resources Directorate

IT:

- All Staff and Member email boxes have now been migrated to Office 365.

Legal and Democratic Services

- The Elections team successfully dealt with the snap General Election in May 2017 at short notice, followed quickly by a Neighbourhood Planning Referendum and Parish By-Election.

3.2.1.3 Customers and Community Directorate

Customers

- The Council Tax collection rate for 2017 / 18 has increased slightly to 98.45% (from 98.3% in 2016/17) - 0.05% higher than the last highest level achieved in

2012/13 before the Local Council Tax Support scheme was implemented (which requires all working age residents receiving Council Tax benefit to pay a minimum of 20% towards their Council Tax).

- Officers have led on a targeted “strengthening communities” pilot project in the areas of the Tolleshunts and Tollesbury - areas at high risk of loneliness and isolation. Figures on how many people this is reaching will be collated as part of the evaluation.

Community and Living

- The **Community Protection Team** became the first Local Authority Team in the UK to be accredited and authorised to undertake speed enforcement on behalf of Essex Police.
- In December 2017, the Department for Environment, Food and Rural Affairs (DEFRA) published **recycling figures** showing that the Maldon District achieved the second biggest increase in the country for 2016 / 17. Out of the 350 councils in England there were only two that achieved a greater than 10% increase in their recycling rate from the previous year (2015 / 16). Maldon was second highest with an increase of 11%, going from 47% to 58%. Current provisional figures for 2017 / 18 indicate a recycling rate of nearly 60% recycling rate – the highest we have ever achieved.
- In October, the Council’s **Waste team** attended the Local Authority Recycling Committee national awards where the team was successfully shortlisted for two categories: Best Communications Campaign and Partnership Working. Both of these awards focussed on the launch of the Maldon District Council (MDC) new waste collection service in 2016. Although the team was not successful, it was a huge achievement to be shortlisted from entries all over the country.
- April 2017 saw hundreds of residents take advantage of our annual **Compost Giveaway** at Promenade Park with 20 tonnes of compost, made from the recycled garden waste, taken away. Local schools took the little that was left to use on their gardening projects.
- Within the **Community Safety Team**, officers continue working alongside Essex Police and North Local Police Area partners to develop an action plan to tackle gangs and organised crime and to ensure processes are in place to combat the criminal and sexual exploitation of young people. A schools’ resource pack is now available to primary and secondary schools. Both secondary schools in the District received a professional drama based on exploitation entitled Chelsea's Choice in October 2017. This project was funded by the Youth Strategy Group and delivered through the Essex County Council (ECC) Youth Service.
- A significant amount of work has been undertaken with a local school to develop training and awareness sessions for all year groups, teachers and parents in order for them to recognise signs of vulnerability.
- As in previous years a number of educational events were arranged during the year including:
 - “Stay Safe this summer” to 300 Year 7 students in July focussing on drug awareness (including psychoactive substances).

- “Get Ready for summer” was held at Promenade Park in July.
- Crucial Crew was delivered to over 600 Year 6 students in September and included workshops on fire safety, road safety, anti-bullying, internet safety, park safety, first aid and alcohol awareness.
- Working with the Council for Voluntary Services the "Warm Maldon Project" was delivered to support vulnerable people over the winter months through distributing warm packs and promoting flu vaccination campaigns.
- Maldon Skate Park Project was completed in August. A professional graffiti art company, Brave Arts, was commissioned to work with local people to design and paint the skate park. Over 20 young people helped deliver this project over two days.
- Officers have received training in relation to MDC continuing as a Hate Incident Recording Centre and the Community Safety Team are now hate crime ambassadors.
- Works to procure new digital CCTV systems for Maldon have commenced in partnership with Chelmsford City Council. Once a contract has been let it is anticipated that works will commence during summer 2018. This will see new cameras installed at the High Street and Promenade, together with sites in Burnham, Brickhouse Farm and West Maldon Community Centre. These cameras will ultimately be linked to the Chelmsford CCTV Control Room for 24/7 monitoring.
- Officers have successfully rolled out the 'J9 initiative' which is a discreet and innovative support network for domestic abuse victims with staff from Maldon District Council and other local organisations now trained as contact points for those suffering domestic abuse.
- Officers continue to work with the Safer Essex Roads Partnership to tackle irresponsible drivers.
- The partnership has been working on three Domestic Homicide Reviews.

Leisure, Countryside and Tourism

- A successful series of summer events were facilitated by the Council including the **Maldon Motor Show** and the first **Maldon Smoke and Fire Food Festival** took place in Promenade Park over a weekend in August. The events proved popular with the public and contributed to income over the summer via parking charges and direct payments.
- **Saltmarsh 75** was held once again in October attracting entrants from far and wide. The event is now in its fifth year and will be held again in October 2018.
- **The Grape and Grain Trail** promoting the great range of vineyards and breweries in the wider area (a joint project between Braintree District Council and Maldon Tourist Information Centre) was launched at the Essex Festival of Food and Drink in July 2017 and was an immense success. The trail is promoted through the Visit Maldon District website, the trail map was distributed to all of the producers within the Maldon District, the Campaign for Real Ale (CAMRA) distributed leaflets to their pubs within Braintree and Maldon Districts. Various national press organisations including the Telegraph

and UK Vineyard Association featured the Maldon District and English wine, as a result of the trail publicity.

- A number of **Coastal Hubs** were installed with official openings in Tollesbury and Heybridge Basin. The Coastal Communities Project will conclude later in 2018 with two major projects, adaptation to the Town Pontoon in Burnham-on-Crouch and a new Coastal Hub and Viewing Platform in Promenade Park.
- Additional town signage was installed in Maldon and Burnham-on-Crouch connecting the leisure quarter and the High Street in Maldon and the railway station and the High Street in Burnham-on-Crouch.
- The latest Volume and Value Report for 2016 (latest available) shows the following increases:
 - 128,000 extra day visitors in 2016;
 - an additional 113 jobs with tourism equating to 15% of local employment;
 - Direct local business turnover supported by tourism activity of over £160m and the total tourism value over £195m to the local economy (an 3% increase compared to 2015).
- Our local **Tourist Information Centres** continue to provide direct services to visitors and local residents, with figures for 2017/18 showing:

	Burnham-on-Crouch (opened August 2016)		Maldon	
	2016/17	2017/18	2016/17	2017/18
Customer visits	1,944	3,713	25,995	25,946
Telephone enquiries	47	125	2,653	2,010
Emails	27	125	662	669

- In addition, the **Visit Maldon District** website received 199,121 unique visits in 2017/18 (2016 / 17 51,016 from July 2016 when the website was launched).
- 2017 saw approximately 40,000 youngsters enjoying the Splash Park.
- Since July 2017 the Council has coordinated efforts from the voluntary sector to help maintain open spaces. From July 2017 to March 2018 over 2,100 hours of time have been donated by members of the community or via the Community Payback scheme. If a ‘per hour’ value was applied to this volunteering at the Living Wage of £8.75 per hour, the contribution of the volunteer hours recorded just between July 2017 and March 2018 equates to approximately £18,420.

3.2.1.4 Planning and Regulatory Services Directorate

Strategic Planning Policy

- The Secretary of State approved the **Local Development Plan** in July 2017.
- Good progress has been made on taking forward project planning for the Central Area Masterplan.

Planning Services

- In 2017 / 18 there was continued improvement in the performance of the Planning Services team in determining planning applications with approximately 98% of all applications within the 13 week (major applications or 8 week (minor and other applications) target.
- The Corporate Fraud and Enforcement Team received 489 new planning cases during 2017 / 18, closed 395 cases and had 9 successful prosecutions.

Strategic Housing

- MDC continues to develop the **Community Led Housing** programme and has received positive feedback especially from groups who have previously struggled to identify opportunities for development or to meet their need.
- The Council has a pipeline of development (sites under construction or likely to be completed within two to three years) that provides an overall average of 32% affordable homes, much higher than many other districts and greatly improved on the historical trend of around 5%. This is mainly due to changes in the way that the Council has been managing appraisals for financial viability over the recent years as many of these sites originally proposed a much lower level of affordable housing and in some cases none at all.
- **Allocations** – the backlog of applications from last year has now been cleared and all applications to the housing register (waiting list) are now being assessed, including those with medical conditions, within the target of 28 days.
- The Maldon District has maintained its track record of having one of the lowest proportions of statutory homelessness and use of temporary accommodation and Bed and Breakfast, even though both have risen slightly in 2017 / 18 and are likely to do so in 2018 / 19, levels remain amongst the lowest in Essex.
- A record amount of **Disabled Facilities Grant** funding was received last year.

Economic Development

- **Maritime Skills and Heritage Marine Foundation (HMF)** - Maldon District Council is supporting the Heritage Marine Coastal Community Fund bid regarding the employment of an Apprenticeship Development Co-ordinator role to assist with the further development of their proposed Historic Vessels Apprenticeship Programme to train 12 apprentices per year.
- **Sense of Place** - The Council's Communications Team created the Sense of Place assets for business which are directly available via the Sense of Place dedicated satellite website www.wearealdondistrict.co.uk. We are aware of approximately 15 businesses using the Sense of Place branding. In addition, businesses can also purchase Sense of Place bunting through the Tourist Information Centre e-shop.

Hoardings on the Aquila site at Fullbridge roundabout were installed using Sense of Place and marketing the Maldon District.

- **The Causeway Business Forum** has been established to support business growth on the Causeway, one of Maldon District's most important

employment areas. The aim is to engage with local businesses to take forward issues of local concern and work with MDC to deliver improvements and encourage business retention and growth, deliver increased jobs and business rate income.

Several meetings have been held, attracting active participation from some of the most important businesses located on the Causeway and is currently focussing on the number one priority identified by the businesses, that of addressing skills shortages.

- **Small Business Saturday** - the Economic Development Team was successful in securing a place on its bus tour to the Maldon District in November 2017. The Maldon District was chosen as one of the 25 towns / cities visited across the UK which also included places such as Edinburgh, York, Brighton and Belfast. The purpose of this national campaign is to promote shopping local for goods and services. A number of businesses from the Maldon District exhibited at the event and there was the opportunity for local businesses to access free one to one business support on the bus with some of the District's businesses providing this support. The event was well received and had good press coverage.
- **Essex Rural Skills Project** - The Economic Development team organised the successful launch of the European Social and Big Lottery Funded Essex Rural Skills Training Project (in which we are a working partner with Abberton Rural Training) at Stow Maries Great War Aerodrome in August 2017. Over 40 organisations attended to find out more and how they can refer trainees that could benefit from the programme. This project aims to provide intensive and ongoing practical employment support for older people (aged 45 and over) to move into sustainable volunteering, training or employment and will give trainees the opportunity to gain a Level 1 qualification, as well as literacy, numeracy, and employability skills. All 16 places have been filled with a waiting list and consequently Abberton Rural Training is now seeking further funding to support other candidates.
- **Tall Ship Festival 2017** - MDC attended the Tall Ship Festival at Greenwich in April 2017, promoting the Maldon District as a tourist destination, and as a place to do business, live and enjoy.
- The Economic Development Team continues to be an Executive member of **the Burnham-on-Crouch Chamber of Commerce**, an organisation that continues to go from strength to strength with over 60 attendees at most of its events. These take place on a bi-monthly basis and have included subjects such as the General Data Protection Regulation (GDPR), Apprenticeships, Small Business Saturday, Funding, and Celebrating Burnham-on-Crouch business.
- **Leader Funding** - Maldon District continues to maintain its top position in terms of successful applications within the area covered by the Essex Rivers Local Action Group with six out of the 12 projects approved coming from the District. These have included Clayhill Vineyard, Dan Hull Prepared Foods, Sarah Greens Organics, Stow Maries Great War Aerodrome, Messrs LP Sampson, and Crouch Ridge Vineyard.

- **Chairman’s Awards** - The Chairman’s Business Awards 2017, now an annual event following their launch in 2016, took place at Stow Maries Great War Aerodrome at the end of February 2018. Over 60 people attended and winners included Gibbons Engineering Ltd, (Overall Business of the Year and Winner of the Best Established Business), Lambton and Jackson (Young Entrepreneur of the Year), Skeggs Beef Ltd (Best New Business of the Year) and Secret Hamper (Fast Track Business of the Year).
- **Coastal Community Teams (CCT)** - MDC supported the River Crouch Coastal Community Team in producing 23,000 copies of the ‘Explore the beauty of the Crouch Coast’ Visitor Guide which were circulated to tourist information centres, local attractions, stakeholders, and accommodation providers. Due to its success the Maldon and Blackwater CCT is currently preparing a second brochure.

The team attended the **Quay Day event** at Burnham on Crouch on August bank holiday 2018 on behalf of the Crouch CCT.

- The **New Nuclear Local Authority ‘Special Interest’ Group – Annual Conference** (NNLAG) was hosted by Maldon District Council in March 2018, at Crowne Plaza Resort Five Lakes and attracted a record number of delegates from across the country. It was a significant event for the Maldon District enabling knowledge and experiences of authorities around the country to be shared with updates from Hinkley Point, Moorside, Oldbury, Sizewell and Wylfa sites. Speeches were made by Stephen Speed, Director, Civil Nuclear and Resilience Directorate, Department of Business, Energy and Industrial Strategy and John Devine, Department for International Trade, who both reiterated the importance of working together. EDF Energy and CGN, who are preparing proposals for a new nuclear station in Bradwell, also attended the conference which concluded with a delegate visit to the potential Bradwell B site.

3.3 COMPLAINTS / COMPLIMENTS

3.3.1 A total of 238 complaints and 51 compliments were received by the Council during 2017/18:

Directorate	Compliments			Complaints		
	2015 / 16	2016 / 17	2017 / 18	2015 / 16	2016 / 17	2017 / 18
Resources	1	7	2	8	4	5
Customers and Community	24	20	29	71	114	101
Planning and Regulatory Services	10	15	20	48	33	132*
Total	35	41	51	127	147	238

* 100 of the complaints received related to one specific planning enforcement issue

3.3.2 All complaints received are investigated and action taken to improve service delivery where learnings are identified. However, there are limitations in the current system for recording and collating complaints and compliments.

- 3.3.3 A revised corporate feedback system is being considered as part of the new Customer Strategy. This will enable more robust information to be recorded and analysed to identify improvement areas.

4. CONCLUSIONS

- 4.1 Good progress has been made on a number of activities and successes achieved which will help the Council meet its overall desired outcomes and corporate goals.

5. IMPACT ON CORPORATE GOALS

- 5.1 The Council has stated its corporate goals and objectives in the agreed Corporate Plan for 2015 - 19 and the Corporate Leadership Team set out what actions the services would take to contribute to the achievement of these objectives. It is important that performance is monitored and managed against targets and milestones.

6. IMPLICATIONS

- (i) **Impact on Customers** - Performance Management is about agreeing and achieving objectives and priorities, monitoring our performance against agreed targets and timescales, identifying opportunities for improvement, making necessary changes and ultimately delivering quality public services.
- (ii) **Impact on Equalities** - The Council aims to understand the needs of our staff and customers and ensure that our policies and services are designed to meet these needs and are implemented appropriately.

MDC is committed to providing equal opportunity of access to services and working towards developing communities that are free from discrimination.

Effective performance management will assist the Council in determining whether it is achieving this.

- (iii) **Impact on Risk** – Without agreed and clearly stated corporate goals and desired high level outcomes, the Council will be at risk of not effectively focusing its work and, in turn, efficiently directing limited resources.

Those risks which may prevent the Council from achieving the corporate goals stated in the Corporate Plan are identified and reviewed on an annual basis.

These are recorded on the Corporate Risk Register together with any current controls in place and further actions to be taken forward are identified to mitigate the risks as much as possible.

The Corporate Leadership Team and the Audit Committee undertake quarterly reviews of the Corporate Risk Register as assurance that the corporate risks are being managed effectively and seeking to ensure that the corporate goals should be achieved.

- (iv) **Impact on Resources (financial and human)** - If action is needed to bring key activities or indicators back on track to meet the targets set, a reallocation of resources may be required to ensure that objectives and priorities are achieved.
- (v) **Impact on the Environment** – None.

Background Papers: None.

Enquiries to: Fiona Marshall, Chief Executive, (Tel: 01621 875711) or
Julia Bawden, Performance and Risk Officer, (Tel: 01621 876223).

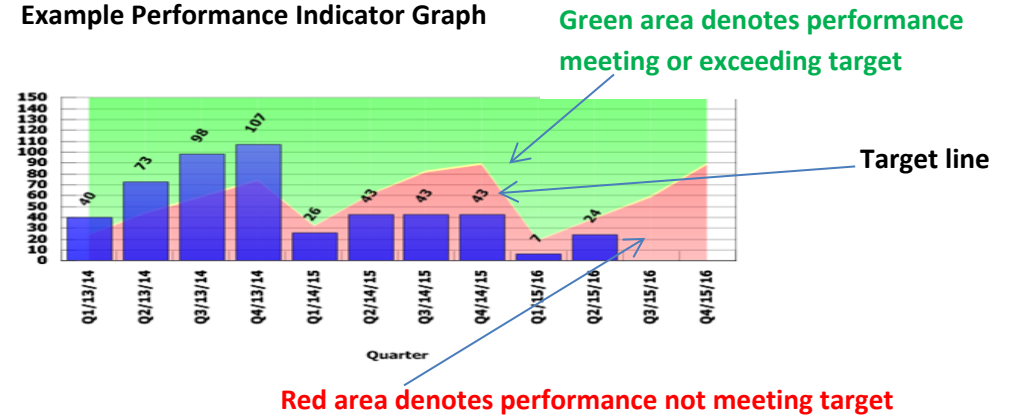
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REVIEW OF PERFORMANCE

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Example Performance Indicator Graph



Status Definitions for Key Corporate Activities

At Risk	There are issues which could impact the completion/ achievement of the Key Corporate Activity in the future
Behind Schedule	Target date for completion of the Key Corporate Activity , or milestones upon which activity depends, have not been met
On Track	Work progressing satisfactorily, milestones upon which the activity depends are being met and overall target for completion should be achieved
Completed	Key Corporate Activity completed – no further work required

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Corporate Goal - Strengthening communities to be safe, active and healthy

Key Corporate Activities contributing to this goal - 4			
At Risk	Behind Schedule	On Track	Completed
		3	1

Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs “At Risk” or “Behind Schedule”
<p>Implement projects from the Community Safety Partnership action plan to maintain the low levels of crime, support victims of anti-social behaviour and reduce the fear of crime:</p> <ul style="list-style-type: none"> - introduce a Public Space Protection Order under the ASB, Crime and Policing Act 2014 for the relevant parts of the District to tackle clearly defined activities (i.e. consumption of alcohol, street racing) - deliver projects with partners and local communities to promote the safe use of our roads and tackle irresponsible driver behaviour - deliver effective education and intervention programmes which promote community safety and reduce vulnerability within the District - work in partnership with statutory partners and communities to develop a framework for tackling and reducing rural crime and strengthening communities 	Ongoing	On track	
<p>Implement with partners targeted projects that contribute to the local health and wellbeing needs:</p> <ul style="list-style-type: none"> - obesity - old age - frailty - isolation - educational attainment 	Ongoing	On track	
Embedding the Safeguarding policy and procedures across all the Council services	March 2018	On track	

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Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs "At Risk" or "Behind Schedule"
Identify and implement Strengthening Communities Strategy projects, such as 1) providing at least three volunteer projects within the District's open spaces for improved conservation or improved amenity of those areas 2) Pilot project to tackle social isolation in identified area of need	March 2018	Completed	

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Indicators

Indicator	15/16 Actual	16/17 Actual	17/18 Target	17/18 Actual	Annual target achieved
Level of reported crime Low performance is good	2,341 Incidents of all crime	2,422 Incidents of all crime	Fewer reported incidents than in previous year	2,572 Incidents of all crime	No
	1,087 ASB incidents	1,000 ASB incidents		987 ASB incidents	Yes
	Sanctioned detection rate 11.7%	Sanctioned detection rate 12.5%	No target	Sanctioned detection rate 9.5%	Not applicable

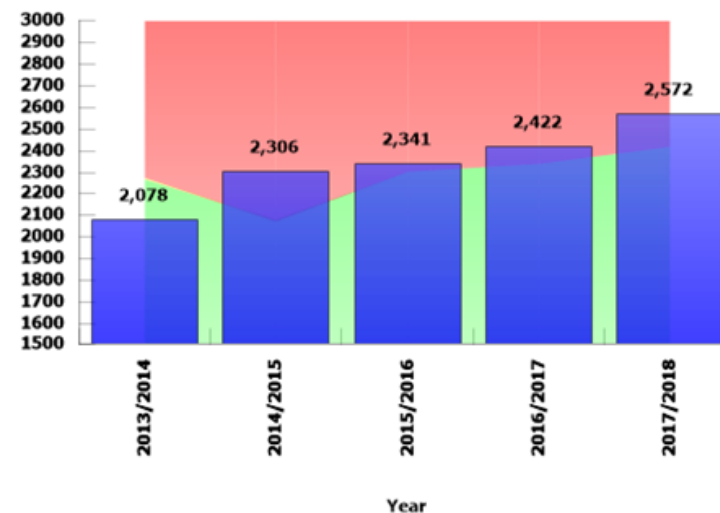
Comment on current performance

Whilst Maldon District has seen an increase in crime it has been much lower than the County average increase of 13% and those figures highlighted in the National Crime Survey for England and Wales.

Some of the increases can be seen in a positive light, particularly those around domestic abuse and hate crime whereby people feel more confident to report crimes and better mechanisms are in place for doing so. However, violence with injury and violence without injury continue to be a concern although the latter offence does include crime types which were previously unrecorded such as offensive social media posts and malicious texts.

There is a national concern about the criminal and sexual exploitation of young people and the violence associated with organised crime and gangs. There are early signs of this type of activity in Maldon, but not as prevalent in the more urbanised districts of Essex.

Offences which have a real impact on the victim such as burglary and theft continue to



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Indicator	15/16 Actual	16/17 Actual	17/18 Target	17/18 Actual	Annual target achieved
<p>be addressed by the Partnership.</p> <p>Overview and Scrutiny Committee (sitting as the Crime and Disorder Committee) provides an opportunity for Members to scrutinise the work of the Community Safety Partnership and Essex Police. Officers have arranged additional presentations at these Committee meetings (Nov/March) to address concerns in relation to the above offences by having Detective Inspector Rob Kirby speak on improved performance on burglary detection and Chief Inspector Ian Gennery present on the new Essex Police Rural Crime Strategy.</p>					

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Tracking Measures

The following are designated as “tracking measures” for which it is inappropriate to set targets as the Council has little control of performance, but establishing these measures will enable us to gauge the impact of our actions on the desired objectives outlined in the Corporate Plan.

Indicator	14/15 Actual	15/16 Actual	16/17 Actual	17/18
No. of aids, adaptations and improvements implemented for older and disabled households by the Home Improvements Team	44	63	69	50
No. of households where living conditions were improved through Housing Act interventions	12	21	10	8
Overall number of households within the Maldon District that have been assisted as part of the national Green Deal and ECO scheme	690 (Jan 2013 and Mar 2015)	860 (Jan 2013 and Dec 2015)	1,244 (Jan 2013 – Mar 2017)	1,494 (Jan 2013 – Dec 2017) Figures available are always a quarter behind
Number of assisted installations to improve home energy efficiency through Council promotion	0	20	19	7
Participation in Active Maldon events	New indicator 17/18			<ul style="list-style-type: none"> • My Weight Matters weekly management scheme – 7 sessions held (started in February 2018) – average of 13 participants per week • 15 led cycling rides – 238 participants • Body care – 14/19 schools engaged, 77 sessions held • Livewell Campaign – Event held at Maldon District Council (MDC) offices – 16 exhibitors, 150 participants • 2 Xplorer orienteering courses – 226 participants • Walking football – average 14/weekly session • Walking rugby – average 10/weekly session • Fitsteps – average 19/bi-weekly session • Music/movement – average 14/3 sessions a week • Club development workshops (3) – 26 clubs attended

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Indicator	14/15 Actual	15/16 Actual	16/17 Actual	17/18
				<ul style="list-style-type: none"> • Saltmarsh 75 – 210 participants in event October 2017 • Maldon & District School Sports Association Annual Championships – mass primary school participation event with track and field competitions – 22 schools (462 pupils)

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Corporate Goal - Protecting and shaping the District

Key Corporate Activities contributing to this goal – 12				
Activity not being taken forward	At Risk	Behind Schedule	On Track	Completed
1	1	3	5	2

Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs “At Risk” or “Behind Schedule”
Adopt the Local Development Plan for the District	September 2017	Completed	
Work in partnership to deliver/ensure management/maintenance of strategic infrastructure as per LDP	Ongoing	South Maldon Garden Suburb On track	North Heybridge Garden Suburb - work is on-going to facilitate the delivery of a flood alleviation scheme. (See also update for KCA re flood relief projects below).
		North Heybridge Garden Suburb Behind schedule	MDC is working with the Environment Agency (EA) on a revised scheme in the light of CPUK’s decision to not progress the Flood Alleviation Scheme (FAS). Any revised scheme must continue to provide adequate flood and drainage mitigation measures. In addition the scheme must provide the same level of infrastructure as per the Local Development Plan (LDP) and Infrastructure Delivery Plan (IDP).
		Rest of the District On track	Developers’ contributions have been received for infrastructure from the Persimmon scheme to the west of Broad Street Green Road. Work has started on the Bellway site, in Holloway Road, which is also subject to a S106 agreement. The South Maldon Relief Road is to be funded by the developers of the South Maldon sites through Section 106 agreements.

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Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs "At Risk" or "Behind Schedule"
			Discussions are taking place with Essex County Council (ECC) over the design and construction vehicle for this important road to ensure that it is provided in a timely manner in accordance with the LDP. It is likely to be another twelve months before this work is completed so that the construction time line can be confirmed.
<p>Establish management plans with existing and new community groups regarding the management and maintenance of open spaces For 2017/18:</p> <ul style="list-style-type: none"> - Riverside Park, Burnham-on-Crouch - Cemeteries 	Ongoing	Behind schedule	Operational priorities have meant that it has not been possible to conclude the first drafts of the management plans for Riverside Park and Cemeteries. A revised timescale for this work has been agreed with the Director of Customers and Community and it intended that drafts will be considered by Community Services by the July meeting.
<p>Work with partners to seek funding/bring forward flood relief projects for identified surface and coastal flooding risk areas in the District</p>	March 2018	<p>At risk North Heybridge Flood Alleviation Scheme (FAS)</p> <p>Behind schedule CDA 2 Scheme Brickhouse Farm</p> <p>On track CDA1 West Maldon Limebrook Way</p> <p>On track CDA3 Causeway and Masterplan Area</p>	<p>North Heybridge Flood Alleviation Scheme (FAS) A review was undertaken by RPA and a draft report produced in February 2018 identifying a benefit cost ratio above 1. The document was subject to technical scrutiny and the final report has now been received and is currently being reviewed.</p> <p>However, the developer has since confirmed they are withdrawing the FAS as part of their scheme. Discussions are now underway with the relevant partners to seek to continue working together to review alternative options to improve the existing drainage provision in the area.</p> <p>In the event that the current funding opportunity is not forthcoming through Government grant, the Council is continuing to work with partners on an alternative mechanism for receiving funding towards flood alleviation in Heybridge.</p> <p>CDA2 – Brickhouse Farm This scheme has been deferred to 18/19 Capital works.</p>

Review of Performance 2017-18

Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs "At Risk" or "Behind Schedule"
			<p>ECC have completed the further assessment and provided another drainage option which will enable the allotments to remain at the location. However, this will rely on either ECC Highways adopting a new drainage system or MDC completing a Section 50 License and taking long term maintenance responsibility for the new highway asset.</p> <p>A report will be submitted to Members. As a result this is considered to be "behind schedule" albeit this is outside of our control.</p>
Adopt the Maldon District Design Guide	September 2017	Completed	
Co-ordinate work with housing associations and developers to provide affordable housing and meet the identified requirements for older persons' independent living within the District	Ongoing	On track	
Work with partners to deliver the new Maldon Health Hub	Ongoing	Activity not being taken forward	<p>Following debate at the Council meeting on 8th February 2018, it was agreed that MDC can no longer commit resources and officer time to the project. The Council will monitor future progress and at such time as the NHS confirms their commitment to a clear outcome, Members will be able to decide on the scale of its involvement.</p>

Review of Performance 2017-18

Indicators

Indicator	15/16 Actual	16/17 Actual	17/18 Target	17/18 Actual	Annual target achieved										
<p>Total household waste arising per household</p> <p><i>Low performance is good</i></p> <p><u>Comment on current performance</u> For 2018/19 there has been an increase in the tonnage for recycling, food and garden waste while there has been a decrease in the total refuse collected.</p> <p>The increase in the total waste is not something that the Council can control or affect. The 2018/19 target agreed for this indicator is 750 kgs. which may need to be reviewed during the year in the light of data available.</p>	838 kgs. per household	820 kgs. per household	790 kgs. per household	825 kgs. per household (provisional)	No										
			<table border="1"> <caption>Household Waste per Household (kgs.)</caption> <thead> <tr> <th>Year</th> <th>Waste (kgs.)</th> </tr> </thead> <tbody> <tr> <td>2014/2015</td> <td>842.0</td> </tr> <tr> <td>2015/2016</td> <td>838.0</td> </tr> <tr> <td>2016/2017</td> <td>820.0</td> </tr> <tr> <td>2017/2018</td> <td>825.0</td> </tr> </tbody> </table>			Year	Waste (kgs.)	2014/2015	842.0	2015/2016	838.0	2016/2017	820.0	2017/2018	825.0
Year	Waste (kgs.)														
2014/2015	842.0														
2015/2016	838.0														
2016/2017	820.0														
2017/2018	825.0														
Indicator	15/16 Actual	16/17 Actual	17/18 Target	17/18 Actual	Annual target achieved										
<p>Residual household waste per household</p> <p><i>Low performance is good</i></p>	443 kgs. per household	345 kgs. per household	350 kgs. per household	333 kgs. per household (provisional)	Yes										

Review of Performance 2017-18

Indicator	15/16 Actual	16/17 Actual	17/18 Target	17/18 Actual	Annual target achieved
Percentage of household waste sent for reuse, recycling and composting (including separate green waste) <i>High performance is good</i>	47.3%	57.8%	58%	59.6% (provisional)	Yes
Average number of justified missed collections per collection day <i>Low performance is good</i>	New indicator 17/18	New indicator 17/18	<10 per collection day	10.22	No (Due to the disruption as a result of the snow and catch up period during Q4. If the post snow disruption figure is excluded, the figure for the year would be 9.7)
Total number of justified missed collections <i>Low performance is good</i>	New indicator 16/17	5,602 (6 th June – 31 st March only)	Tracking measure	2,127	Not applicable
Quality of decision: % of total number of decisions on applications made during the assessment period overturned at appeal <i>Low performance is good</i>	9.8% Majors only (for the 2 year minus 9 months period as per DCLG assessment re quality of decisions)	8.33% Majors only (for the 2 year minus 9 months period as per DCLG assessment re quality of decisions)	8.5% (for both major and non-major applications)	6.15 % (major applications) 3.7% (non major applications) for the 2 year minus 9 months period	Yes
Total number of open market homes delivered <i>High performance is good</i>	248	243	180	Figures available in September 2018	

Review of Performance 2017-18

Indicator	15/16 Actual	16/17 Actual	17/18 Target	17/18 Actual	Annual target achieved
Total number of affordable homes delivered (through legal agreements and other means) High performance is good	45	21	130	Figures available in September 2018	
Total number of long term (i.e. longer than 6 months) empty homes in the District	195 as at 31/03/15 (of which 43 have been empty in excess of 5 years)	219 as at 31/03/17 (of which 39 have been empty in excess of 5 years)	Not applicable	194 as at 31/3/18 (of which 29 have been empty in excess of 5 years)	Not applicable
Number of long empty homes returned to use High performance is good	98	78	80	63	No

Review of Performance 2017-18

Comment on current performance

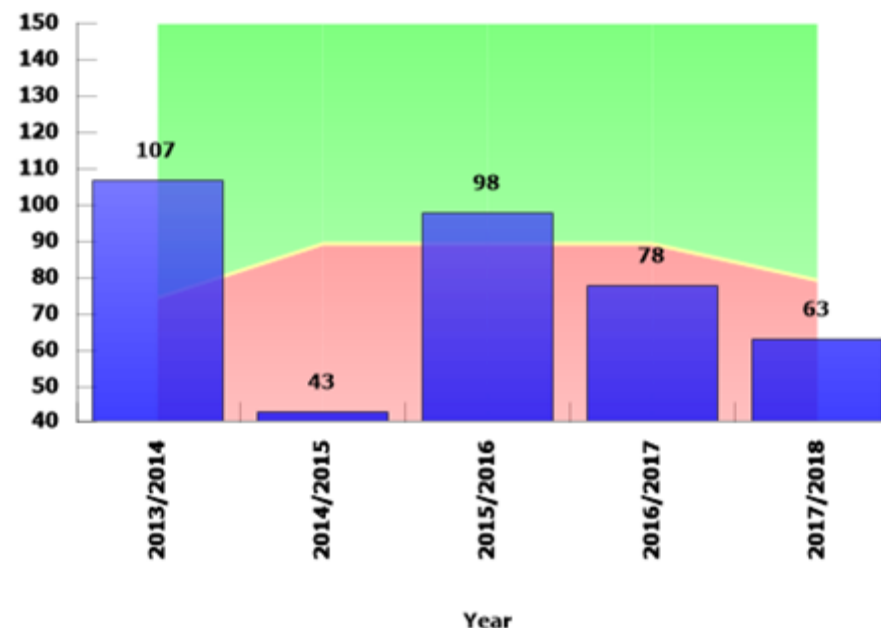
The Council has made good progress in tackling empty homes over the last decade.

Officers have looked at recent performance and reviewed recent studies and good practice to see if there is more that could be done.

Experience of the Council reflected by regional trends is that the number of empty properties has reduced throughout the East of England with the exception of some local 'hot spots'. In comparison with other areas, the Maldon District has below average numbers and percentages of empty and long-term empty homes according to the Empty Homes Agencies report from 2016/17. Although the number of homes being brought back into use has declined from year to year recently, looking at this current year, so too has the number of empty properties. It is therefore misleading to see a reduction in the number of homes being brought back into use as the complete picture of activity and level of empty homes in the District.

Officers will continue to work with owners of homes that remain empty beyond six months; targeting advice and support to those where they remain unoccupied beyond a year as in practice we have found that this is the sector where early intervention can be most effective. Preparing to take enforcement action against those buildings that have been empty for the longest periods would also send a clear signal to all owners that the Council is prepared to take action should owners fail to take responsibility for their property in the longer term. This may help encourage some other owners to take more seriously the Council's requests to cooperate in making best use of existing properties and accept offers of help and advice.

For 2018/19, the method of reporting will change to the number of long term empty properties as a percentage of total stock alongside the national/regional averages, giving a better indication of performance.



Review of Performance 2017-18

Tracking Measures: The following are designated as “tracking measures” for which it is inappropriate to set targets as the Council has little control of performance, but establishing these measures will enable us to gauge the impact of our actions on the desired outcomes outlined in the Corporate Plan.

Indicator	14/15 Actual	15/16 Actual	16/17 Actual	17/18 actual
Fly tipping				
- No. of incidents	- 222	- 214	- 381	- 472
- % removed within standard time	- 100%	- 100%	- 100%	- 100%
No. of reports received from the public re litter	75	38	26	20
No. of fixed penalty notices issued relating to litter offences	16	18	30	87
No of reports received from the public re dog fouling	94	50	74	58
No. of fixed penalty notices issued relating to dog fouling offences	23	12	10	87
Average Levels of Nitrous Dioxide across the whole District	33µ/m³	33.05µ/m³	29.60µ/m³	31.66µ/m³ (For year to December 2017)
Number of flood alleviation schemes implemented in the District as a result of grant funding/partnership working	New indicator 17/18	New indicator 17/18	New indicator 17/18	0
Number of households removed from flood risk as a result of schemes implemented	New indicator 17/18	New indicator 17/18	30	0
Affordable housing needs assessment	New indicator 16/17	New indicator 16/17	130	Figure awaited

Review of Performance 2017-18

Indicator	14/15 Actual	15/16 Actual	16/17 Actual	17/18 actual
I. Total no. of applicants who approached MDC's Housing service	I. 626	I. 462	I. 424	I. 563
II. Number of applicants who were either prevented from becoming homeless or their situation was resolved through intervention	II. 287	II. 135	II. 93	II. 67
III. Number of applicants who proceeded to make a formal homelessness application/those accepted as statutory homeless	III. 36	III. 38	III. 25	III. 50
IV. Number of applicants given advice, but unsuccessful in preventing/relieving the risk of homelessness	IV. 303	IV. 288	IV. 306	IV. 446
Number of people registered with the Council for housing in Bands A-C of the Council's policy for determining Housing Need	New indicator 17/18	New indicator 17/18	New indicator 17/18	201 as at 31/03/18
Number of properties available to offer those with a housing need during the quarter	New indicator 17/18	New indicator 17/18	New indicator 17/18	43 as at 31/03/18
Number of households in temporary accommodation at the end of the quarter	New indicator 17/18	New indicator 17/18	New indicator 17/18	10 as at 31/03/18

Review of Performance 2017-18

Corporate Goal - CREATING OPPORTUNITIES FOR ECONOMIC GROWTH AND PROSPERITY

Key Corporate Activities contributing to this goal - 12				
Not started	At Risk	Behind Schedule	On Track	Completed
		2	6	4

Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs "At Risk" or "Behind Schedule"
Implement the agreed business engagement framework including the development of a Local Business Forum and Chambers	March 2018	Completed	
Develop a package to promote the District as a place of choice to start and grow a business	March 2018	On track	
Through partnership working with local businesses and agencies, implement the action plans for the Central Area Master Plan: a) Causeway Regeneration Area b) The Leisure Quarter c) Maldon Central	Ongoing	Causeway On track Leisure Quarter On track Maldon Central On track	
Co-ordinate the delivery of an Enterprise Centre for the Maldon District	Feasibility Study by July 2018	On track	
Promote the District as a destination of choice by: a) Defining and promoting new / existing employment land b) Implementing key projects from the Maldon District Marketing Plan with partners to increase visitor numbers and visitor spend in the District	Ongoing March 2018	Completed Completed	
Develop and implement a strategy to meet the skills need within the District	March 2018	Behind schedule	The first draft of the Maldon District Skills Strategy has been prepared and we are now seeking input from external partners such as the Essex Skills Board (ESB) and Haven Gateway Partnership. Once input has been received a final draft will be prepared and shared.

Review of Performance 2017-18

Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs "At Risk" or "Behind Schedule"
Agree a vision for, and develop, a Planning Performance Agreement to maximise benefits from the development of a new nuclear power station at Bradwell	October 2018	On track	
Promote and support improved Broadband connectivity	Ongoing	Behind schedule	<p>A Superfast Essex Steering Board meeting was held on 29/03/2018. The focus is now moving away from delivery towards realising the benefits of the superfast infrastructure being installed. MDC has committed to provide £45,000, paid over three years of the duration of Phase 2a, as part of the Essex wide programme to meeting the requirements of what it originally set out to achieve: reaching 95% of Essex addresses with superfast broadband ("Phase 2"). As part of the Phase 2 rollout, Maldon District is to receive a further 15% increase in connectivity to ensure that up to 93% of the 28,432 premises in the District can access superfast broadband. Phase 2a was initiated in May 2017 but to date the funds have not been disbursed as there is a lack of evidence that the objectives of the programme are being met in Maldon District.</p> <p>Some additional work is being conducted to gather statistical evidence in order to test whether broadband speeds experienced by residences and businesses are meeting the objectives of the programme and whether this is due to inadequate implementation or other factors.</p>
Work with partners on the Total Transport pilot project	March 2018	Completed	

Review of Performance 2017-18

Tracking Measures: The following are designated as “tracking measures” for which it is inappropriate to set targets as the Council has little control of performance, but establishing these measures will enable us to gauge the impact of our actions on the desired outcomes outlined in the Corporate Plan.

Indicator	14/15 Actual	15/16 Actual	16/17 Actual	17/18 Actual
Within the District total number of employee jobs Source: NOMIS	19,400 2014	19,000 2015	20,000 2016	2017 figure not yet available
Claimant Count Source: NOMIS	430 (as at Feb 2015) (Job Seekers Claimants)	370 (as at March 2016) (Job Seekers and Universal Credit out of work claimants)	385 (as at March 2017) (Job Seekers and Universal Credit out of work claimants)	405 (as at March 2018) (Job Seekers and Universal Credit out of work claimants) Not seasonally adjusted
Number of business enterprises within the District Source: NOMIS	3,090 (2014)	3,270 (2015)	3,295 (2016)	3,400 (2017)
Number of empty NNDR properties within the District	199 (as at March 2015)	187 (as at March 2016)	168 (as at March 2017)	166 (as at March 2018)
NNDR Collectable Debt	£13.85m	£14.17m	£14.85m £0.57m real terms increase	Comparable figure not available due to significant number of variables which has affected the net collectable debt such as changes due to revaluation, new reliefs to certain businesses and discretionary reliefs to assist with larger rateable value increases
Number/percentage of 16 – 18 year olds in the District not in employment,	101 (as at March 2015)	80 (as at March 2016)	31 (as at March 2017) Equivalent to 2.1% of 16 – 18	34 (as at March 2018) Equivalent to 2.4% of 16 – 18 year

Review of Performance 2017-18

Indicator	14/15 Actual	15/16 Actual	16/17 Actual	17/18 Actual
education or training Source: ECC	(16 – 19 year olds)	(16 – 19 year olds)	year olds in the District not in employment, education or training	olds in the District not in employment, education or training
Number of participants starting in apprenticeship schemes within the District Source: DfE	520	540	480	Figures not yet available
Total visitor spend in the District Source: TIC – Economic Impact of Tourism report	£150m (2014)	£155.5m (2015)	£160.8m (2016)	Figures not yet available (report available September 2018)

Review of Performance 2017-18

Corporate Goal - Delivering good quality, cost effective and valued services

Key Corporate Activities contributing to this goal - 10				
Activity not being taken forward	At Risk	Behind Schedule	On Track	Completed
2		4	4	

Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs "At Risk" or "Behind Schedule"
Implement Workforce Development Plan projects for 17/18: a) Monitor / review use of the Performance Review System and transfer it onto Human Resources Information System (HRIS) b) Develop a recruitment strategy c) Introduce a Total Reward Policy d) Conduct a Council-wide skills audit	March 2018 (skills audit 18/19)	Performance Review/HRIS Activity not being taken forward	Monitor / review use of the Performance Review System and transfer it onto Human Resources Information System (HRIS) - At this point the Council is still using the Word document based appraisal system until the costs and benefits of transferring the Performance Review system have been ascertained. Recruitment Strategy - The Recruitment Strategy has been drafted and will be presented to Corporate Leadership Team (CLT) in Q1 2018/19. Total Reward Policy - The first draft has been presented to CLT and will be re-submitted in Q1 2018/19 incorporating CLT feedback. Conduct a Council-wide skills audit - the methodology and documentation for the Skills Audit was presented to CLT in January 2018. At the current time this is being held pending a decision to be taken on Organisational Change
		Recruitment Strategy Behind schedule	
		Total Reward Policy Behind schedule	
		Skills Audit Activity not being taken forward	

Review of Performance 2017-18

Key Corporate Activities (KCAs)	Target Date	Status	Comments for KCAs "At Risk" or "Behind Schedule"
			by Members in June 2018 which will assist in determining the skills that the Council needs in the medium term.
Implement the ICT Strategy projects for 17/18: a) Implement a new telephony system b) Upgrade the e-mail system	March 2019	Telephony On track	
		E-mail On track	
Deliver the Medium Term Financial Strategy to achieve a balanced budget	Ongoing	On track	
Agree the vision for the Council's Transformation Strategy and a programme of transformation projects for implementation	March 2018	Behind schedule	Ignite are currently working on a whole Council Transformation project which was presented to Council on 7 th June 2018 for consideration.
Embed the process for the approval of externally funded projects before submission to Council (using the Corporate Projects Working Group)	Ongoing	On track	
Develop and implement an income generation programme	Ongoing	Behind schedule	Since March 2018 officers have presented a list of pipeline projects for income generation to the Corporate Projects working group. All projects have been worked up to Project Initiation Document level and financial viability assessment in the main has been completed. The projects include: <ol style="list-style-type: none"> 1. Leisure projects(social infrastructure) 2. Council Offices 3. Employment Land 4. Housing Development.

Review of Performance 2017-18

Indicators

Indicator	15/16 Actual	16/17 Actual	17/18 Target	17/18 Actual	Annual target achieved
Time taken to process Housing Benefit/Council Tax Support new claims <i>Low performance is good</i>	14.5 days	14.8 days	15 days	10.72 days	Yes
Time taken to process Housing Benefit/Council Tax Support change of circumstances <i>Low performance is good</i>	7.64 days	4.99 days	8.5 days	5.09 days	Yes
% Council Tax collected <i>High performance is good</i>	98.3%	98.37%	98.3%	98.45%	Yes
% Business Rates collected <i>High performance is good</i>	98.07%	98.42%	98%	98.8%	Yes
Percentage of major planning applications determined within 13 weeks <i>High performance is good</i>	73.13%	92.42%	80%	97.92%	Yes
Percentage of minor planning applications determined within 8 weeks <i>High performance is good</i>	71.12%	86.71%	75%	97.8%	Yes

Review of Performance 2017-18

Indicator	15/16 Actual	16/17 Actual	17/18 Target	17/18 Actual	Annual target achieved
<p>Percentage of other planning applications determined within 8 weeks</p> <p>High performance is good</p>	89.7%	94.6%	85%	98.16%	Yes
<p>% of major planning applications acknowledged within 10 working days</p> <p>High performance is good</p>	New indicator 16/17	89.47%	95%	91.23%	No
<p>% of minor planning applications acknowledged within 5 working days</p> <p>High performance is good</p>	New indicator 16/17	54.57%	95%	75%	No
<p>% of other planning applications acknowledged within 5 working days</p> <p>High performance is good</p>	New indicator 16/17	55.75%	95%	70.76 %	No
<p>Comment on current performance</p> <p>It was agreed that due to a lack of funding the Administration Team will not be undertaking validation of planning applications. Whilst a number of internal improvements have been undertaken it is considered that the target will not be met within the current service provision.</p>					

Review of Performance 2017-18

% of major planning applications acknowledged within 10 working days		% of minor planning applications acknowledged within 5 working days			% of major planning applications acknowledged within 10 working days																																																							
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Indicator	15/16 Actual	16/17 Actual	17/18 Target	17/18 Actual	Annual target achieved																																																							
Average number of days lost per (Full Time Equivalent) FTE due to sickness Low performance is good	12.42 days • 4.54 days short term absence • 7.88 days long term absence	12.4 days • 5.32 days short term absence • 7.08 days long term absence	8 days	10.86 days • 5.23 days short term absence • 5.63 days long term absence	No																																																							

Review of Performance 2017-18

The Q4 overall sickness figures decreased by 20% to 498.86 total FTE days lost or 2.47 days total days lost per FTE (1.49 days per FTE short term absence and 0.98 days per FTE long term absence) compared to Q3. Short term sickness decreased by 7% from Q3 despite the high number of staff being off sick due to cold, flu and infectious diseases. The figures with regard to long term absence showed a notable decrease of 34% from Q3. Further information on this topic will be provided to Overview and Scrutiny Committee in June 2018.

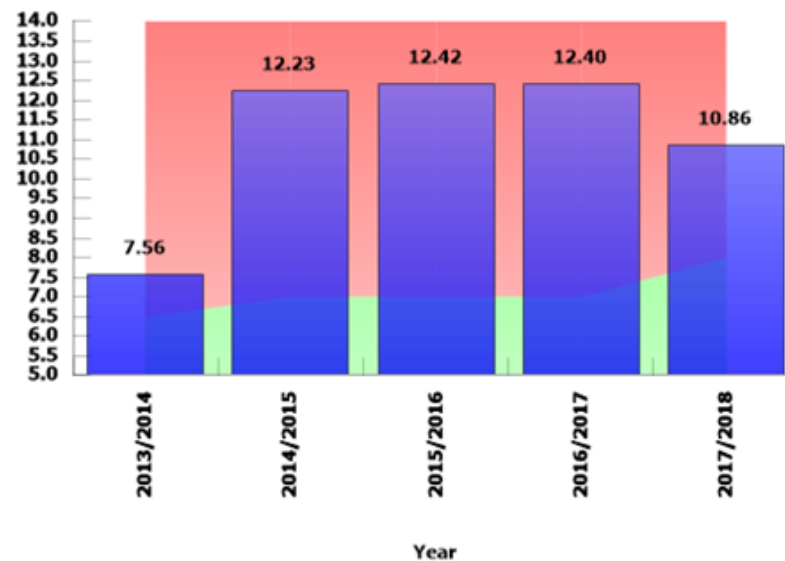
The annual total days lost per FTE for 17/18 is 10.86 compared to 12.4 for 16/17 - a reduction of 1.54 total days lost per FTE - and the lowest seen since 2013/14.

The reduction in long term absence is as a consequence of the revised Attendance Management Policy and HR and management implementing interventions, supported by Occupational Health that facilitate a return to work for staff.

Internal audit recently audited the Attendance Management policy and procedure and assessed the control design as providing 'significant assurance' and the operational effectiveness assessed as providing 'moderate assurance'. Areas of non-compliance with the Managing Attendance policy and procedure across the Council were identified, with key requirements such as self-certification, return to work meetings and formal 'stage' meetings not being completed by managers or within an appropriate timeframe. Recommendations will be progressed and monitored to improve these areas.

Management and HR continue to work together in order to make interventions to help staff manage health conditions through a more flexible working agreement, which avoids staff taking sick days which could lead to a longer period of absence and maintains productivity.

There has been positive progress in improving this year's attendance figures. However, progress in achieving change following policy implementation does take time. Continuing to manage attendance as a priority coupled with greater manager compliance should further improve overall figures over the coming year.





**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

**to
COUNCIL
28 JUNE 2018**

**COMMITTEE TERMS OF REFERENCE AND SCHEME OF DELEGATION
UPDATE**

1. PURPOSE OF THE REPORT

- 1.1 To consider the approval of a change in relation to the Scheme of Delegation in relation to the ability for elected members to call an application in to the Area Planning Committees.

2. RECOMMENDATION

That Members of Council decide to either:

- (i) Agree changes to the Terms of Reference of the Area Planning Committees in relation to the ability for elected members to call an application in to the Area Planning Committees, as presented in paragraph 3.3.3 of this report.

Or

- (ii) Make no amendments to the existing Terms of Reference of the Area Planning Committees in relation to the ability for elected members to call an application in to the Area Planning Committees.

3. SUMMARY OF KEY ISSUES

3.1 Background

- 3.1.1 A recent planning application has highlighted a potential issue regarding the opportunity for Members to call an application in to Area Planning Committee, when there is an amendment to the original planning application.
- 3.1.2 Recently an application was received by the Local Planning Authority (LPA) for the demolition of a house and the erection of a new dwelling. Whilst a neighbour did object to the proposal there were no objections from statutory consultees and no response from the parish council.
- 3.1.3 Notwithstanding the above, a number of concerns were raised with the design by the LPA and after discussions with the applicant amended plans were submitted in an attempt to overcome the issues raised. Due to the nature of the changes a re-

consultation process was undertaken. An additional letter of objection was received from the original objector. The amendments did not result in any objections from statutory consultees but this time the parish did reply, stating that they recommended the granting of planning permission.

- 3.1.4 At the time of the re-consultation process an elected member attempted to exercise their right to call the application in to the appropriate Area Planning Committee. However, the current Scheme of Delegation provides a period of 28 days for an application to be called in from the date it appears on the weekly list. There is no allowance for any extension of this period, if and when an application is amended to such a degree as to warrant re-consultation. It has therefore, been requested that the matter is brought to the attention of the Council, to consider the need to amend the Terms of Reference of the Area Planning Committees to allow for members to ‘call in’ an amended scheme whilst the new consultation period is ‘live’.

3.2 **Amendments and variations to Planning Applications**

- 3.2.1 Whilst it is common practice for a LPA to accept amendments to planning applications during the determination process there is no statutory power to do this, but the practice is well established and case law has confirmed that it is acceptable.
- 3.2.2 The Courts have accepted that there is not always a need to consult interested parties on amendments. It is necessary to consider if the alterations result in a form of development that is “*different in substance to what was applied for*”. If the alterations result in a proposal that is in the same substance as to what was applied for there is no need to re-consult on the amendments.
- 3.2.3 When amendments are accepted that result in a scheme that is “*different in substance to what was applied for*” there is a need to undertake appropriate consultation. The level of consultation required is respondent to the nature of the amendments. Maldon District Council, in most instances, will provide a 14 day period for comment on amended proposals.

3.3 **Area Planning Committee Terms of Reference**

- 3.3.1 The current terms of reference states that:

“Where a Ward Member requests that an application in his/her Ward is referred to the Area Committee for determination in accordance with ANNEXE A.”

- 3.3.2 Annexe A provides a number of criteria that are required to be met before an application can be ‘called in’ to go before the appropriate Area Planning Committee (Please see **APPENDIX 1** for the current Annexe A). The one relevant to this report is point (iii) which requires that requests for an application must be made in writing to the dedicated email address and within 28 days of the date an application appears on a published Weekly List produced by Planning Services. As stated above there is no provision for amended plans or new documentation to trigger a second ‘call in’ period.
- 3.3.3 For this reason, it has been requested that Council consider the need to amend point (iii) of Annexe A within the current Terms of Reference to state:

“Requests must be made in writing to the dedicated email address – and within 28 days of the date an application appears on a published Weekly List produced by Planning Services. When an application is amended, and the parish or town council is re-consulted, requests can be made in writing to the dedicated email address provided it is within the consultation period provided to the parish or town council.”

3.4 Impact of proposed changes

- 3.4.1 Once a planning application has been validated, the local planning authority should make a decision on the proposal as quickly as possible, and in any event within the statutory time limit. Poor performance at determining planning applications within the statutory time frame can result in a LPA being placed in ‘special measures’. It should also be noted that an applicant can appeal on ‘non-determination’ once the statutory deadline has expired.
- 3.4.2 The suggested changes to the scheme of delegation would, when significant amendments are proposed, allow for an application to be ‘called in’ much later in the determination process than currently is the case. This is likely to result in every application that is before the Area Planning Committee due to the new arrangement being determined after the expiry of the statutory deadline. This is likely to have an impact on the statistical performance of the LPA as well as increasing the workload through the need to produce a committee report and also, potentially, defending appeals on non-determination.
- 3.4.3 There are currently times that case officers will seek amendments to schemes to improve the quality of the development even when the shortfalls in the application do not warrant a reason for refusal. This would include, but not exclusively, seeking to improve the proposal through enhancement to the quality of the design, impact on the character of the area, amenity provision, impact on neighbours and also car parking provision.
- 3.4.4 Concerns are also raised that the second opportunity for members to call an application in to committee may result in applicants and agents not being willing to undertake such amendments and therefore, reduce the opportunity for the LPA to improve the quality of the proposal to the betterment of the built form of the district as a whole.
- 3.4.5 It should also be noted that the provision of a second opportunity for an application to be ‘called in’ is likely to result in an increase in applications being presented to the Area Committee at a time when the Council is actively seeking to reduce the level of work placed before committees.

4. IMPACT ON CORPORATE GOALS

- 4.1 The review and updating of the corporate governance arrangements of the Council underpins the decision making processes of the Council, is in part a matter of compliance with the law and is also linked to high level outcomes associated with the corporate goal of delivering good quality, cost effective and valued services in a transparent way.

5. IMPLICATIONS

- (i) **Impact on Customers** - The ability to ensure that planning decisions are taken in a timely, open and transparent way.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – Failure to determine planning applications within the statutory timescales could result in the Council being placed in ‘special measures’ and also an increase in planning appeals with a subsequent impact of staff resources.
- (iv) **Impact on Resources (financial)** – None identified.
- (v) **Impact on Resources (human)** – None identified.
- (vi) **Impact on the Environment** – Reduction in amendments to proposals could lead to adverse impacts on the environment resulting in long term harm which might be difficult to mitigate.

Background Papers: None.

Enquiries to: Matt Leigh, Group Manager - Planning Services, (Tel: 01621 875740).

ANNEXE A

Determination of Planning Applications – Member Call-In

- (i) The effect of this facility is to enable a Member to request that an application is referred to an Area Planning Committee for determination instead of being determined under powers delegated to the Director of Planning and Regulatory Services.
- (ii) A Member may ‘call in’ an application from their Ward or another Ward within the following areas:

Central Area Planning Committee:

Call-in area 1 – Maldon North, South, East, West Wards

Call-in area 2 – Heybridge East and West Wards

South Eastern Area Planning Committee:

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

Call-in area 2 – Althorne, Mayland, Southminster and Tillingham Wards

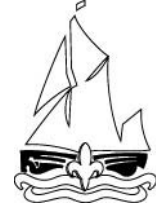
North Western Area Planning Committee:

Call-in area 1 – Tollesbury, Tolleshunt D’Arcy, Great Totham Wards

Call-in area 2 – Purleigh, Wickham Bishops and Woodham Wards

- (iii) Requests must be made in writing to the dedicated email address – and within 28 days of the date an application appears on a published Weekly List produced by Planning Services.
- (iv) A Member must provide a reason to support a call-in request.
- (v) A Member is under no obligation to invoke this provision on the basis of any public representation or request he or she may have received, including town or parish council, but may wish to take this into consideration, as he or she may also wish to do when reviewing the request as set out below.
- (vi) Where a Member’s request is the only reason for an application being referred to the Area Committee, the Director of Planning and Regulatory Services will notify the Member of his recommendation on the application following which the Member may withdraw his or her request.
- (vii) Due to the limited time available all responses to Certificates of Lawful Use for Proposed Development and prior notifications, including those in relation to agricultural buildings, telecommunications, hedgerows, trees in conservation areas and demolition are delegated to the Director of Planning and Regulatory Services unless he considers that they should be referred to the appropriate Area Planning Committee, time permitting.

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**REPORT of
DIRECTOR OF PLANNING AND REGULATORY SERVICES**

to
COUNCIL
26 JUNE 2018

**ANGLIAN RUSKIN UNIVERSITY'S BUILD FACTOR: PROPOSAL FOR
ADOPTION AS A CORPORATE PROJECT TO SUPPORT COMMUNITY LED
HOUSING**

1. PURPOSE OF THE REPORT

- 1.1 To inform Members of Anglia Ruskin University's Build Factory project and the potential for working in collaboration to support local community led housing projects and to provide a wider update on current Community Led Housing Schemes.

2. RECOMMENDATIONS

- (i) that the Council's Strategic Housing Service and Anglia Ruskin University provide mutual support in developing the Build Factory approach to supporting a Community Led Housing project in the District; and
- (ii) this is adopted as a corporate project with progress reported regularly to future meetings of the Strategic Housing Board and also made available to all Members.

3. SUMMARY OF KEY ISSUES

- 3.1 Members will be aware from previous reports of the progress being made supporting the government's aim of encouraging Community Led Housing. A summary of current schemes is provided as **APPENDIX 1** to this report. As a result of this work, Officers have been contacted by Anglia Ruskin University's faculty of Building and Construction which is seeking to support innovation and community engagement in construction through their 'Build Factory' project.
- 3.2 The Build Factory is a combination of academic knowledge and experience from academic staff and practical support and opportunity for students and post-graduates involved with construction skills. The aim is to combine these skills with local trades and businesses to bring forward development in a more cooperative way, ideally to provide homes that are more affordable that would meet local need, such as affordable homes to rent for young people or almshouses or supported housing for older people.
- 3.3 Staff with experience of contract management and construction would provide the role of lead contractor and others involved with the project would be appointed as partners. This would mean that new homes could be provided at closer to cost price

and any uplift in value from the development could be distributed between all partners on a proportionate basis. This would in effect be akin to a hybrid of old-fashioned builder-led development and housing cooperatives that were popular in the post-war period.

- 3.4 By appointing local trades as partners, there can be certainty in achieving the aim of having local homes built by local people. The approach could even be used for self-build projects where all the homes are to be retained as affordable. By working with the Council as the local housing authority, providing mainly or only affordable homes, the project can go even further and provide through local people and businesses homes that meet local need and help others acquire skills and experience.
- 3.5 The Build Factory approach has the advantage of being able to adjust design at any stage but would not compromise on the quality of build or construction, providing greater choice and control over design by all partners involved. This could for example include higher levels of energy efficiency, better design for individual residents who may need adaptations, or use of traditional materials to support local trades and crafts.
- 3.6 The University would obtain funding to meet the cost of the development which would be repaid on completion when the homes would be transferred to either an appointed housing association, housing charity, or other local group. This would include the cost of the contract management service provided by the university which would be comparable to a conventional margin for a contractor and technical costs. There would however be no developer's margin, helping to reduce the overall cost of development and the price of the housing to the future owner. For this reason, the project has the potential to help smaller providers of affordable homes develop and grow, by operating on a not-for-profit and cooperative basis.
- 3.7 Experience working with local groups through the Community Led Housing programme has highlighted the need for technical help and support such as this, even amongst some organisations who have previous history of building homes but now lack the capacity and / or experience to contract and manage even a small new-build programme. The University would benefit from working with the Council's Housing Service as this would help them gain a better understanding into housing need, the policy and procedure for reflecting this through allocation agreements and some of the other strategic housing issues affecting local authorities and communities. In return, by providing some technical and strategic direction as well as links to local community groups and possible opportunities for development, Officers would gain a better insight and understanding of the barriers as well as opportunities for local community groups seeking to become more involved with meeting local housing need and ways this could be coupled with genuine opportunities for local housebuilders and people developing skills and training in construction.
- 3.8 Formal support from the Council would also help create opportunities for building links with other agencies in particular Homes England and SELEP (South East Local Enterprise Partnership). By demonstrating how Community Led Housing projects could be helped to put their plans into practice, providing a range of benefits beyond affordable homes, including academic reviews of ways to support and improve community involvement in all aspects of housing development, there would be even better opportunities for future funding and investment in the District.

4. CONCLUSION

- 4.1 The Council's Community Led Housing programme is gaining more interest but officers have found local groups need help considering their options, which we can help with but the next hurdle is how this can then be put into practice. More conventional approaches such as 'design and build' can be used but are less flexible once the programme of development has been agreed and may leave some community groups feeling as if they have lost control beyond this stage. They are also less effective in delivering some of the possible wider benefits such as supporting local trades, whether these are for the design or build of new homes.
- 4.2 There is support for the government's aspirations for Community Led Housing at all levels but little practical guidance or advice on how local communities can actually be more involved in a practical way that would ensure more of the intended outcomes and benefits. Consequently there is a risk that local enthusiasm can wane and opportunities lost due to the inevitable gap in knowledge and experience of partners when it comes to developing affordable housing. The University's Build Factory proposal provides an excellent opportunity for partners to provide support and learn together, creating capacity across partners to actually put plans into practice. The only resource that is envisaged being required from the Council at this stage is officer time, much of which would be involved working with local community groups anyway. This would help improve capacity for the Housing Service and create opportunities for officers and others to learn and develop more knowledge and expertise, through what could be described as an informal knowledge transfer agreement.
- 4.3 This sharing of knowledge and skills would also be helpful for other partners such as the Rural Community Council of Essex (RCCE) who are also working with the Council on developing a more effective, strategic approach to supporting local communities assess and meet local housing need.

5. IMPACT ON CORPORATE GOALS

- 5.1 Protecting and shaping the District – by achieving a high quality of design in development and meeting local housing needs.
- 5.2 Delivering good quality, cost effective and valued services – by providing services that reflect the needs and aspirations of our communities and a democratic structure which facilitates participation and local decision making.

6. IMPLICATIONS

- (i) **Impact on Customers** – Customers are the beneficiaries of Community Led Housing, through which they can work or become engaged to have their need for housing met. In this case it would also include smaller trades and local builders.
- (ii) **Impact on Equalities** – Community Led Housing has the potential to meet the housing need of some groups, such as older people or people with

disabilities, whose needs may not otherwise be met through conventional housing development.

- (iii) **Impact on Risk** – None identified: the Council would not be investing any revenue or capital, staff resource would be used more effectively working with partners to resource development and reduce the risk of abortive efforts.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – The Housing Service is exploring ways, through working in partnership for example with Anglia Ruskin University, to improve the design and sustainability of new homes to lessen the impact on the environment as well as look to see where possible to make better use of existing buildings including empty or abandoned homes and buildings.

Background Papers: Anglia Ruskin University leaflet on Build Factory.

Enquiries to: Paul Gayler, Strategic Housing Manager, (Tel: 01621 875872).

Pipeline Community Led Housing Schemes – update on progress

Organisation	Location	Client Group	Progress	Indicative number of units
Maldon Housing Association	Maldon	Older people / hospital discharge	Application pending for grant to support feasibility of scheme on existing site / adjacent site	4 - 8
Henry Guilder Drake Almshouses	Southminster	Older people	Application pending for grant, site identified and requires testing for feasibility	16 affordable (10 + 6) 4 market
Mayland Parish Council	Mayland	Affordable homes for local residents	Assessing options and local need	TBC
Burnham United Charities	Burnham-on-Crouch	Affordable homes for local residents	Assessing options and local need	2
Supporting Autism and Families in Essex (SAFE)	Under consideration	Adults with autism	Group established, supported by Essex County Council, considering selection of suitable Registered Provider and possible locations	6 - 8
Little Braxted Parish Council	Little Braxted	Affordable homes for local residents	Assessed need, working with Rural Community Council for Essex (RCCE) to identify site and possible Registered Provider	2 - 4
Indicative pipeline supply of affordable homes:				30 - 38

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