



**NOTES of
COVID-19 INTERIM MEASURES GROUP
27 MARCH 2020**

PRESENT

Councillors: R G Boyce MBE, Chairman of the Council
A S Fluker, Leader of the Council
M S Heard, Leader of the Opposition

Directors: Mr Paul Dodson, Director of Strategy, Performance and Governance
Mr Richard Holmes, Director of Service Delivery
Mrs Tina Stankley, Interim Director of Resources

1. CHAIRMAN OF THE MEETING

It was noted that the Director of Strategy, Performance and Governance advised that he would be chairing this meeting. However, in respect of making a decision regarding Agenda Item 1 – Delegation Arrangements for Returning Office and Electoral Registration Officer this would be done by the Director of Service Delivery.

2. DELEGATION ARRANGEMENTS FOR RETURNING OFFICER AND ELECTORAL REGISTRATION OFFICER

The Group considered the report of the Head of Paid Service seeking to identify permanent arrangements for Returning Officer (RO) and Electoral Registration Officer (ERO) duties under the Council's scheme of delegation.

The Director of Strategy, Performance and Governance presented the report and explained that the proposal sought to make permanent arrangements in respect of the RO and ERO posts and align them with the Director of Strategy, Performance and Governance post. The alignment to this Director post would add resilience and remove potential pressure on the Director of Resources related to closing of accounts and other Section 151 Officer functions carried out by this role.

Councillor M S Heard questioned the need for the proposed change, whether a permanent arrangement should be deferred and reviewed by all Members when the appointed Director of Resources took up their post. In response further information was provided, and the Interim Director of Resources explained the pressures of and how statutory financial deadlines along with Section 151 Officer duties could cause a clash with RO duties. She continued, highlighting the risks in managing the two posts together and potential conflicting priorities. Councillor Heard thanked the Directors for this information and supported the recommendations.

Councillor A S Fluker commented on the proposal, referred to the potential additional work required in respect of closing the 2020 / 21 accounts and felt it was not right for the Director of Resources and Section 151 role to also include the RO role. He recommended that the five recommendations as set out in the report be supported.

It was noted that Councillor R H Siddall had raised a number of points regarding this report which were considered and discussed by the Group.

Taking the above discussions into account the Director of Service Delivery **RESOLVED** that from 1 April 2020:

- (i) the Director of Strategy Performance and Governance be appointed permanently as Returning Officer and Electoral Registration Officer;
- (ii) pursuant to Section 8 of the Representation of the People Act 1983 the Director of Strategy, Performance and Governance, shall be Electoral Registration Officer for the Maldon District;
- (iii) pursuant to Section 35 of the Representation of the People Act 1983, the Director of Strategy, Performance and Governance, is Returning Officer for the election of Councillors of the Maldon District and of Councillors of parishes and communities within the Maldon District, and also for the conduct of Parish Polls and Neighbourhood Plan Referendums within the Maldon District;
- (iv) any Proper Officer designations together with the powers and functions currently delegated to the Director of Resources and proposed to be delegated to the Director of Resources under the existing scheme of delegation, be transferred to the Director of Strategy, Performance and Governance on a permanent basis and the scheme of delegation updated accordingly.

3. INTERIM GOVERNANCE ARRANGEMENTS FOR HEYBRIDGE PARISH COUNCIL IN THE ABSENCE OF AN ELECTION

The Group considered the report of the Director of Strategy, Performance and Governance identifying temporary governance arrangements for Heybridge Basin Parish Council (PC).

The Director of Strategy, Performance and Governance presented the report and explained that in light of the Government suspending polls, interim arrangements for the new Heybridge Basin Parish Council were required. The Director drew attention to Appendix 1 to the report, which set out three governance options for consideration. It was noted that Heybridge Basin Parish Council would come into effect from 1 April 2020 and therefore formal arrangements were required.

Councillor R G Boyce referred to an email from Mr Perry, Chairman of Heybridge Parish Council. The Director of Strategy, Performance and Governance advised that he had not seen this email. Councillor A S Fluker then referenced an email received from Parish Councillor Miss Lewis. He circulated this to the Directors and time was given at this point for the email to be read.

As a point of clarification the Interim Director of Resources advised that the reorganisation order (finalised and sealed in October 2019) included detail of how the new PC was to be set up and the process for issuing the parish precept which had been based on the cost of covering services etc. for the first year of operation.

The Interim Director of Resources referring to Appendix 1 outlined option one detailed, whereby Heybridge Parish Council would continue to maintain the area until Heybridge Basin Councillors were elected and any administration would be carried out by the Heybridge Parish Clerk. In response to a question, the Director of Strategy, Performance and Governance clarified that Heybridge Basin PC would become a legal entity from 1 April 2020.

Following further questions, the Interim Director of Resources explained that the Order detailed how the Parish Council would operate until a point when elections could be held. The Director confirmed that Officers had been in correspondence with the Parish Clerk who was happy to carry out the duties in option one, should this be agreed. In addition, the Council had agreed to provide support to the Clerk where required.

Members reviewed the governance options and risks outlined in Appendix 1 and supported Option1 – the current arrangement.

Taking the above discussions into account the Director of Strategy, Performance and Governance **RESOLVED** that:

- (i) the current temporary arrangement that the Clerk of Heybridge Parish Council administrates queries and problems relating be extended until Heybridge Basin Parish Councillor were elected and up and running;
- (ii) once government advice permits public meetings to be held again or legislation allows for virtual meetings or to hold elections, Maldon District Council will review the arrangements to decide whether it should exercise its powers under Section 91 of the Local Government Act 1972 or hold an election.

It was noted that Heybridge Parish Clerk would be informed of this decision to then convey to Heybridge Parish Councillor.

The meeting closed at 11:07am.

MR PAUL DODSON
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE