

Unrestricted Document Pack

APOLOGIES Committee Services
Tel. 01621 875745

Council Chamber 01621 859677

HEAD OF PAID SERVICE'S OFFICE
HEAD OF PAID SERVICE
Richard Holmes

09 July 2019

Dear Councillor

You are summoned to attend the meeting of the;

OVERVIEW AND SCRUTINY COMMITTEE

on **WEDNESDAY 17 JULY 2019** at **7.30 pm**.

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

A copy of the agenda is attached.

Yours faithfully



Head of Paid Service

COMMITTEE MEMBERSHIP

CHAIRMAN

Councillor M W Helm

VICE-CHAIRMAN

Councillor R P F Dewick

COUNCILLORS

E L Bamford

V J Bell

M S Heard

C P Morley

S P Nunn

R H Siddall

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 www.maldon.gov.uk.

Maldon District Council's Strategic Themes

- Front line services retained
- Best value procurement and project management ensured
- Customers' expectations exceeded
- Customer access through technology promoted
- An open and transparent organisation
- Fair funding proactively sought
- Outcome led engagement and smart partnering
- Continuing to work sustainably
- Resilience and autonomy maintained
- Increased income through commercialisation
- Current Local Development Plan reviewed
- Preparation for the next Local Development Plan period
- A clean and tidy District
- Reduced household waste
- Our open spaces maintained for the enjoyment of all
- Improved air quality
- Partnership working to protect our countryside and coastline
- Sound and tested environmentally friendly initiatives delivered
- A five-year housing land supply maintained
- Strategic sites delivered in accordance with the Local Development Plan brought forward
- Affordable housing targets in the Local Development Plan achieved
- Section 106 planning agreements are effectively discharged
- Partnerships are developed to maintain coastal defences
- Improved access to Superfast Broadband across the District
- Working with communities and partners to support our health and wellbeing priorities: obesity, mental health, social isolation and loneliness, and older people's health
- Partnership working to safeguard vulnerable adults, children and families
- Effective engagement to support strong and resilient communities
- Delivery of strategic employment sites in accordance with the Local Development Plan
- Partnership working to provide an Enterprise Centre
- Rural business and diversification supported
- Improved access to Superfast Broadband across the District
- Tourism supported and encouraged
- Efficient and effective engagement with businesses



AGENDA
OVERVIEW AND SCRUTINY COMMITTEE
WEDNESDAY 17 JULY 2019

1. **Chairman's notices (please see overleaf)**

2. **Apologies for Absence**

3. **Minutes of the Last Meeting** (Pages 7 - 12)

To confirm the Minutes of the meeting of the Overview and Scrutiny Committee held on 5 June 2019 (copy enclosed).

4. **Public Participation**

To receive the views of members of the public on items of business to be considered by the Committee (please see below):

1. A period of ten minutes will be set aside.
2. An individual may speak for no more than two minutes on a specific agenda item, the time slots to be allocated on a “first come first served” basis.
3. Participation may take the form of a statement, or alternatively a question to be addressed to the Chairman. There will be no discussion on questions put unless it is formally moved. In line with the current scheme applied to other Committees, the questions must:
 - not be defamatory, frivolous, vexatious or offensive;
 - not be the same or substantially the same as another question to the same meeting or anything so put in the last six months;
 - not involve the disclosure of confidential or exempt information.
4. Anyone wishing to speak must notify the Committee Clerk between 7.00pm and 7.20pm prior to the start of the meeting.

5. **Disclosure 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).

6. **Park and Ride Service Maldon** (Pages 13 - 22)

To note the report of the Director of Service Delivery (copy enclosed).

7. **Water Cycle Study Update** (Pages 23 - 42)

To note the report from the Director of Strategy, Performance and Governance (copy enclosed).

8. **Programme of Work** (Pages 43 - 50)

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

9. **Any other items of scrutiny Members wish to consider**

10. **Any other items of business that the Chairman of the Committee decides are urgent**

11. **Exclusion of the 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(s) of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 4 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

12. **Monitoring of the Organisational Change Programme** (Pages 51 - 90)

The Committee is to receive a verbal update from the Corporate Leadership Team.

The following supporting documents have been included on the agenda for reference only:

- The Gateway Review; presented to Council, 27 June 2019.

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. Members of the public attending the meeting with a view to speaking are deemed to be giving permission to be included in the recording.

Fire

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

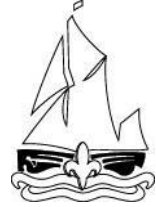
Health and Safety

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

Closed-Circuit Television (CCTV)

This meeting is being monitored and recorded by CCTV.

This page is intentionally left blank



**MINUTES of
OVERVIEW AND SCRUTINY COMMITTEE
5 JUNE 2019**

PRESENT

Chairman	Councillor M W Helm
Vice-Chairman	Councillor R P F Dewick
Councillors	E L Bamford, C P Morley, S P Nunn, and R H Siddall
Substitute Councillor(s)	B S Beale MBE and C Morris

109. CHAIRMAN'S NOTICES

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

Councillor R P F Dewick proposed that the sentence “*At the start of the meeting an announcement will be made about the sound recording*” was removed from the agenda. This was duly seconded and upon a vote being taken it was agreed that this be removed from future agendas of the Overview and Scrutiny Committee.

RESOLVED that the Notices for the agenda of this Committee be updated.

110. APOLOGIES FOR ABSENCE AND SUBSTITUTION

Apologies for absence were received from Councillors V J Bell and M S Heard.

In accordance with procedure rule 17, paragraph 9, Councillor B S Beale MBE attended as a substitute for Councillor M S Heard and Councillor C Morris attended as a substitute for Councillor V J Bell.

111. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 10 April 2019 be approved and confirmed.

112. PUBLIC PARTICIPATION

There was none.

113. DISCLOSURE OF INTEREST

There was none.

114. TERMS OF REFERENCE FOR THE OVERVIEW AND SCRUTINY COMMITTEE

The Committee received the report and the Director of Resources drew Members' attention to appendix 1 of the report which detailed the Terms of Reference (ToR) for the Overview and Scrutiny Committee.

In response to questions from Members, the Director of Resources advised that ToR for all Committees were being reviewed by the Corporate Governance Working Group (CGWG) in advance of the new committee structure being implemented in October 2019.

RESOLVED that the Director of Resources update Members of the Committee on any future changes to the Terms of Reference.

115. 2018-19 PROGRAMME OF WORK UPDATE AND 2019-20 PROGRAMME OF WORK

The Committee considered the report of the Director of Resources providing an update on the Work Programme of this Committee for 2018 / 19 and seeking further discussion on potential areas for the 2019 / 20 Work Programme. The Director of Resources drew the Committees attention to appendix 1 of the report which outlined the Programme of Work for 2018-19 and appendix 2 which outlined items from the Programme of Work.

Members discussed each item on the Programme of Work before new Member Sponsors were assigned. In addition to comments made by the Committee, the Director of Resources and Director of Service Delivery provided further information as detailed below:

Monitoring of the Organisation Change Programme

The Director of Resources reminded Members about the upcoming training session they were invited to and confirmed that the business case for the Future Model was available within the private area of Modern.Gov.

In response to questions, it was confirmed that the Council was moving towards Agile working, using PRINCE2 methodology, and Members would receive quarterly updates on the Organisational Change Programme.

Following a vote, it was agreed that Councillor R H Siddall was elected as the Member Sponsor for this item of work.

Provision of Car Parking

The Director of Service Delivery had met with South Essex Parking Partnership (SEPP) and triggered a review of the parking restrictions as safety concerns had been raised within residential areas around the Promenade Park. It was confirmed that SEPP would

consult with the Town Council, residents, and other agencies at a later stage.

Members commented on the Park and Ride Scheme within the Maldon District. The Director of Service Delivery confirmed an allocation of spaces was located at Tesco, and an area of land had been identified within the leisure quarter as part of ongoing work on the Central Area Masterplan.

Following a vote, it was agreed that Councillors M W Helm and R P F Dewick be elected as the Member Sponsors for this item of work. Councillor R H Siddall requested it be noted that he was against this decision.

Dealing with Waste Water

The Committee was advised that this item on the Programme of Work focussed on the pumping of waste water within the district and not flood/surface water. An update on the Water Cycle Study from Essex County Council was expected to be received in advance of the July meeting of the Committee.

The Director of Resources confirmed that a meeting was due to take place where Anglian Water would present their proposals for pumping systems to be used on future developments within the district. It was anticipated that the Water Cycle Study from Essex County Council would be available for feedback at the July meeting of the Committee.

Councillor S P Nunn proposed that the *Dealing with Waste Water* item be amended to include both rivers Chelmer and Blackwater. This was duly seconded and, upon a vote being taken, agreed.

Following a vote, it was agreed that Councillor C P Morley be elected as the Member Sponsor for this item of work.

Provision of Healthcare Services (including the recruitment and retention of General Practitioners)

Members acknowledged the lack of Surgeries within Southminster and that this was difficult to advance with a shortage of General Practitioners (GPs) in the area. The Director of Resources advised that she would raise this with the regional Head of Estates for NHS England and report back to the next meeting.

Following a vote, it was agreed that Councillor E L Bamford be elected as the Member Sponsor for this item of work.

Section 106 (S106)

It was noted that the next six-monthly update was due at the August 2019 meeting.

It was agreed that the Member Sponsor for this item would be discussed at the next meeting of this Committee.

Review of Fire and Rescue Service Provision within the Dengie

The Committee reflected that the Essex Police, Fire and Crime Commissioner had met with Members of the Council on 7 February 2019 and reassured Members that the Fire Stations within Burnham-on-Crouch and Tillingham would not be closing.

The Director of Service Delivery advised that further information on the Fire Break Project was still outstanding. It was agreed by the Committee that this item remain on the Programme of Work with a watching brief.

Council Tax

The Committee agreed that the information provided in appendix 1 of the report resolved the query therefore this item could be removed from the Programme of Work.

Business Opportunities within the Council

It was confirmed that this referenced opportunities across all Council owned properties and was not exclusive to the offices on Princes Road. Officers were already in talks with prospective clients and current tenants.

Waste Contract

Councillor R P F Dewick advised the Committee that the vehicles used were not conducive to the nature of work carried out so future problems were to be expected.

It was agreed that this remain on the Programme of Work.

RESOLVED

- (i) That scrutiny on Council Tax was complete and therefore be removed from the Programme of Work;
- (ii) That the following items of scrutiny remain on the Programme of Work for 2019 / 20 under a watching brief:
 - Review of Fire and Rescue Service Provision within the Dengie,
 - Waste Contract.
- (iii) That the following Member sponsors be appointed for the following scrutiny topics on the Programme of Work for 2019 / 20:
 - Monitoring of the Organisation Change Programme – Councillor R H Siddall,
 - Provision of Car Parking – Councillors M W Helm and R P F Dewick,
 - Dealing with Waste Water – Councillor C P Morley,
 - Provision of Healthcare Services – Councillor E L Bamford,
 - Waste Contractors – Councillor R P F Dewick.
 - Business Opportunities within the Council – M S Heard.
- (iv) That Member Sponsors for the scrutiny topic Section 106 be appointed at the July meeting of this Committee.

116. ANY OTHER ITEMS OF SCRUTINY MEMBERS WISH TO CONSIDER

The Director of Resources requested that the Committee present suggestions to be added to the Programme of Work for 2019 / 20.

Strategic Themes

Councillor R H Siddall requested that the Strategic Themes adopted by the Council be considered to ensure that they were accurate and specific. The Director of Service

Delivery assured the Committee that these were currently being discussed and agreed through the Corporate Governance Working Group.

Business Opportunities

Councillor S P Nunn queried whether the business opportunities within the Council were specifically focused on the Princes Road site. The Director of Resources advised that this related to all property owned by Maldon District Council, and in response to further questions from Members confirmed that the Council had a value for money clause on all leases.

Front Line Services meeting Customer Expectations

Councillor R H Siddall proposed that a review of frontline services be undertaken to confirm that customers' expectations are being met.

In response the Director for Service Delivery confirmed that Officers were working on a review of benchmarking and processes. This was due to be completed in Summer 2019.

Local and District Elections – 2 May 2019

Councillor R H Siddall requested that the Committee investigate the election count and process to evaluate any concerns which may have occurred on 2 May 2019. The Chairman put this to the Committee, and upon a vote being taken this was duly agreed.

Other Members of the Committee considered that the election and count ran smoothly and queried what specifically Councillor Siddall wished to query. Councillor B S Beale stated that in 36 years he considered this to be the quickest and smoothest election in his experience.

At the suggestion of the Director of Service Delivery, it was agreed to defer the proposed investigation and discuss the issue outside of the Committee before being added as an item for scrutiny.

Political Balance Representation

Councillor B S Beale, voiced concerns that the majority of appointments as *Representatives on Outside Bodies* and *Chairman of Committees* were conservatives and requested a review in six months time. Additional concern was raised querying whether it was appropriate for the Overview and Scrutiny Committee to be chaired by a Member of the main party.

Members were advised that the appointments had been formally approved at the Statutory Annual meeting of the Council.

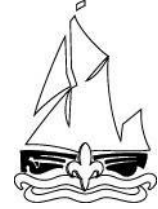
RESOLVED that the following amendments would be made to the Programme of Work for 2019 / 20:

- (i) Business Opportunities be updated to show that this related to properties owned by Maldon District Council.

There being no further items of business the Chairman closed the meeting at 8.32 pm.

M W HELM
CHAIRMAN

This page is intentionally left blank



REPORT OF DIRECTOR OF SERVICE DELIVERY

TO OVERVIEW AND SCRUTINY 17 JULY 2019

PARK AND RIDE SERVICE MALDON

1. PURPOSE OF THE REPORT

- 1.1 To present the Overview and Scrutiny Committee with background information on the park and ride service operated by Tesco as part of a Section 106 Planning agreement
- 1.2 To consider next steps through recommended actions.

2. RECOMMENDATIONS

- (i) That a full review of the requirements as set out in the 106 agreement with Tesco is undertaken as a matter of urgency and Officers develop an action plan to ensure requirements are reviewed and progressed as required.
- (ii) That Officers identify opportunities to extend the service to serve the new Garden Suburbs and report back to Members with any options identified.
- (iii) That Officers report back to Members on progress relating activities associated with the existing 106 agreement within three months of the date of this committee.

3. SUMMARY OF KEY ISSUES

- 3.1 A park and ride scheme formed part of the S106 Agreement when the Tesco store was originally built, and planning applications were received in 2007 and again in 2009 to extend the existing store.
- 3.2 In 2017 two planning applications were made relating to the installation of and advertisements for ANPR cameras and 4-hour parking restrictions at Tesco Store, together with the inclusion of the existing 'park and ride' route in the adopted M&HCA Masterplan SPD. These applications resulted in objection letters from both residents and groups that utilise the 50 free parking bays available each day' through a S106 Agreement.
- 3.3 Background details on the requirements are provided at **APPENDIX 1** to this report, which details key elements from the agreement for Member information.

- 3.4 Details of the bus route associated with the S106 Agreement is set out within **APPENDIX 2a** (Extract Map from S106 18 February 2009) and **APPENDIX 2b** (Extract Map from UU 18 December 2009).
- 3.5 It is clear from the extracts within the S106 Agreement that there is a requirement to provide a “Marketing Plan” to promote the free bus service through a marketing campaign to be agreed in writing between Tesco and the Council (further extended in 2009 to include the County Council). It is not clear this plan has ever been developed or discussed with the operator.
- 3.6 In addition to the above, it was stated that the Bus Service would be provided for a minimum period of 5 years from occupation of the development (i.e. from 2009) and a Bus Review had to be carried out in cooperation with the Council after 5 years. It is not clear that a Bus Review has ever been completed
- 3.7 The Council would require Tesco to submit a Deed of Variation to change the existing provision in the S106 which would be presented to the Central Area Planning Committee. No such Deed of Variation has been submitted. The existing S106 Agreements are enforceable.

4. CONCLUSION

- 4.1 A review of the existing arrangements has revealed several outstanding issues relating to the section 106 agreement with Tesco. A developed marketing plan is required and regular review of the Bus Service is essential. This will ensure the public can utilise the service, reducing vehicle movements in and around the Town, whilst giving greater access to shoppers and visitors to facilities served by the bus service. Looking forward to the Central Area Master Plan and the Air Quality Action Plan for the Market Hill area, efficient management of local transport is essential.
- 4.2 Officers have recommended to Members that the S106 Agreement is re visited to ensure compliance by all parties to the agreement.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The park and ride scheme contribute towards the Council’s strategic themes as follows:
- Front line services retained;
 - Customers Expectations met;
 - Continuing to work sustainably;
 - Sound and tested environmentally friendly initiatives delivered.

6. IMPLICATIONS

- (i) **Impact on Customers** – Access to free park and ride services for visitors and residents benefits all including local businesses.
- (ii) **Impact on Equalities** – The service is accessible for all

- (iii) **Impact on Risk** - none identified
- (iv) **Impact on Resources (financial)** – There are no direct financial implications to the Council
- (v) **Impact on Resources (human)** – None associated with the operation of the service
- (vi) **Impact on the Environment** – Reduction on individual car movements will benefit the environment.

Background Papers:

APPENDIX 1 - Briefing note on Tesco Park and Ride

APPENDIX 2a -Extract Map from S106 18 February 2009

APPENDIX 2b - Extract Map from UU 18 December 2009

Enquiries to: Richard Holmes, 01621 875752

This page is intentionally left blank

Briefing note on Tesco Park and Ride

The background concerns two planning applications for installation of ANPR cameras and 4 hour parking restrictions at Tesco Store and the inclusion of the existing 'park and ride' route in the adopted M&HCA Masterplan SPD.

Two planning applications:

- **FUL/MAL/17/00074** - Installation of 2 no. ANPR cameras on 5m poles - Approved 29 March 2017 no planning conditions
- **FUL/MAL/17/00075** - Advertisements related to ANPR cameras and associated signs a Tesco Car Park – Part Approve, Part Refuse and subject to compliance with the conditions appended

These applications caused objection letters from residents and groups that utilise the '50 free parking bays available each day' through a S106 Agreement when the store was originally built, and planning applications received in **2007 and 2009** to extend the store.

S106 Agreement 18 February 2009 – this includes (amongst others):

- 'Staff Travel Plan'
- 'Bus Review' – means the annual review of times, routes and days the Bus Services are in operation and a review after 5 years of the continuing need for the service'
- 'the car park spaces' means no more than fifty (50) to be made available free of charge for a period of up to 4 hours each day during Tesco's trading hours to allow the general public to use them for visits to the Town Centre...'
- "the Marketing Plan" means a plan to promote the free Bus Services through a marketing campaign to be agreed in writing between Tesco and the Council consisting of the following:
 - A foyer device to hold timetables along with maps of both the free bus (route 288) and other services to the store (routes M4, D2, D1, 95, 90)
 - Use of the stores 'Bus Information' board behind the checkouts to advertise the Bus Services
 - 3,000 printed timetables comprising: 2,000 printed timetables to be distributed to customers in the store and 1,000 printed timetables to be put in local information points
- 'the route plan' means plan number 9907/BP annexed to the Deed
- 'The Travel Plan Framework' shall mean the document appended to this Agreement in Schedule 2 and containing a mixture of measures to encourage sustainable travel to and from the site alongside disincentives to driving alone

Schedule to 18 Feb 2009 S106 Agreement states that:

- the Bus Service is provided for a minimum period of 5 years from occupation of the development (i.e. from 2009).

- The Bus Review has to be carried out in cooperation with the Council after 5 years
- To use best endeavours to operate the Bus Services in accordance with the conclusions of the Bus Review
- To promote the Bus Services at all time in accordance with the Marketing Plan
- To provide raised access kerbs and telematics equipment at the bus stop location within the site prior to occupation of the development
- To promote the existing park and ride scheme within the store, town centre and car parks to be implemented. Details of such promotion are to be agreed with the Council and the County Council (on condition that such agreement is not unreasonably withheld or delayed) prior to Occupation of the Development

There is a signed **Supplemental Unilateral Undertaking dated 18 December 2009** attached to the 2009 planning permission to expand the store (FUL/MAL/09/000457) whereby Tesco agree to extend the bus service (map attached):

UU Operative Park Definitions and Interpretation, 1.1 on page 2

“The extended Bus Services” means the existing bus services which Tesco shall continue to provide from occupation of the Development and shall extend along the route illustrated on the Extended Route Plan 6 days a week (Monday to Saturday, excluding Christmas Day and Bank Holidays) between the hours of 0900 and 1800 at an interval of not more than 30 minutes unless varied as a result of the Bus Review.” I have attached the extended route plan referred to.

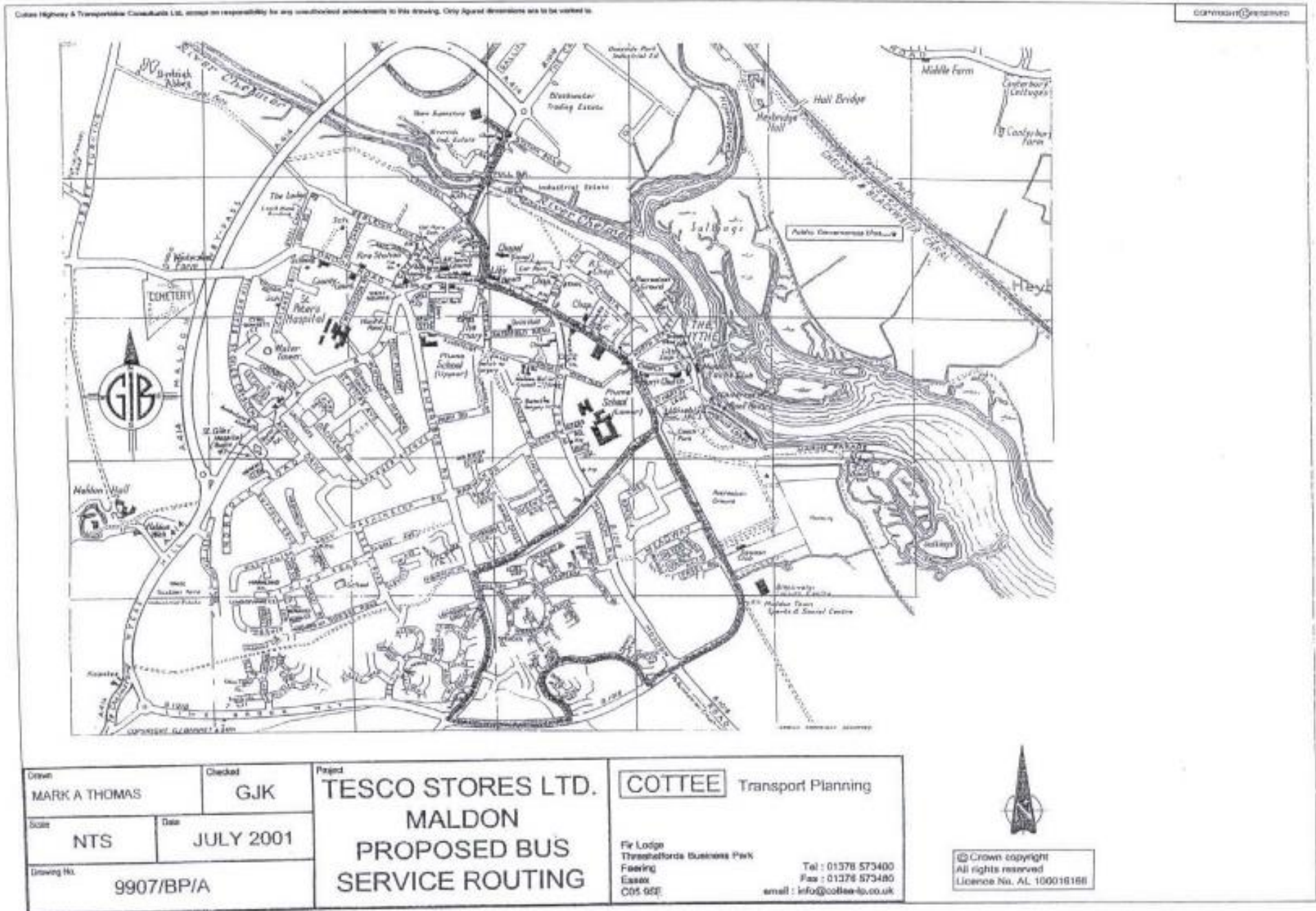
The UU relates to the 2009 permission to extend the store and runs with the use of the land and lease granted for the use that runs for 21 years from 2007.

There is a ‘Variation of the UU’ Clause at Paragraph 6: *“To carry out the Bus Review of the Bus Services in co-operation with the Council and County Council. The continued operation of the Bus Services to be reviewed after 5 years in accordance with the Bus Review on the basis that the Council and/or the County Council shall not reasonably require the Bus Service to continue after 5 years in the absence of demonstrated demand.”*

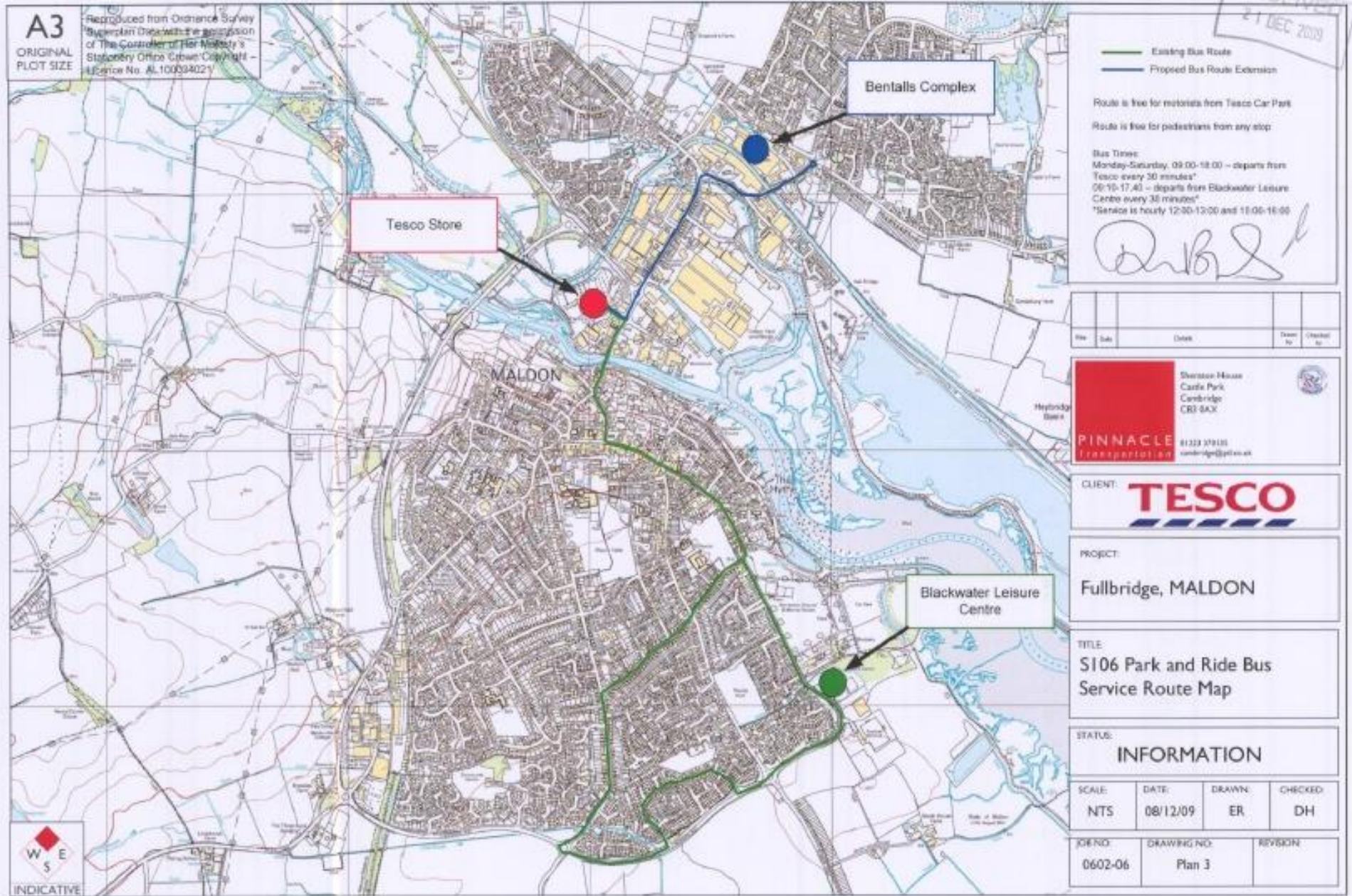
The Council’s advice requires Tesco to submit a Deed of Variation to change the existing provision in the S106 which would be presented to Central Area Planning Committee. No such Deed of Variation has been submitted. The existing S106 Agreements are enforceable.

Policy S5 Maldon and Heybridge Central Area, LDP – Maldon and Heybridge Central Area Masterplan SPD

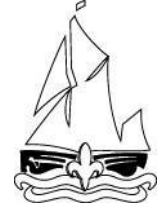
All of the above was researched when preparing the Central Area Masterplan and utilising the existing Tesco P&R into the Parking Strategy and Movement and Connections sections.



This page is intentionally left blank



This page is intentionally left blank



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
OVERVIEW AND SCRUTINY COMMITTEE
17 JULY 2019**

WATER CYCLE STUDY UPDATE

1. PURPOSE OF THE REPORT

- 1.1 To update Members on the development of a Water Cycle Study and the proposed timescales for this going forward.

2. RECOMMENDATIONS

- (i) That Members note the report.

3. SUMMARY OF KEY ISSUES

- 3.1 A Water Cycle Study is a technical background document that assesses the available physical and environmental capacity in water supply and wastewater infrastructure. It also identifies wider impacts relating to flooding and wildlife habitats, together with recommendations to resolve any constraints and an evaluation of the implications for future growth.
- 3.2 The Council commissioned a study of this nature namely Maldon & Heybridge Water Cycle Study in 2010 as an evidence based document for the submission of the 2014 Local Development Plan adopted in 2017.
- 3.3 The 2010 Study is limited in that it only considers the Maldon and Heybridge areas and is now somewhat out of date.
- 3.4 The Council's Local Development Plan is due to be reviewed by 2020 and should further growth be identified, a full Water Cycle Study will be required at this time.
- 3.5 The Council have been working with partners to identify the adequacy and suitability of existing water infrastructure particularly with regards to growth within the district and any constraints that the current infrastructure has identified.
- 3.6 Officers have been in discussion with Anglian Water as to whether a 'Position Statement' of their infrastructure can be developed. Early indications are that a summary document could be prepared that identifies areas where improvements are planned and the proposed timescales of any funding allocation where appropriate.

- 3.7 Preliminary discussions have also taken place with Essex County Council to explore whether they have the capability of potentially delivering a Water Cycle Study for the Council in view of the projects already undertaken in their role as Lead Local Flood Authority.
- 3.8 The outcome of these partnership discussions will be reported to this Committee at a later meeting when discussions are concluded. In the meantime, in **APPENDIX 1** is a recent presentation presented by Anglian Water to officers of the Council which gives an insight into their input into the planning process, constraints both in terms of regulatory and financial and next steps with regards to better communication and working with partners.

4. CONCLUSION

- 4.1 Officers are working closely with Anglian Water and Essex County Council to deliver meaningful information to support the continued prosperity of the district and any potential growth. Should it be necessary to commission a full Water Cycle Study these early discussions and any reports delivered as a result will be essential detail when scoping the work required for the wider Study and any gaps that will need to be considered as part of the process.

5. IMPACT ON STRATEGIC THEMES

- 5.1 There is likely to be a positive impact on the Strategic Themes if the delivery of the evidence based information is forthcoming. Anglian Water are committed to improve their infrastructure and a Position Statement will help to target their funding towards improvements within the district. The improvements to their infrastructure will support the delivery of the outcomes within the Strategies particularly in Place and Prosperity. Essex County Council are in a good position to deliver significant parts of a Water Cycle Study, if commissioned, and have substantial information from the projects already undertaken in the Maldon District, i.e. modelling data which otherwise would need to be carried out separately at a cost to the commissioned work.

6. IMPLICATIONS

- (ii) **Impact on Customers** – None
- (iii) **Impact on Equalities** – None
- (iv) **Impact on Risk** – None
- (v) **Impact on Resources (financial)** – None
- (vi) **Impact on Resources (human)** – None
- (vii) **Impact on the Environment** – None
- (viii) **Impact on Strengthening Communities** - None

Background Papers:

- **APPENDIX 1** - Presentation from Anglian Water.

Enquiries to: Shirley Hall shirley.hall@maldon.gov.uk

This page is intentionally left blank



Anglian Water

Planning Application Process

LOVE EVERY DROP. PUT WATER AT THE HEART
OF A WHOLE NEW WAY OF LIVING.

Agenda



- Planning Applications
- Assessment Process
- Pre Planning
- Funding Mitigation

Anglian Water Overview



- Responsible for public foul sewers, including some surface water pipes
- 64 LPAs
- Encourage sustainable growth
- Regulated by Ofwat and EA



Pre Development Team



Pre Development Team	Contact Details	
Pre Development Advisors Sandra Olim Michael Poore	planningliaison@anglianwater.co.uk 0345 6066 087 Option 1	Contact for all general enquires.
Pre Development Engineers Luke Crump (East of AW region) Mark Rhodes (West of AW region)	planningliaison@anglianwater.co.uk 0345 6066 087 Option 1	Contact for enquires regarding planning application responses
Pre Development Senior Engineers Future Manyumba Richard Lyon Jonathan Hardy	planningliaison@anglianwater.co.uk 0345 6066 087 Option 1	The senior engineers complete detailed design solutions.
Pre Development Planning Manager Hannah Wilson	Hwilson4@anglianwater.co.uk 07976688423	Contact for specific site enquires/issues Pre-applications Scoping Opinions Appeals LPA /member engagement Parish engagement Process concerns Meeting requests
Market Insight Market Insight Manager – vacant Market Insight Analyst - Rory Davidson Market Insight Advisor - Charlotte Booker		Forecasting and monitoring growth in the AW region.

Planning Applications

- Developer has the right to connect
- Not statutory consultee
- Respond to major planning applications
- Minor applications when requested – planningliaison@anglianwater.co.uk
- Discharge of conditions
- Variation of condition
- Pre Applications



Assets Affected



- Notifying the applicant they have a duty to check for existing assets
- Build over/diversion agreement
- Easements
 - AW may object if impact on water abstraction – SPZ1
 - WRC proximity

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Wastewater Services



- Water Recycling Centre (WRC)
- Model the flows and check capacity
- WRC improvements are AW responsibility
 - Water recycling long term plan
- No conditions requested



WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Cambridge Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.

Used Water Network



Review submitted plans to confirm:

- Proposed connection point (exact manholes)
 - Discharge regime via gravity or pumped and if so, pump rate.
- **We will then make the decision on whether a condition is recommended based on foul or surface elements:**
 - Previous consultations with the developer (if any).
 - Submitted documents.
 - Risk to the network from our assessment (detriment or not).
 - **Conditions requested:**
 - On-site drainage strategy
 - Phasing plan (dependant on scale of development)
 - Pre commencement only when necessary

Section 3 - Used Water Network

The sewerage system at present has available capacity for these flows via a gravity discharge regime. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection. (1) INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be

Additional Info to Inform Assessment



- We take into account surrounding developments with permission / allocated in LP/NP
- Customers reports of flooding (DG5 register)
- We do not take into account blockages!!!!



Wet-wipes, nappies and other unflushables are to blame for 80% of blockages



Surface Water Disposal



- Surface water strategy has followed surface hierarchy (Building Regulations)
- Surface water discharge rate is in accordance with surface water policy
- If proposed strategy is un-clear or a connection is proposed to our network we will request a condition

Anglian Water & SuDS adoption

- <https://www.anglianwater.co.uk/developers/suds.aspx>

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

Pre Planning Report



- Paid for service
- Developers encouraged to liaise with us prior to planning submission
- Report to be submitted with planning application
- Valid for 12 months

Funding Mitigation



- April 2018 introduction of Zonal Charging
 - Previously site by site schemes
 - Developer part funded
- AW able to plan where and how mitigation is delivered
 - On-site solutions
 - Strategic catchment solutions
- Market Insight

Next steps



- Continued effective engagement
- Feedback
- Process improvements
- LPA guidance note
- Member training/seminar
- Parish Council meetings



Over To You.....



- What are we doing well?
- Where can we improve & how

Timing of responses.....

Details within responses.....

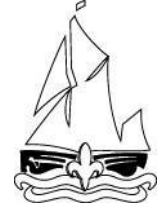
Easy to contact...?



Thanks for listening
hwilson4@anglianwater.co.uk

LOVE EVERY DROP. PUT WATER AT THE HEART
OF A WHOLE NEW WAY OF LIVING.

This page is intentionally left blank



REPORT of DIRECTOR OF RESOURCES

to
OVERVIEW AND SCRUTINY COMMITTEE
5 JUNE 2019

2019/20 PROGRAMME OF WORK UPDATE

1 PURPOSE OF THE REPORT

1.1 The purpose of this paper is to provide an update on the work programme of this Committee for 2019/20.

2. RECOMMENDATION

- (i) That the contents of this report be noted.
- (ii) That Member Sponsors are decided for the following items of scrutiny:
 - Section 106
 - Review of Fire and Rescue Service provision in the Dengie

3. SUMMARY OF KEY ISSUES

- 3.1 This report is for Members' information only.
- 3.2 The Committee has previously considered and agreed a programme of work for 2018/19; other issues have been added subsequently. **APPENDIX 1** provides an update on each of the agreed scrutiny topics. **APPENDIX 2** lists the items under a watching brief.

4. CONCLUSION

- 4.1 The work programme for 2019/20 progressed in line with expectation.
- 4.2 Additional areas arising from discussion at this Committee meeting will be scoped and added to a work programme which will be presented at the next Committee meeting.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The work of the Overview and Scrutiny Committee supports an open and transparent organisation.

6. IMPLICATIONS

- (i) **Impact on Customers** – Scrutiny work may aid in improvements to service to the public by the Council and external authorities.
- (ii) **Impact on Equalities** – None identified.
- (iii) **Impact on Risk** – Recommendations arising from scrutiny could assist in mitigating corporate risks.
- (iv) **Impact on Resources (financial)** – Officer time in preparing the reports and supporting information.
- (v) **Impact on Resources (human)** – None identified.
- (vi) **Impact on the Environment** – None identified.

Background papers: None.

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

**Overview and Scrutiny Committee
2019 / 20 Programme of Work**

Scrutiny topic	Member Sponsor	Lead Officer	Scope of Scrutiny
Monitoring of the Organisational Change Programme	Councillor R H Siddall	Director of Resources	<p>Following the decision by Council on 7th June 2018 to progress with Ignite's Future Council model, the Committee will monitor the implementation of this organisational change programme.</p> <p>An update on the implementation was provided to the Committee for its October 2018 meeting when it was agreed that Members will receive regular updates on the progress of the Council Transformation and that minutes of the Transformation Board will be available through the Modern.Gov application.</p> <p>The following information has been provided in response to Members concerns:</p> <ul style="list-style-type: none"> • Consideration would be given to holding training sessions with Members within business hours, a training session for Members would take place with Ignite and Officers in June 2019. • Agile working was to be encouraged throughout the authority and would be complimented by systems such as Skype. It was noted that work is an activity and not a place. • The Council would do as much as is reasonably practicable to ensure the safe agile working of staff, however staff were equally responsible for their individual safety. • Concerns over staff morale, motivation, welfare and the creation of an impersonal workforce were raised. The Director of Service Delivery confirmed that a culture project was looking into addressing these issues. <p>A verbal update will be provided at the July 2019 meeting of this Committee.</p>
Provision of Car Parking	Councillor M W Helm Councillor R P F Dewick	Director of Service Delivery	<p>Events at Promenade Park The Director of Service Delivery called a meeting with the South Essex Parking Partnership (SEPP) on 17 April. In attendance Councillor S J Savage and The Senior Community Protection Officer. It was agreed to review parking restrictions in the area which are affected by seasonal parking difficulties.</p> <p>At the June 2019 meeting it was confirmed that SEPP would review parking restrictions within the residential areas around Promenade Park and undertake a safety report as part of this review.</p> <p>Maldon District Park and Ride Scheme Members requested that the following points were investigated and fed back to the Committee:</p> <ul style="list-style-type: none"> • Promotion of the scheme • Designation of area with the Leisure Quarter. <p>The Director of Service Delivery will report back to the July 2019 meeting.</p>

<p>Dealing with Waste Water</p>	<p>Councillor C P Morley</p>	<p>Director of Strategy, Performance and Governance</p>	<p>The Committee raised concerns over the use of an experimental pumping system for foul water removal at new developments within the district, the lack of capacity at pumping stations, and the liability for any failure of foul water drainage which may occur.</p> <p>Members discussed the responsibility of foul water removal at new developments within the District and voiced frustration over conflicting reports from Anglian Water Authority (AWA). It was requested that Anglian Water attend a future meeting of the Committee and provide a report on the removal of foul water.</p> <p>Following on from the Committee’s request, a meeting was held with Councillor Miss S White in attendance which identified two key issues and two work streams:</p> <ol style="list-style-type: none"> 1. consistency between Anglian Water Authority’s consultation responses to planning applications and comments that have been made in meetings about capacity constraints; and 2. the wider issue of the long-term adequacy of the sewerage and surface water drainage systems (combined in many areas) to cope with growth and storms. <p>Officers have actioned the above matters as follows:</p> <ul style="list-style-type: none"> • The principle of a position statement has been requested from Anglian Water and officers are awaiting confirmation that this approach is feasible. It was confirmed that the scope of such a statement will be agreed directly. • The Coastal and Flooding meeting, on 26th February 2019, noted that the numerous issues raised by Members had been linked to Anglian Water who were not in attendance. A position statement was still outstanding, and discussions were expected to take place with senior contacts at Anglian Water. <p>A separate meeting has taken place with Essex County Council with regards to working in partnership to develop a district wide Water Cycle Study as a future project. In 2010 the Council commissioned a Scoping Water Cycle Study for Maldon Town & Heybridge only. Any future Study will extend the area across the whole district and will be aimed at a strategic approach to the management of all water streams alongside any proposed growth for the Maldon district. At the April 2019 meeting the Director of SPG advised that the results will be reported back to a future meeting.</p> <p>The Maldon Harbour Improvement Commissioners (MHIC) had started a water pollution watch group with a number of parties, including Northumbrian Water (Essex & Suffolk). Councillor Miss White requested that Maldon District Council work in partnership with other agencies to prevent pollution and protect the Blackwater and Chelmer rivers.</p> <p>The Director of Strategy, Performance and Governance will report back to the July 2019 meeting.</p>
--	------------------------------	---	--

<p>Provision of Healthcare Services - including the recruitment and retention of GPs</p>	<p>Councillor E L Bamford</p>	<p>Director of Service Delivery</p>	<p>Representatives from the Clinical Commissioning Group (CCG) attended the February 2019 meeting and provided Members with an update on the work of the CCG over the past twelve months and updates on the following current and future projects:</p> <ul style="list-style-type: none"> • Primary Care Foundations Project (Mid Essex); • NHS Long Term Plan; • GP Recruitment. <p>The Committee was informed of a visit to Holland in October 2018 where progressive working has been identified and is currently being translated into working practice within the Dengie. Projects included the following:</p> <ul style="list-style-type: none"> • 15 Minute Project; • Neighbourhood Care; <p>At the May 2019 concern over the lack of Surgeries within Southminster was raised and the Director of Resources advised this would be raised in her next communication with the regional Head of Estates for NHS England.</p> <p>An invitation has been sent to the CCG for the August 2019 meeting of the Committee.</p>
<p>Section 106</p>	<p>(New sponsor to be decided)</p>	<p>Director of Strategy, Performance and Governance</p>	<p>It was agreed that the Committee would receive an update on Section 106 Agreements on a six-monthly basis.</p> <p>A detailed report was submitted to the Committee for its February 2019 meeting which set out the progress on Section 106 projects delivered by Maldon District Council, NHS England, and Essex County Council.</p> <p>The Committee was advised that the monitoring and recording of Section 106 Agreements (S106) had significantly improved.</p> <p>It was agreed that:</p> <ul style="list-style-type: none"> • Provision of funds for allotments within the Garden Suburb will be reported back to the Committee. • Clarification on the spending of £12,000.00 to Burnham Town Council to be confirmed and provided to the relevant parties. <p>The next six-monthly report will be submitted to the August 2019 meeting.</p>

APPENDIX 1

Business Opportunities within the Council	Councillor M S Heard	Director of Resources	<p>To look at the allocation of space within the foyer and identify business opportunities across all Council owned properties to generate income for the Council.</p> <p>Councillor M S Heard asked that an area that could be explored was the use by Police of an alcove area for confidential meetings with members of the public. This was to be discussed with the tenant at the next Landlord and Tenant Liaison meeting.</p> <p>At the May 2019 meeting it was confirmed that Officers were already in talks with prospective clients and current tenants.</p>
--	----------------------	-----------------------	--

**Overview and Scrutiny Committee
2019 / 20 Programme of Work: Items with a Watching Brief**

Scrutiny topic	Member Sponsor	Lead Officer	Scope of Scrutiny
Waste Contract – reliability of the contractor vehicles	Councillor R P F Dewick Councillor M S Heard	Director of Service Delivery	<p>In response to questions raised, Members were advised that the waste contractor was being scrutinised following issues surrounding the reliability of vehicles and the impact on the delivery of service. Members were also seeking clarification/confirmation of where the Districts recycling is sent to following processing.</p> <p>A detailed report was provided to the Committee in October 2018 which updated Members on the collection of waste within the District and addressed concerns surrounding contractor vehicles and the end destination of recycling. The Recycling and Recovery UK Regional Manager from Suez was also in attendance. The following information on recycling was provided to Members at the October 2018 meeting:</p> <ul style="list-style-type: none"> • Officers were satisfied that waste is being sorted and disposed of properly. • A monthly return is provided to the Environment Agency on the end destination for all materials from the site and checked against Essex Reclamations permit. • The majority of waste that is sent abroad is from paper, whilst plastics remain within the UK: <ul style="list-style-type: none"> ▪ Paperlink exports the majority of paper waste. ▪ Monoworld – sorts the plastic waste. • Recycled material is sent abroad in sealed containers which are photographed prior to departure and on arrival to confirm no tampering has occurred. <p>Following discussions at the meeting, the content of the report and actions being undertaken were noted. No further action on this scrutiny topic is required.</p> <p>At the May 2019 meeting Councillor R P F Dewick advised that the vehicles used were not conducive to the nature of the work carried out so future problems were to be expected.</p> <p>This item remains on the agenda with a watching brief on performance, with a further update to be provided at the November 2019 meeting.</p>
Review of Fire and Rescue Service provision in the Dengie	(New sponsor to be decided)	Director of Service Delivery	<p>Concern was raised that the Fire Authority was looking into closing fire stations within the Maldon District.</p> <p>A public meeting with the Essex Police, Fire and Crime Commissioner (PFCC) took place on 8th January 2019. A private briefing for Members took place on 7th February 2019 where the PFCC reassured Members that Fire Stations at Burnham and Tillingham would not be closing.</p> <p>Further information on the Fire Break Project has been requested and will be shared with Members once received.</p>

This page is intentionally left blank

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank