



**MINUTES of  
COUNCIL  
9 AUGUST 2018**

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**PRESENT**

Vice-Chairman                      Councillor N R Pudney  
(in the chair)

Councillors                              Mrs B F Acevedo, J P F Archer, B S Beale MBE,  
R G Boyce MBE, R P F Dewick, 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, M R Pearlman, R Pratt, CC,  
S J Savage, Mrs N G F Shaughnessy, A K M St. Joseph,  
Mrs M E Thompson and Miss S White

**330. CHAIRMAN'S NOTICES**

The Chairman referred to the notices printed on the agenda.

**331. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors H M Bass, E L Bamford, Miss A M Beale, A T Cain, Mrs P A Channer, I E Dobson, M F L Durham, Mrs H E Elliott, Rev. A E J Shrimpton and D M Sismey.

**332. DISCLOSURE OF INTEREST**

Councillor R Pratt disclosed an interest as a Member of Essex County Council as they were a consultee on some of the matters to be considered.

**333. NOTICE OF MOTION**

The following motion proposed by Councillor A S Fluker and seconded by Councillor R G Boyce, was received on 24 July 2018.

“That paragraph 3.1 of the Terms of Reference in connection with the Appointments Committee should be amended to add to the list of those officers appointed by the Committee:

“As a temporary measure until the 31<sup>st</sup> July 2019 those managers that report directly to any of the Directors”.

As a consequential amendment Council Procedure Rule 16(5) should be changed by adding at the end:

“As a temporary measure until the 31<sup>st</sup> July 2019 those managers that report directly to any of the Directors shall be appointed by the Appointments Committee”.

As a further consequential amendment Council Procedure Rule 16(6) should be changed by adding after “where a Director”:

“or until 31<sup>st</sup> July 2019 any manager that reports directly to a Director”.

As a further consequential amendment to the Terms of Reference for the Finance and Corporate Services Committee scheme of delegation for the Head of Paid Service at point 2 there should be added at the end:

“(this shall not apply to those managers that report directly to any of the directors until after the 31<sup>st</sup> July 2019)”.

In response to a question, Councillor Fluker advised that the above changes were being proposed following consultation with the Monitoring Officer.

**RESOLVED** that the motion, as detailed above, be agreed.

### **334. NOMINATIONS FOR THE APPOINTMENT OF A NEW LEADER OF THE COUNCIL**

The Council considered the report of the Monitoring Officer informing Members that the present Leader of the Council (Leader) Councillor M F L Durham had resigned and that a new Leader needed to be appointed.

It was proposed by Councillor R G Boyce and seconded by Councillor B E Harker that Councillor A S Fluker be elected as Leader of the Council. There being no further nominations it was:

#### **RESOLVED**

- (i) That Councillor A S Fluker be elected as Leader of the Council for the remainder of the Municipal Year.

It was proposed by Councillor A S Fluker and seconded by Councillor R G Boyce that Councillor Mrs M E Thompson be elected as Deputy Leader of the Council. There being no further nominations it was:

#### **RESOLVED**

- (ii) That Councillor Mrs M E Thompson be elected as Deputy Leader of the Council for the remainder of the Municipal Year.

The Leader of the Council advised Members that as a result of the above appointments there were consequential amendments required. He proposed that Councillor M W

Helm be added to the Membership of the Appointments Committee. This was duly seconded and upon there being no further nominations this was agreed.

The Leader then proposed that Councillor B E Harker be added to the Membership of the Corporate Governance Working Group. This was duly seconded and there being no further amendments this was agreed.

#### **RESOLVED**

- (i) That Councillor M W Helm be appointed to the Appointments Committee;
- (ii) That Councillor B E Harker be appointed to the Corporate Governance Working Group.

### **335. RECOMMENDATIONS FROM THE APPOINTMENTS COMMITTEE**

The Leader of the Council provided a verbal report advising that the Appointments Committee had met on 9 August 2018 and recommended to the Council that Mr Richard Holmes should be appointed as Head of Paid Service on an interim basis until 31 July 2019. This recommendation was duly agreed by the Council.

The Leader further reported that:

- the Appointments Committee had appointed Mr Paul Dodson as the new Director of Strategy, Performance and Governance.
- the posts of Director of Resources and Director of Service Delivery required no appointment as Ms Emma Foy and Mr Richard Holmes were slotted into these posts in accordance with the Council's Human Resources policies.
- the post of Director of Resource had contained within its job description the roles of Returning Officer and Registration Officer previously held by the Chief Executive.

The Leader advised that there were a number of consequential changes required to the Scheme of Delegations and proposed that the following amendments be made:

- any reference to the Director of Customers and Community be replaced with Director of Service Delivery;
- any reference to the Director of Planning and Regulatory Services be replaced with Director of Strategy, Performance and Governance.

This proposal was duly seconded and agreed.

The Leader thanked those Members of the Appointments Committee for making themselves available at such short notice.

#### **RESOLVED**

- (i) that Mr Richard Holmes be appointed as Head of Paid Service on an interim basis until 31 July 2019;

- (ii) that the following amendments be made to the Council's Schemes of Delegation:
- any reference to the Director of Customers and Community be replaced with Director of Service Delivery;
  - any reference to the Director of Planning and Regulatory Services be replaced with Director of Strategy, Performance and Governance.

**336. COUNCIL STRUCTURE - APPOINTMENT OF INTERIM HEAD OF PAID SERVICE**

The Council considered the report of the Director of Resources providing an update on arrangements put in place following the decision of the Council at its last meeting and its effect on the Council's constitutional documentation.

As previously advised by the Leader of the Council it was noted that a large amount of this report had now been superseded following the recent Director and Head of Paid Service appointments.

The Interim Monitoring Officer advised that recommendation (i) as set out in the report was still for Members to consider and that recommendations (ii) to (iii) had been superseded. It was reported that as part of these appointments Ms Emma Foy, Director of Resources, had been appointed as Returning Officer and Registration Officer (Electoral) for the Maldon District. In respect of recommendation (iv) emergency actions had changed the constitutional documentation and Members needed to now agree this as a permanent change to the constitution. This was duly agreed.

**RESOLVED**

- (i) That nature and implications of the emergency action taken by the Chief Executive on 19 July 2018 and its effect until this Council meeting, be noted;
- (ii) That it be accepted that the Director of Resources, Ms Emma Foy, is the Returning Officer and Registration Officer (Electoral) for the election of District and Parish Councillors within the District of Maldon, and for the conduct of Parish Polls within the District;
- (iii) That arrangements for the Interim Head of Paid Service to hold all other residual appointments, Proper Officer designations and delegated powers previously held by the Chief Executive be applied on a permanent basis to the Head of Paid Service, and that the constitutional documentation reflects this.

**337. 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 items of business on the grounds that they involve 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.

### **338. MALDON ENTERPRISE CENTRE**

The Council considered the report of the Director of Planning and Regulatory Services providing an update on work undertaken by Nautilus Associates on a feasibility study for delivery of an Enterprise Centre in the District. Endorsement was also sought of the proposed preferred site to enable the consultant to deliver the next stage of the feasibility study brief.

The report provided background information including the purpose of an Enterprise Centre and a summary of the consultants' interim findings. It was noted that the final site approval would be subject to a final feasibility report which would be presented to a future meeting of the Council.

#### **RESOLVED**

- (i) That the selected preferred site (as detailed in the report) for the Maldon District Enterprise Centre, as recommended by Nautilus Associates in their feasibility study report, be endorsed;
- (ii) That it be noted that the next stage of the feasibility brief will now look at the detailed costings and development proposals based on the preferred site.

### **339. BUSINESS CASE: FULL COUNCIL TRANSFORMATION**

The Council considered the report of the Corporate Leadership Team seeking Members' review of the Ignite Business Case for Council Transformation (attached at Appendix 1 to the report), designed to deliver future savings and improve customer service and experience.

The report provided detailed information including, the planned implementation and level of investment required to achieve the Council's Medium Term Financial Strategy commissioning the Ignite Future Model.

The Leader of the Council outlined the report and drew Members' attention to an update which had been circulated prior to the meeting. Following presentation of the report by the Director of Resources the Leader proposed that recommendations (i), (ii) and (iii) as set out in the report be agreed. This proposal was duly seconded.

A lengthy debate ensued, during which a number of questions were raised by Members to which information was provided by Officers and the Leader of the Council.

The Chairman put the proposal to agree recommendations (i), (ii) and (iii) and upon a vote being taken this was duly agreed.

Making reference to recommendation (iv) of the report, the Leader of the Council proposed that Councillors I E Dobson and B E Harker be added to the Member representatives on the Council's existing Transformation Programme Board. This proposal was duly seconded. The Leader also reported that Councillor M F L Durham had resigned from the Transformation Programme Board and he therefore proposed that Councillor R G Boyce replace Councillor Durham on this Board. This proposal was

duly seconded. The Chairman then put these proposals to the Council which were agreed.

## **RESOLVED**

- (i) that the content of the Ignite Future Operating Model Blueprint as set out in Appendix 1 to the report, be noted;
- (ii) that the Council agrees to progress with the commissioning of the Ignite Future Council project subject to quarterly gateway reviews contained in reports to the Council in October 2018, January 2019, April 2019, July 2019 and October 2019.
- (iii) that Members specifically review the Net Financial Position in Section 3.2 of this report and consider the following two key points;
  - a) Savings delivered from the future model can only be fully realised if the salary cost envelopes detailed in paragraph 3.2.9 of the report are adhered to.
  - b) Approximately £400,000 of savings are delivered as a result of changes to our delivery model which will need a decision of the Council. This is included at Page 44 et seq. of Appendix 1 to the report and will be reported back for decision at the October 2018 meeting of the Council.
- (iv) that Members note the proposed implementation plan, ongoing project monitoring and governance arrangements and appoint Councillors I E Dobson and B E Harker as additional Council Member representatives to the Council's existing Transformation Programme Board;
- (v) that Councillor R G Boyce MBE replaces Councillor M F L Durham on the Transformation Programme Board.

There being no further items of business the Chairman closed the meeting at 8.30 pm.

**N R PUDNEY  
CHAIRMAN**