



**MINUTES of  
STRATEGY AND RESOURCES COMMITTEE  
20 FEBRUARY 2020**

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**PRESENT**

|               |  |
|---------------|--|
| Chairman      | Councillor B E Harker  |
| Vice-Chairman | Councillor Miss S White  |
| Councillors   | R G Boyce MBE, Mrs P A Channer, CC, M R Edwards,<br>Mrs J L Fleming, A S Fluker, A L Hull, K M H Lagan,<br>C Mayes, N G F Shaughnessy, R H Siddall, N J Skeens,<br>Mrs J C Stilts and Mrs M E Thompson |
| In attendance | Councillors M S Heard and C Morris   |

**794. CHAIRMAN'S NOTICES**

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

**795. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor C Swain and it was noted that Councillor Miss S White was running late.

**796. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the Strategy and Resources Committee held on 29 January 2020 be agreed.

Councillor Miss S White joined the meeting at this point.

**797. DISCLOSURE OF INTEREST**

Councillor Mrs P A Channer disclosed a non-pecuniary interest as a member of Essex County Council in any item of business relating to the County Council. In relation to Agenda Item 6 – Adoption of Air Quality Action Plan for Market Hill and High Street Maldon 2020 – 2025 she declared that Maldon District Council had been working with Essex County Council on this.

Councillor N Skeens disclosed a non-pecuniary interest in Agenda Item 12A – The Crouch Valley Festival of Food and Drink as he was a member of Burnham-on-Crouch Town Council who would have a view.

## **798. PUBLIC PARTICIPATION**

In accordance with the Council's public participation scheme, Councillor C Morris addressed the Committee as a member of the public and in relation to Agenda Item 6 – Adoption of Air Quality Action Plan for Market Hill and High Street Maldon 2020 – 2025.

## **799. ADOPTION OF AIR QUALITY ACTION PLAN FOR MARKET HILL AND HIGH STREET MALDON: 2020 - 2025**

The Committee considered the report of the Director of Service Delivery, presenting the Air Quality Action Plan (AQAP) for Market Hill and High Street, Maldon (attached as Appendix 1 to the report).

The report reminded Members that the Council had declared an Air Quality Management Area (AWMA) on Market Hill in December 2018, noted work carried out since this decision was made and the public consultation scheduled to start on 2 March.

The Director of Strategy, Performance and Governance apologised and advised that Section 5 of Appendix 1 (page 122 of the agenda pack) contained some errors which needed amendment as follows:

- Cllr White – Ward member for Purleigh ~~and Essex County Councillor for Maldon~~
- Cllr Durham – Ward member for Wickham Bishops and Woodham ~~and Essex County Councillor for Heybridge and Tollesbury Division~~

In response to a question regarding the amendments, the Director of Strategy, Performance and Governance confirmed that he would ensure that the AQAP was amended prior to circulation as part of the public consultation.

A lengthy debate ensued during which a number of Members commented on the AQAP. In response to comments, the Environmental Health Officer provided the following information:

- The AQAP was a statutory requirement because of the AQMA, whereas a clean air zone was not.
- The Council had to provide an annual statistics report to the Department for Environment, Food and Rural Affairs (DEFRA) and there were clearly defined targets for the Council to meet.
- There was detailed information and modelling undertaken which had fed into the detailed improvement plan that would occur as part of each of the actions identified.
- The AQMA targeted nitrogen dioxide which largely related to emissions from tailpipes from motor vehicles.
- The table at paragraph 4.1 of the report set out the action points and these would be highlighted as part of planned consultation events.

- It was acknowledged that anti-idling was a big issue to local residents and this would be addressed through the proposed Air Quality Strategy for the whole district.
- The associated costs had been considered and approved by the Council as part of the decision to fund this work. The work was being undertaken for the Council by Chelmsford City Council, following a procurement exercise.

In response to a question, the Environmental Health Officer agreed to provide Members with detail of how the Council measured and validated the documents received in respect of the AQAP.

A question was raised regarding the Council's Air Quality Management (Market Hill) Working Group and the Minutes of this meeting being available to Members. In response, the Director of Service Delivery advised that he would look into this matter and respond to Members outside of the meeting.

The Chairman then put the recommendation as set out in the report, subject to the amendments detailed above. This was duly agreed.

**RESOLVED** that the Air Quality Action Plan for Market Hill and High Street, Maldon (attached as Appendix 1 to the report) be approved for Public Consultation in March 2020.

#### **800. AMENDMENTS TO THE LOCAL INFORMATION REQUIREMENTS FOR THE VALIDATION OF PLANNING APPLICATIONS (LOCAL LIST)**

The Committee considered the report of the Director of Service Delivery seeking Members' agreement to commence a formal consultation period of revised local information requirements for the validation of planning applications list (local list).

The report provided background information regarding the validation of planning and other applications submitted under the Town and Country Planning Acts. It was noted that the Council had, in accordance with Governance Guidance, adopted local validation requirements, Local Lists to supplement the national requirements.

It was noted that carrying out regular reviews of the local list was an important process in ensuring a high level of customer service as well as assisting the timely processing of applications. Updating the local list would allow the validation process to become clearer and more streamlined for both the Applicant / Agent.

**RESOLVED** that the Maldon District Council Planning Validation Requirements List – Update January 2020 (attached as Appendix 2 to the report) be endorsed for public consultation for a period six weeks and then brought back to this Committee to consider the responses received and to agree any alterations with a view to the list being finalised and then published.

## **801. APPROVAL TO CONSULT ON THE DRAFT LISTS OF LOCAL HERITAGE ASSETS FOR THE PARISHES OF BRADWELL-ON-SEA AND TILLINGHAM**

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' approval to consult on the Draft Lists of Local Heritage for the Parishes of Bradwell-on-Sea and Tillingham (attached at Appendix 1 to the report).

The report provided background information on listed buildings within the District and how the Planning Practice Guidance encouraged Local Planning Authorities to identify 'non-designated heritage assets' against consistent criteria. Adding them to a 'local list' was considered a positive way of improving the 'predictability of the potential for sustainable development'.

Draft lists for the Parishes of Bradwell-on-Sea and Tillingham had been produced with assistance from local historians. If Members were to approve these for public consultation, they would be published on the Council's website and each relevant Parish Council and owner / occupier would be written to. Consultation responses would be reported to a future meeting of this Committee, along with any updates prior to adoption.

In response to a question regarding how often the assets would be updated the Director of Strategy, Performance and Governance advised that he would check and advise Members accordingly.

The Committee asked that its thanks be passed to the Conservation Officer for his excellent work on the Local lists.

**RESOLVED** that the Draft Lists of Local Heritage Assets for the Parishes of Bradwell-on-Sea and Tillingham are approved for public consultation.

## **802. REVIEW OF PENALTY CHARGES FOR ENVIRONMENTAL OFFENCES**

The Committee considered the report of the Director of Service Delivery seeking review of the current charging levels imposed by Fixed Penalty Notices (FPN) for various environmental or antisocial behaviour offences, including fly posting, fly tipping, littering, dog fouling, abandoned vehicles and antisocial behaviour. Appendix 1 to the report provided details of the proposed charges.

The report provided background information and statistical information regarding the powers previously used by the Council to issue FPNs to deter residents and visitors from committing such offences. Legislation set out the default and maximum penalty levels and Members were advised that many Councils had moved to charging the maximum penalty which acted as a greater deterrent.

Members were advised that the proposed increase to the level of FPN for anti-social behaviour offences would act as a positive deterrent, sending a strong message to potential offenders.

In response to a question, the Director of Service Delivery confirmed that there was ‘no change’ proposed for the offence - Failure to produce authority to transport waste (Waste Carriers permit / licence).

**RECOMMENDED**

- (i) That the levels of charge from 1 April 2020 be increased up to the maximum levels permitted under the legislation as set out in **APPENDIX 1** to these Minutes;
- (ii) That that the team continues to support educational campaigns targeting public awareness of environmental offences.

**803. PAY POLICY STATEMENT 2020 / 21**

The Committee considered the report of the Director of Resources seeking the Council’s approval of a Pay Policy Statement to meet the Localism Act 2011 requirements.

It was noted that the Pay Policy Statement was attached as Appendix 1 to the report and reflected the current arrangements for pay at the Council.

**RECOMMENDED** that the Pay Policy Statement attached as **APPENDIX 2** to these Minutes be adopted for the financial year 2020 / 21.

**804. HUMAN RESOURCES STATISTICS - QUARTER THREE 2019 / 20**

The Committee received and noted the report of the Director of Resources presenting Human Resources statistics for the period 1 October to 31 December 2019 (Quarter Three (Q3)).

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

- Labour Turnover;
- Recruitment, including vacancies;
- Staff Sickness Levels;
- Workforce Statistics – attached as Appendix 1 to the report.
- Future Model.

There had been a lot of recruitment during Quarter Three, with increasing success in recruiting permanent employees to key ‘hard to recruit’ roles. Human Resources (HR) continued to work with the Corporate Leadership Team and tier two managers to finalise the new operating model structure and focus was now moving to utilising and improving the model for the Council’s workforce of the future.

Members noted that the overall absence levels had reduced to 191.72 per Full Time Equivalent which was a significant reduction from Quarter Two. In response to a question the Director of Strategy, Performance and Governance reported that Officers had concentrated on addressing long term sickness which had contributed to the reduced

figure. The Director of Strategy, Performance and Governance advised that the Council was below the national average and agreed to circulate Members with further information in respect of this.

When presenting the report the Director of Service Delivery advised that of those vacancies detailed in the report interviews had been carried out in relation to most posts and appointments were subject to the finalisation of contracts.

**RESOLVED** that the contents of the report be noted.

#### **805. URGENT ITEM OF BUSINESS**

The Chairman announced that in accordance with Section 100b(4) of the Local Government Act 1972 he had agreed to allow the Director of Service Delivery to raise an urgent item of business seeking Members' consideration of financial estimates relating to two events in 2020. Members were advised that it was necessary to consider and make a decision on this item prior to the next meeting of the Committee to reduce potential risks to the Council.

Members were advised that this item was a private and confidential report.

#### **806. EXCLUSION OF THE PUBLIC AND PRESS**

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

#### **807. THE CROUCH VALLEY FESTIVAL OF FOOD AND DRINK**

The Committee considered the urgent report of the Director of Service Delivery seeking Members review of the financial estimates for the Burnham-on-Crouch Festival Food and Drink 2020 and a similar event within Maldon Promenade Park 2020.

Members were reminded of the decision by this Committee in January 2020 regarding food and drink events in Burnham-on-Crouch and the Maldon Promenade Park. The report provided an analysis of the financial costs associated with the proposed events.

A number of questions were raised by Members and in response the Commercial Manager provided the Committee with additional information regarding staff costs, impact on car parking income, risk of not recruiting enough retailers, insurance and what the start up costs related to. The Committee were advised that although the branding for the Maldon event had not been confirmed it would be different to the Burnham-on-Crouch event.

The Chairman advised that recommendation (ii) should refer to the Council rather than Members. Subject to that amendment he put the recommendations as set out in the report which were subsequently agreed.

## **RESOLVED**

- (i) That financial estimates for two events in 2020, namely the Burnham-on-Crouch Festival of Food and Drink and a similar event within Maldon Promenade Park, be acknowledged;
- (ii) That the two events detailed in (i) above be underwritten by the Council and authorise Officers to launch both events without delay;
- (iii) That a full financial analysis of the events (detailed in (i) above) be presented to the October 2020 meeting of this Committee along with any supplementary estimate to mitigate any loss at that time, if required.

The meeting closed at 8.35 pm.

**B E HARKER**  
**CHAIRMAN**

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## Proposed Charges from 1 April 2020 – Environmental Offences

| Offence   | Legislation  | Charge 2019/20 | Proposed Maximum FPN Charge 2020 / 21 | Maximum Fine imposed by Magistrates Court     |
|---|--|----------------|---------------------------------------|---|
| <b>Depositing Litter</b>  | Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005                                    | £100           | £150                                  | £2,500  |
| <b>Dog Fouling</b> (Failure to comply with a Dog Control Order)                       | Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005                                    | £80            | £100                                  | £1,000  |
| Unauthorised or harmful depositing, treatment or disposal of waste. <b>Flytipping</b> | Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005                                    | £400           | £400 (No Change)                      | £50,000                                       |
| Offence of abandoning a vehicle   | Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005                                    | £200           | £200 (No Change)                      | £2,500  |
| Breach of Community Protection Notice   | Anti-Social Behaviour Police and Crime Act 2014  | £100           | £100 (No change)                      | £2,500 (individual)<br>£20,000 (organisation) |
| Failure to produce authority to transport waste. (Waste Carriers permit / licence)    | Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005, and Control of Pollution Act 1989 | £300           | £300                                  | £5,000  |
| Unauthorised distribution of free printed matter ( <b>Flyposting</b> )                | Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005                                    | £80            | £150                                  | £2,500  |
| Failure to comply with a waste receptacle notice                                      | Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005                                    | £100           | £110                                  | £1000   |

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## Document Control Sheet

|   |   |
|---|---|
| <b>Document title</b>                     | Pay Policy Statement                                  |
| <b>Summary of purpose</b>                 | Compliance with Localism Act                          |
| <b>Prepared by</b>                        | Annette Cardy – Resources Specialist Services Manager |
|   |   |
| <b>Status</b>                             | Final   |
| <b>Version number</b>                     | 9   |
| <b>Approved by</b>                        |   |
| <b>Approval date</b>                      |   |
|   |   |
| <b>Date of implementation</b>             | Immediate   |
| <b>Review frequency</b>                   | Annual (or as necessary before then)                  |
| <b>Next review date</b>                   | January 2021  |
| <b>Circulation</b>                        |   |
| <b>Published on the Council's website</b> | Yes   |

**Validity Statement**

This document is due for review by the date shown above, after which it may become invalid. Users of the strategy or policy should ensure that they are consulting the currently valid version of the document.



MALDON DISTRICT  
COUNCIL

## Pay Policy Statement

Note: This Statement has been written to meet the statutory requirements of the Localism Act 2011 and to aid transparency in respect of Maldon District Council's policy regarding pay to the highest and lowest paid staff.

### 1. General policy

- 1.1 During 2018 the Council undertook a Job Evaluation exercise which reviewed every post in the Council, up to and including Directors at the highest tier of the Council, based on a uniform set of criteria, and placed them within a single unified pay scale. The pay scale was designed to be consistent with best practice and benchmarked as to value and applied up to all employees. In accordance with the Council's constitution, the remuneration of the posts of Directors were set by the Appointments Committee composed of elected Members of the authority but based upon the above principles.
- 1.2 The Job Evaluation process was designed to achieve compliance with Equal Pay legislation and, further to this, the contractual terms and conditions of staff were also standardised. This mean that the remuneration of all Council employees is governed by a single set of policies and procedures. This is reflected in the Pay Policy statements below.
- 1.3 The current pay multiple is based on the ratio of the Directors Salary to all other employees average FTE salary and equates to 3.63. The Government has considered setting twenty to one as a maximum. As Maldon District's Council's rate is currently below this amount it is not considered necessary to have a specific policy concerning the pay multiple. If the multiple starts to rise, for example above five to one, this could be reconsidered.

### 2. Policy regarding pay to "Chief Officers"

#### 2.1 Definition of "Chief Officers" for the purposes of this statement

- 2.1.1 The term "Chief Officer" as employed in the Localism Act has a different meaning to the use made of it at Maldon District Council. For the purposes of this Pay Policy Statement only, the relevant posts are considered to be as listed below. To note; there is no Chief Executive post in the Maldon structure.

- 3 Director posts
- The Monitoring Officer

#### 2.2 Pay

- 2.2.1 Pay for the post of Directors is set by the Appointments Committee and approved by the Council. The role of Director was introduced following the 2014 Senior Management Review and pay set by the Job Evaluation process. The pay line of Directors is subject to the same factors as the rest of staff pay, for example any annual pay award granted.

2.2.2 Any exception to this, such as a proposal to change the pay of senior staff out of line with normal pay awards would be subject to a report to the Council and approval being given.

2.2.3 An additional consideration is that the Directors have delegated powers to award discretionary points on an officer's salary scale within approved budgetary limits where they deem it to be in the interests of the Authority. This only applies to points up to the maximum of the salary band for that post.

## 2.3 Performance related pay and bonuses

2.3.1 Maldon District Council does not have performance related pay or bonus payments for any staff. As there is no mechanism for linking pay and performance in this way 'earn back' arrangements are not appropriate.

## 2.4 Fees, allowances, benefits in kind and expenses

2.4.1 The Director of Resources is also the Returning Officer for the District, meaning that the post holder has specific responsibilities in respect of all elections and national referenda held in the District. As this post is currently vacant the Director for Strategy, Performance and Governance is currently the Acting Returning Officer. These duties attract fees that are variable depending on the election. For Parliamentary, Police and Crime Commissioner, European elections and national referenda these are set by the Government. For County elections there are set by Essex County Council. For District and Parish elections rates are set locally.

2.4.2 Apart from this no fees, allowances, benefits in kind or expenses are available to the posts listed in 2.1, other than those available to all staff and on the same basis.

## 2.5 Pension

2.5.1 All staff are eligible to join the Local Government Pension Scheme in accordance with the terms of that scheme. No special considerations apply to the posts listed in 2.1.

## 2.6 Severance payments

2.6.1 Where senior staff leave in the normal course of business (resignation, retirement, etc.) the same procedures would be applied as for any other staff member and no additional payments would arise as a result.

2.6.2 Should a senior post be made redundant the post holder would receive redundancy payments in accordance with the Council's Managing Organisational Change policy that applies to all staff. The Council's policy is not to award any additional compensatory payments to staff.

2.6.3 Should a senior staff member leave because of a settlement agreement these, by their nature, are subject to negotiation with the individual and their

representatives and so are variable in their terms. Such agreements are formal legal arrangements and confidentiality binding on both parties is a key component, so any payment arising from such an agreement would not be published. Authorisation of the payment would be in accordance with the Council's terms of reference and scheme of delegation and it would need to represent value for money for the taxpayer in the circumstances.

- 2.6.4 Senior staff that were previously employed by the Authority and left with a severance or redundancy payment may be re-employed on a consultancy basis to cover short term staff pressures where it is considered appropriate in the public interest to do so.

2.7 Recruitment of senior staff

- 2.7.1 When recruiting to a senior post the salary offered would be that applicable to the grade of the post, as determined by Job Evaluation, and within the established pay line. No additional payments would arise, unless a market supplement to enable recruitment was considered justified due to a recognised technical skill shortage in the job market.
- 2.7.2 In the event that a senior post was to be filled by a person who had retired from another Authority and was in receipt of a pension it would be arranged so that the person was not better off overall, through abatement of pension and/or pay as applicable.
- 2.7.3 In accordance with the guidance set out in the Localism Act, The Strategy and Resources Committee should be given the opportunity to vote before large salary packages (£100k or above) are offered in respect of a new appointment. This will be considered by the Council should the issue arise in the future.

2.8 Monitoring Officer

- 2.8.1 The Monitoring Officer is not subject to any additional payment.

2.9 Publication of remuneration of senior staff

- 2.9.1 This Pay Policy Statement, once approved by the Council, will be published on the Council's website.
- 2.9.2 The remuneration and pension contributions of the posts listed in 2.1 above are published annually in the Financial Statements of the Authority and a copy placed on the website.

### 3. Lowest paid staff

#### 3.1 Definition

- 3.1.1 The lowest paid staff at Maldon District Council are those in Pay Band A. If the proposed national pay award of 2% is agreed for 2020.21 these rates will be £14,886 to £16,346. This is supplemented in line with real living wage, please see point 3.2.1. This definition has been chosen as reflecting the reality of the pay line. The posts in Band A were placed there as part of the Council's Job Evaluation scheme referred to above.

#### 3.2 Pay Policy in respect of lowest paid staff

- 3.2.1 No special considerations apply to the lowest paid staff. They are subject to identical terms and conditions, procedures and policies as all other staff. In some cases these policies give slightly different benefits to different levels of staff. For example, the lowest five pay bands (A to E) have enhanced pay rates for overtime. No enhancement above grade E is paid. In contrast the basic amount of annual leave increases with pay. Overtime is only paid in exceptional circumstances to staff.

All employees paid at Band A and B, spinal column points 1 through to 8 are paid at a real living wage rate of £9.30 per hour or £17,893 per annum for a standard 37 hour, 52 week a year contract. The rate is paid by way of a supplement to basic pay.

The Council employs Apprentices are not included within the definition of 'lowest paid employees' and are not subject to the living wage rate.

#### 3.3 Annual National Pay Award

- The Council agreed in 2011.12 that locally agreed pay points would be used to calculate Maldon District Council salaries but that these would be increased annually in accordance with the nationally agreed living wage rises.
- A 2 year pay deal of 2% annual increase for 2018.19 and 2019.20 was agreed. The new annual increase for 2020.21 is currently under negotiation. Maldon, in line with Council's nationally, has agreed that this should be 2%. A report to the Strategy and Resources Committee and Full Council will be provided when the increase has been agreed. This is expected to be finalised in a few months.

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