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DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE'S OFFICE
DIRECTOR OF STRATEGY, PERFORMANCE
AND GOVERNANCE
Paul Dodson

20 May 2020

Dear Councillor

You are summoned to attend the;

MEETING OF THE MALDON DISTRICT COUNCIL

on **THURSDAY 28 MAY 2020** at **1.00 pm**.

Please note that this will be an **online meeting** – Members to access the meeting via Microsoft Teams. Members of the press and public may listen to the live stream on the Council's website <https://democracy.maldon.gov.uk/ieListDocuments.aspx?CIId=130&MIId=2135>.

A copy of the agenda is attached.

Yours faithfully



Director of Strategy, Performance and Governance

Please note
Electronic copies of this agenda and its related papers are available
via the Council's website www.maldon.gov.uk.

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AGENDA COUNCIL

THURSDAY 28 MAY 2020

1. **Chairman's notices**
2. **Apologies for Absence**
3. **Declaration of Interest**

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

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

4. **Minutes - 13 February 2020** (Pages 7 - 30)

To confirm the Minutes of the Council meeting held on 13 February 2020 (copy enclosed).

5. **Minutes - 17 March 2020** (Pages 31 - 36)

To confirm the Minutes of the extraordinary Council meeting held on 17 March 2020 (copy enclosed).

6. **Public Questions**

To receive questions from members of the public, of which prior notification in writing has been received (no later than noon on the Tuesday prior to the day of the meeting).

Should you wish to submit a question please complete the online form at https://forms.office.com/Pages/ResponsePage.aspx?id=VH_RilQmuUumwvI0YlcqFJCd4KzoXBdDs1brNZU39TJUnkY5QzBXOVFSQzdBUlZIUK1VSjAxTjVRRy4u

7. **Chairman's Announcements**

8. **Minute Book**

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

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

- a) **Strategy and Resources Committee - 20 February 2020** (Pages 37 - 52)
 - Minute No. 802 – Review of Penalty Charges for Environmental Offences
 - Minute No. 803 – Pay Policy Statement 2020 / 21

- b) Performance, Governance and Audit Committee - 27 February 2020 (Pages 53 - 64)

9. **Minutes of Meetings of the Council**

To note that since the last Council, up until Tuesday 19 May 2020 (Council agenda dispatch) the following Committees have met, and to receive any questions in accordance with Council and Committee Procedure Rule 6 (2).

Appointments Board	5 February 2020
South Eastern Area Planning Committee	10 February 2020
Central Area Planning Committee	19 February 2020
Appointments Board	20 February 2020
Overview and Scrutiny Committee	5 March 2020
South Eastern Area Planning Committee	9 March 2020
District Planning Committee	12 March 2020

10. **Questions in accordance with Procedure Rule 6(3) of which notice has been given**

11. **Remote Committee Meetings at Maldon District Council** (Pages 65 - 82)

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

12. **Questions to the Leader of the Council in accordance with Procedure Rule 1(3)(m)**

13. **Business by reason of special circumstances considered by the Chairman to be urgent**

14. **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 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.

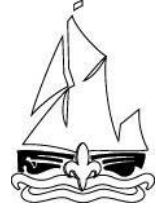
15. **Provisional Financial Impact of COVID-19** (Pages 83 - 90)

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

NOTICES

Recording of Meeting

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session. At the start of the meeting an announcement will be made about the recording.



**MINUTES of
COUNCIL
13 FEBRUARY 2020**

PRESENT

Chairman	Councillor R G Boyce MBE
Vice-Chairman	Councillor Mrs P A Channer, CC
Councillors	E L Bamford, B S Beale MBE, M G Bassenger, V J Bell, R P F Dewick, M R Edwards, Mrs J L Fleming, A S Fluker, B E Harker, M S Heard, M W Helm, A L Hull, K W Jarvis, J V Keyes, K M H Lagan, C Mayes, C P Morley, C Morris, S P Nunn, N G F Shaughnessy, R H Siddall, N J Skeens, W Stamp, Mrs J C Stilts, C Swain, Mrs M E Thompson and Miss S White

749. CHAIRMAN'S NOTICES

The Chairman referred to the noticed published on the agenda.

750. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Miss A M Beale and M F L Durham CC.

751. DECLARATION OF INTEREST

Councillor S P Nunn disclosed a pecuniary interest in relation to Agenda Items 8 – Minute Book and 10d – Discretionary Fees and Charges 2020 / 21, advising that he had previously advised the Council he received from Top Sail Charters a fee from time to time for historical charter work.

Councillor Mrs P A Channer declared a non-pecuniary interest as a Member of Essex County Council (ECC) in relation to most items as they related to had connections with Essex County Council. She also declared in relation to Agenda Item 8 – Minute Book and specifically 8b Minute 693 Community Infrastructure Levy (CIL) Grant Offer advising that she had removed herself from the meeting of the Strategy and Resources Committee due to wording within the report referring criteria which ECC may apply to CIL.

Councillor N Skeens disclosed a pecuniary interest advising that he was a leaseholder for Maldon District Council part of a group for West Quay Houseboat Association. In

response to a question the Monitoring Officer advised that interest related to Agenda Item 10 and particularly the Discretionary Fees and Charges report.

Councillor M R Edwards disclosed an interest in Agenda Item 10d – Discretionary Fees and Charges 2020 / 21 as he was a member of the Thames Sailing Barge Trust.

Councillor K M H Lagan disclosed a non-pecuniary interest in Agenda Item 10d – Discretionary Fees and Charges 2020 / 21 as he was known to Topsail Charters and the barge owners.

Councillor C Morris disclosed a non-pecuniary interest as he cared about the community.

752. MINUTES - 21 NOVEMBER 2019

RESOLVED

- (i) That the Minutes of the Council meeting held on 21 November 2019 be received

Minute No. 564 – Polling District, Polling Place and Polling Station Review

It was noted that reference in the resolution to Maldon North should be Maldon East.

RESOLVED

- (ii) that subject to the above amendment the Minutes of the Council meeting held on 21 November 2019 be agreed.

753. MINUTES - 19 DECEMBER 2019

RESOLVED that the Minutes of the Council meeting held on 19 December 2019 be agreed.

754. PUBLIC QUESTIONS

In accordance with Procedure Rule 1(3)(e) and the Council's Public Question Time and Participation at Council and Committee Meetings Scheme, the Chairman of the Council referred to two questions of which prior notification had been given. A copy of the questions was circulated prior to the meeting.

Question One:

Why is Maldon District Council putting forward proposals to raise fees for barges well above the current rate of inflation, and is this connected to the North Quay Development proposals?

Response from the Leader of the Council

The discount applied to barges at the Hythe Quay has not been re visited for several years. Officers have met with barge operators to discuss berthing fees which has resulted in a recommendation to maintain the base 'discounted figure' but apply a 10% increase in 2020 / 21. The Council has pledged to meet operators again to discuss

future years ahead of the 2021 / 22 budget cycle. This matter is not connected to the North Quay proposal.

Question Two:

Can MDC please clarify the ‘state of play’ concerning the current failure of all concerned to make infrastructure Health Improvements considering the largescale new housebuilding and therefore increasing population pressures on Health Facilities?

Response from the Leader of the Council:

The MDC Local Development Plan includes an infrastructure delivery plan, which includes the health infrastructure that was identified as required to meet the population growth resulting from new homes. For example, the delivery of the North Heybridge Garden Suburb will include a new health centre, to be developed alongside the housing delivery. We welcome the news Maldon District was recently rated as the 5th best place in the country to live and we are working to ensure facilities are maintained and extended, to build further on that.

At this point in the meeting a Member raised a matter not relating to this item of business. During the discussion that followed the Chairman called the Council to order and moved onto the next item of business.

755. CHAIRMAN'S ANNOUNCEMENTS

The Chairman referred to the following events he had attended since the last meeting of the Council. He made particular reference to an event at Anglian Ruskin University he had recently attended with over 100 Royal Air Force Cadets / Essex Wing Air Training Corps. He commented how these young people were an inspiration.

17 January 2020	Chairman of Essex County Council Annual Civic Dinner
19 January 2020	The Town Mayor of Maldon's Civic Service
7 February 2020	Royal Air Force Air Cadets / Essex Wing Air Training Corps Presentation Evening 2020

756. PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE - 9 JANUARY 2020

RESOLVED that the Minutes of the Performance, Governance and Audit Committee held on 9 January 2020 be agreed.

757. STRATEGY AND RESOURCES COMMITTEE - 29 JANUARY 2020

RESOLVED

- (i) That the Minutes of the Strategy and Resources Committee held on 29 January 2020 be received.

Minute 686 – Disclosure of Interest

It was noted that reference to Councillor Lagan in this Minute should refer to Councillor K M H Lagan.

Minute 692 – Local Development Scheme 2020 - 2022

RESOLVED

- (ii) that the Local Development Scheme (attached as Appendix 1 to the Minutes of the Strategy and Resources Committee) be approved as the project plan for key planning policy documents until 2022.

In accordance with her earlier declaration, Councillor Mrs P A Channer left the meeting at this point.

Minute 693 – Community Infrastructure Levy Grant Offer

RESOLVED

- (iii) that the Community Infrastructure Levy grant offer from Essex County Council and its related conditions be accepted.

Councillor Mrs Channer rejoined the meeting.

Minute 694 – Council Tax Support Scheme

RESOLVED

- (iv) that following Members' careful reading of and regard to the Equality Impact Assessment (attached as Appendix 2 to the Minutes of the Strategy and Resources Committee) the following changes to the existing scheme are approved:
- a cost of living increase in line with the Department for Work and Pensions schemes be included in the Local Council Tax Support Scheme for 2020 / 21 for Pensioners only;
 - any legislative changes being introduced to the Housing Benefit Scheme for 2020 / 21 are mirrored in the Councils LCTS scheme to ensure consistency;
 - the introduction of a minimum income change threshold of up to £10 per week, and periodic reviews of Universal claims with a fixed period of award.

The Chairman of the Strategy and Resources Committee advised that following recommendations contained within the Minutes were the subject of separate reports on this agenda and therefore would be approved at that stage:

- Minute 696 – Capital Project Bids 2020 / 21
- Minutes 697 – Capital and Investment Strategies for 2020 / 21 and Minimum Revenue Statement 2020 / 21
- Minute 698 – Treasury Management Strategy 2020 / 21
- Minute 699 – Discretionary fees and Charges 2020 / 21

- Minute 700 – Revised 2109 / 20 Estimates, Original 2020 / 21 Budget Estimates and Council Tax 2020 / 21

RESOLVED

- (v) That subject to the above decisions and with the exception of Minute Numbers 696 - 700, the Minutes of the Strategy and Resources Committee held on 3 December 2019 be agreed.

758. MINUTES OF MEETINGS OF THE COUNCIL

The Council noted the list of Committees that had met since the last meeting of the Council, up to Wednesday 5 February 2020 for which Minutes had been published.

759. 2020 / 21 BUDGET, MEDIUM TERM FINANCIAL STRATEGY AND COUNCIL TAX SETTING

Councillor M S Heard declared a non-pecuniary interest in as a trustee of the steam tug Brent.

The Council considered the reports of the Interim Section 151 Officer, on the recommendations of the Strategy and Resources Committee at its meeting on 29 January 2020 relating to the revenue budget and the proposed level of Council for 2020 / 21.

The Leader of the Council made a budget speech (attached at **APPENDIX 1** to these Minutes) and commended the budget for 2020 / 21 to the Council. This was duly seconded by Councillor B E Harker.

In response to the budget speech, the Leader of the Opposition, Councillor Heard, thanked the Leader of the Council for providing him with an early draft copy of his budget statement. Councillor Heard commented on the speech, referring to:

- Expenditure – this should be financed from existing capital reserves, not directly from revenue.
- The Council currently was debt free, but he noted the planned borrowing and fall in investments forecast by March 2023.
- The Future Council model and the identified £739,000 savings for 2021. Councillor Heard asked the Leader of the Council to clarify the potential loss in grant of £328,000 referred to by the Leader.
- The reversal identified savings from the Citizens Advice Bureau and Councillor Heard pointed out an error on page 234 of the report pack which should read “...reduces the saving to £328,000...”.
- The meeting with barge operators over the Wharfage fees was welcomed and he recognised the value that the barges brought to Maldon.
- Budget training for Members and hoped that the delays seen would be rectified for the new municipal year.

Councillor Heard advised that the Independent Group broadly agreed with the recommendations and also commended the work of the Interim Section 151 Officer.

In response, Councillor A S Fluker commented on the recent communications and meeting arranged with barge operators to address concerns raised. In response to Councillor Heard's question regarding the revenue support grant he referred to the Interim Section 151 Officer. The Interim Section 151 Officer provided the Council with a detailed explanation regarding this grant and how for 2019, following national representations, the Government undertook to meet the cost of negative support grants from its own business rate receipts. The Government had undertaken a technical consultation and for 2020/21 it would again be taking on the cost of the negative revenue support grant. The Interim Section 151 Officer advised that the Council needed to be aware that there was a risk that it may have to repay monies in the future, which for this Council would be in the region of £338,000.

760. CAPITAL PROJECTS 2020 / 21

The report of the Interim Section 151 Officer sought Members' consideration of the Capital Projects for inclusion in the 2020 / 21 Capital Programme as detailed in Appendix A to the report.

RESOLVED that the capital projects as set out in the report and Appendix A to the report, be approved for inclusion in the 2020 / 21 Capital Programme.

761. CAPITAL AND INVESTMENT STRATEGIES FOR 2020 / 21 AND MINIMUM RESERVE STRATEGY 2020 / 21

The report of the Interim Section 151 Officer sought approval of an annual Capital Strategy (Appendix 1 to the report) and Annual Investment Strategy (Appendix 2 to the report) before the start of the financial year to which they relate. The Minimum Revenue Provision was attached as Appendix 3 to the report.

In response to a question the Interim Section 151 Officer provided further information regarding the proposed provision relating to business rates and planning appeal liabilities. The Interim Section 151 Officer advised that it was prudent of the Council to hold these monies separate to general reserves.

At this point, the Chairman responded to a point of order raised by Councillor N Skeens regarding the Chairman seeking Members' comments prior to the debate.

RESOLVED

- (i) That the Capital Strategy for 2020 / 21 (attached as Appendix 1 to the report) be approved; and
- (ii) That the Investment Strategy for 2020 / 21 (attached as Appendix 2 to the report) be approved; and
- (iii) That the Minimum Revenue Provision Statement for 2020 / 21 (attached as Appendix 3 to the report) be approved.

762. TREASURY MANAGEMENT STRATEGY 2020 / 21

Members were reminded that the Code of Practice to Treasury Management required the Council to approve a Treasury Management Strategy before the start of each financial year. The report of the Interim Section 151 Officer fulfilled the Council's legal obligation under the Local Government Act 2003 to have regard to the Chartered Institute of Public Finance and Accountancy (CIPFA) Code. The Treasury Management Strategy for 2020 / 21 was attached as Appendix 1 to the report and the supporting Treasury Management Practices at Appendix 2.

RESOLVED that the Treasury Management Strategy 2020 / 21 be approved.

763. DISCRETIONARY FEES AND CHARGES 2020 / 21

Following their earlier declarations, Councillors S P Nunn and N Skeens left the chamber at this point.

The report of the Director of Resources sought Members' approval of the fees and charges of the Council (attached as Appendix 1 to the report) which were then included in the 2020 / 21 budget. It was noted that the proposed 2020 / 21 fees and charges (that generate >£2,000) had been reviewed by the Interim Section 151 Officer under delegated powers.

RESOLVED that the detailed Fees and Charges for 2020 / 21 (as set out in Appendix A to the report), be agreed.

Councillors Nunn and Skeens returned to the chamber.

764. REVISED 2019 / 20 AND ORIGINAL 2020 / 21 BUDGET ESTIMATES AND COUNCIL TAX 2020 / 21

The report of the Interim Section 151 Officer presented the revised 2019 / 20 and original 2020 / 21 General Fund Revenue Budget estimates for approval. Members were advised that the final Local Government Finance Settlement (LGFS) 2020 / 21 had not been announced by the Government. When announced, should the LGFS differ from the provisional amount received the Council's budget estimate for 2020 / 21 would need to be revised.

In response to a number of questions, the Interim Section 151 Officer provided Members with the following information:

- The Future Council model £739,000 savings had been identified from the transformation blueprint approved by the Council.
- Staffing budget were not normally provided due to the General Data Protection Regulations and individual staff being able to be identified.
- Salary budgets were set in accordance with the staffing structure agreed as part of the transformation programme.

- The Interim Section 151 Officer explained in detail where other savings had been identified as part of the Transformation Programme. Members were advised that there were some outstanding savings to be identified and this was in addition to the further savings to be identified in 2022 / 23.
- Core Spending Power was an assessment undertaken by the Government and further explanation as to what this included was provided.

The Leader of the Council advised Members that an Interim Director of Resources, incorporating the role of Section 151 Officer, had been appointed and was due to start in March. Interviews had also been scheduled for the permanent role of Director of Resources. The Leader explained that the Resources directorate was almost up to full contingent which would allow the Council to move forward quicker with the budget.

In accordance with Procedure Rule No. 13 (5) the Chairman informed the Council that there would need to be a recorded vote on any decision relating to the budget, including the setting of Council Tax and levying a precept.

The Chairman then put the recommendations as set out in the report and the voting was as follows:

For the recommendations:

Councillors E L Bamford, M G Bassenger, B S Beale, R G Boyce, Mrs P A Channer, R P F Dewick, M R Edwards, J L Fleming, A S Fluker, B E Harker, M S Heard, M W Helm, A J Hull, K W Jarvis, J V Keyes, K M H Lagan, C Mayes, C P Morley, S P Nunn, Mrs N G F Shaughnessy, R H Siddall, J Stilts, C Swain, Mrs M E Thompson and Miss S White.

Against the recommendations:

Councillor C Morris

Abstentions:

Councillors V J Bell, N Skeens and W Stamp.

RESOLVED

- (i) that the main details of the Provisional Local Government Finance Settlement 2020 / 21 described in section 3.4 of the report, be noted;
- (ii) that the following be approved as recommended by the Strategy and Resources Committee subject to the comment in 1.1 of the report:
 - (a) the Revised 2019 / 20 and Original 2020 / 21 General Fund Revenue Budget Estimates (attached as Appendices 1 -3 of the report);
 - (b) an average Band D council tax of £202.40 (excluding parish precepts) (£5 increase) for 2020 / 21 (Appendix 1 to the report);
 - (c) policies on the designated use of financial reserves (Appendix 4 to the report);
 - (d) maintain the current policy of a minimum general fund balance of £2,600,000;

- (iii) that Council gives due regard to the Interim Section 151 Officer's statement on the robustness of budgets and adequacy of reserves in Appendix 5 to the report.

765. MEDIUM TERM FINANCIAL STRATEGY 2020 / 21 TO 2023 / 24

The report of Interim Section 151 Officer presented the Medium-Term Financial Strategy (MTFS) 2020 / 21 to 2023 / 24 (attached as Appendix 1 to the report) for approval.

RESOLVED that the Medium-Term Financial Strategy 2020 / 21 to 2023 / 24 (Appendix 1 to the report) be approved.

766. COUNCIL TAX 2020 / 21

The Chairman drew Members' attention to a revised report and appendices which had been circulated prior to the meeting. The Interim Section 151 Officer advised that the columns labels for the table at paragraph 3.5 of the revised report should read A, B, C, D, E, F, G, H. This was noted.

The Chairman informed the Council that in accordance with Procedure Rule 13 (5) this decision required a recorded vote. He then put the recommendations as set out in the revised report to the Council and the voting was as follows:

For the recommendations:

Councillors E L Bamford, M G Bassenger, B S Beale, V J Bell, R G Boyce, Mrs P A Channer, R P F Dewick, M R Edwards, J L Fleming, A S Fluker, B E Harker, M S Heard, M W Helm, A J Hull, K W Jarvis, J V Keyes, K M H Lagan, C Mayes, C P Morley, S P Nunn, Mrs N G F Shaughnessy, R H Siddall, N Skeens, W Stamp, J Stilts, C Swain, Mrs M E Thompson and Miss S White.

Against the recommendations:

Councillor C Morris.

RESOLVED

- (i) that Maldon District Council's Council Tax Requirement for 2020 / 21 is set at £5,078,378;
- (ii) that the Maldon District Council's Band D Council Tax (excluding Parish precepts) is set at £202.40, reflecting an increase of £5.00, all other bands being determined in accordance with the relevant Sections of the Local Government Finance Act 1992, as amended;
- (iii) that the precept demands and level of Band D Council Tax of the Essex County Council, the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority for both Police and Fire, and the various Parish Councils within the District be determined as set out in the report, all other bands being determined in accordance with the relevant Sections of the Local Government Finance Act 1992, as amended;

(iv) that the Council agrees the following:

1. That it be noted that at its meeting on 19 December 2019 the Council calculated its Council Tax Base for the year 2020/21:

- (a) for the whole district as 25,090.8 [Item T in the formula in Section 31B of the Local Government Finance Act 1992 (the Act), as amended by the Localism Act 2011; and
- (b) for dwellings in those parts of its district to which a Parish precept relates as listed below:

Althorne	523.3
Asheldham	61.8
Bradwell-on-Sea	337.6
Burnham-on-Crouch	3,288.3
Cold Norton	499.2
Dengie	49.4
Goldhanger	311.6
Great Braxted	178.7
Great Totham	1,274.2
Hazeleigh	57.2
Heybridge	2,781.6
Heybridge Basin	280.3
Langford	85.3
Latchingdon	478.5
Little Braxted	84.8
Little Totham	193.4
Maldon	5,430.2
Mayland	1,487.7
Mundon	146.8
North Fambridge	410.0
Purleigh	567.6
Southminster	1,544.8
St. Lawrence	596.6
Steeple	193.1
Stow Maries	84.3
Tillingham	402.0
Tollesbury	1,013.2
Tolleshunt D'arcy	443.3
Tolleshunt Knights	421.3
Tolleshunt Major	277.2
Ulting	68.8
Wickham Bishops	994.6
Woodham Mortimer	253.2
Woodham Walter	270.9
Total	25,090.8

2. Calculate that the Council Tax Requirement for the Council's own purposes for 2020/21 (excluding Parish precepts) is £5,078,378

3. That the following amounts be calculated by the Council for the year 2020/21 in accordance with new Sections 31 to 36 of the Act as amended:
- (a) £33,044,385 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act, taking into account all precepts issued to it by Parish Councils (**i.e. gross expenditure including Parish precepts**)
 - (b) £26,403,879 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act (**i.e. gross income including government grants**)
 - (c) £6,640,506 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax Requirement for the year (Item R in the formula in Section 31B of the Act) (**i.e. Council Tax Requirement including Parish precepts**).
 - (d) £264.66 being the amount at 3(c) above (Item R) divided by the amount at 1(a) above (Item T), calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (**i.e. average Band D Council Tax including Parish precepts**)
 - (e) £1,562,128 being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (**i.e. Parish Council precepts**)
 - (f) £202.40 being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates (**i.e. District Council Band D Council Tax excluding Parish precepts**).
 - (g) Basic Amount of Council Tax by Parish 2020 / 21

Town/Parish	Local Precept	Town/Parish Band D	District + Town/Parish Band D
Althorne	18,000.00	34.40	236.80
Asheldham	3,437.35	55.62	258.02
Bradwell-on-Sea	27,000.00	79.98	282.38
Burnham-on-Crouch	203,441.00	61.87	264.27
Cold Norton	31,083.00	62.27	264.67
Dengie	2,747.65	55.62	258.02
Goldhanger	8,850.00	28.40	230.80
Great Braxted	8,160.00	45.66	248.06

Town/Parish	Local Precept	Town/Parish Band D	District + Town/Parish Band D
Great Totham	19,572.00	15.36	217.76
Hazeleigh	882.14	15.42	217.82
Heybridge	210,000.00	75.50	277.90
Heybridge Basin	24,374.00	86.96	289.36
Langford	4,985.00	58.44	260.84
Latchingdon	50,000.00	104.49	306.89
Little Braxted	3,950.00	46.58	248.98
Little Totham	8,200.00	42.40	244.80
Maldon	385,170.00	70.93	273.33
Mayland	99,256.00	66.72	269.12
Mundon	4,750.00	32.36	234.76
North Fambridge	15,310.00	37.34	239.74
Purleigh	42,000.00	74.00	276.40
Southminster	140,990.00	91.27	293.67
St. Lawrence	24,570.00	41.18	243.58
Steeple	8,915.00	46.17	248.57
Stow Maries	6,500.00	77.11	279.51
Tillingham	35,000.00	87.06	289.46
Tollesbury	85,204.00	84.09	286.49
Tolleshunt D'arcy	21,515.24	48.53	250.93
Tolleshunt Knights	9,500.00	22.55	224.95
Tolleshunt Major	8,400.00	30.30	232.70
Ulting	3,295.00	47.89	250.29
Wickham Bishops	20,276.00	20.39	222.79
Woodham Mortimer	3,904.86	15.42	217.82
Woodham Walter	22,890.00	84.50	286.90

being the amounts given by adding to the amount at 3(f) above, the amounts of the special item or items relating to dwellings in those parts of the Councils area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(h) Calculation of Basic Amounts of Council Tax by Parish for Different Valuation Bands

PARISH	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Althorne	157.86	184.18	210.49	236.80	289.42	342.05	394.66	473.60
Asheldham	172.01	200.68	229.35	258.02	315.36	372.70	430.03	516.04
Bradwell-on-Sea	188.25	219.63	251.00	282.38	345.13	407.89	470.63	564.76
Burnham-on-Crouch	176.18	205.54	234.91	264.27	323.00	381.73	440.45	528.54
Cold Norton	176.44	205.85	235.26	264.67	323.49	382.31	441.11	529.34
Dengie	172.01	200.68	229.35	258.02	315.36	372.70	430.03	516.04

PARISH	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Goldhanger	153.86	179.51	205.15	230.80	282.09	333.38	384.66	461.60
Great Braxted	165.37	192.93	220.50	248.06	303.19	358.31	413.43	496.12
Great Totham	145.17	169.37	193.56	217.76	266.15	314.55	362.93	435.52
Hazeleigh	145.21	169.41	193.62	217.82	266.23	314.63	363.03	435.64
Heybridge	185.26	216.14	247.02	277.90	339.66	401.42	463.16	555.80
Heybridge Basin	192.90	225.06	257.21	289.36	353.66	417.97	482.26	578.72
Langford	173.89	202.87	231.86	260.84	318.81	376.77	434.73	521.68
Latchingdon	204.59	238.69	272.79	306.89	375.09	443.29	511.48	613.78
Little Braxted	165.98	193.65	221.31	248.98	304.31	359.64	414.96	497.96
Little Totham	163.20	190.40	217.60	244.80	299.20	353.60	408.00	489.60
Maldon	182.22	212.59	242.96	273.33	334.07	394.81	455.55	546.66
Mayland	179.41	209.31	239.22	269.12	328.93	388.73	448.53	538.24
Mundon	156.50	182.59	208.67	234.76	286.93	339.10	391.26	469.52
North Fambridge	159.82	186.46	213.10	239.74	293.02	346.30	399.56	479.48
Purleigh	184.26	214.98	245.69	276.40	337.82	399.25	460.66	552.80
Southminster	195.78	228.41	261.04	293.67	358.93	424.19	489.45	587.34
St. Lawrence	162.38	189.45	216.51	243.58	297.71	351.84	405.96	487.16
Steeple	165.71	193.33	220.95	248.57	303.81	359.05	414.28	497.14
Stow Maries	186.34	217.39	248.45	279.51	341.63	403.74	465.85	559.02
Tillingham	192.97	225.13	257.30	289.46	353.79	418.11	482.43	578.92
Tollesbury	190.99	222.82	254.66	286.49	350.16	413.82	477.48	572.98
Tolleshunt D'arcy	167.28	195.17	223.05	250.93	306.69	362.46	418.21	501.86
Tolleshunt Knights	149.96	174.96	199.95	224.95	274.94	324.93	374.91	449.90
Tolleshunt Major	155.13	180.99	206.84	232.70	284.41	336.13	387.83	465.40
Ulting	166.86	194.67	222.48	250.29	305.91	361.53	417.15	500.58
Wickham Bishops	148.52	173.28	198.03	222.79	272.30	321.81	371.31	445.58
Woodham Mortimer	145.21	169.41	193.62	217.82	266.23	314.63	363.03	435.64
Woodham Walter	191.26	223.14	255.02	286.90	350.66	414.42	478.16	573.80

being the amounts given by multiplying the amounts at 3(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band, divided by the number which in that proportion is applicable to dwellings listed in valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year, in respect of categories of dwellings listed in different valuation bands.

- That it be noted for the year 2020/21 the major precepting authorities have issued precepts to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each category of dwellings in the Council's area as indicated in the table below:

Precepting Authority	Valuation Bands			
Essex County Council	A	£880.74	E	£1,614.69
	B	£1,027.53	F	£1,908.27
	C	£1,174.32	G	£2,201.85
	D	£1,321.11	H	£2,642.22

Precepting Authority	Valuation Bands			
Essex PFCC F&RA Essex Police and Crime Commissioner	A	£132.42	E	£242.77
	B	£154.49	F	£286.91
	C	£176.56	G	£331.05
	D	£198.63	H	£397.26
Essex PFCC F&RA Essex Fire and Rescue Authority	A	£49.26	E	£90.31
	B	£57.47	F	£106.73
	C	£65.68	G	£123.15
	D	£73.89	H	£147.78

5. That, having calculated the aggregate in each case of the amounts at 3(h) and 4 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 as amended, hereby sets the following amounts as the amounts of Council Tax for the year 2020/21 for each part of its area and for each of the categories of dwelling shown in Table A attached.
6. Determines that the Council's basic amount of Council Tax for 2020 / 21 is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992, as amended.

As the billing authority, the Council has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2020/21 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK of the Local Government Finance Act 1992, as amended.

TABLE A

Total Council Tax Amounts (£) by Band and Area 2020/21

Parish/Area	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Althorne	1,220.28	1,423.67	1,627.05	1,830.43	2,237.19	2,643.96	3,050.71	3,660.86
Asheldham	1,234.43	1,440.17	1,645.91	1,851.65	2,263.13	2,674.61	3,086.08	3,703.30
Bradwell-on-Sea	1,250.67	1,459.12	1,667.56	1,876.01	2,292.90	2,709.80	3,126.68	3,752.02
Burnham-on-Crouch	1,238.60	1,445.03	1,651.47	1,857.90	2,270.77	2,683.64	3,096.50	3,715.80
Cold Norton	1,238.86	1,445.34	1,651.82	1,858.30	2,271.26	2,684.22	3,097.16	3,716.60
Dengie	1,234.43	1,440.17	1,645.91	1,851.65	2,263.13	2,674.61	3,086.08	3,703.30
Goldhanger	1,216.28	1,419.00	1,621.71	1,824.43	2,229.86	2,635.29	3,040.71	3,648.86
Great Braxted	1,227.79	1,432.42	1,637.06	1,841.69	2,250.96	2,660.22	3,069.48	3,683.38
Great Totham	1,207.59	1,408.86	1,610.12	1,811.39	2,213.92	2,616.46	3,018.98	3,622.78
Hazeleigh	1,207.63	1,408.90	1,610.18	1,811.45	2,214.00	2,616.54	3,019.08	3,622.90
Heybridge	1,247.68	1,455.63	1,663.58	1,871.53	2,287.43	2,703.33	3,119.21	3,743.06
Heybridge Basin	1,255.32	1,464.55	1,673.77	1,882.99	2,301.43	2,719.88	3,138.31	3,765.98
Langford	1,236.31	1,442.36	1,648.42	1,854.47	2,266.58	2,678.68	3,090.78	3,708.94
Latchingdon	1,267.01	1,478.18	1,689.35	1,900.52	2,322.86	2,745.20	3,167.53	3,801.04
Little Braxted	1,228.40	1,433.14	1,637.87	1,842.61	2,252.08	2,661.55	3,071.01	3,685.22
Little Totham	1,225.62	1,429.89	1,634.16	1,838.43	2,246.97	2,655.51	3,064.05	3,676.86
Maldon	1,244.64	1,452.08	1,659.52	1,866.96	2,281.84	2,696.72	3,111.60	3,733.92

Parish/Area	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
Mayland	1,241.83	1,448.80	1,655.78	1,862.75	2,276.70	2,690.64	3,104.58	3,725.50
Mundon	1,218.92	1,422.08	1,625.23	1,828.39	2,234.70	2,641.01	3,047.31	3,656.78
North Fambridge	1,222.24	1,425.95	1,629.66	1,833.37	2,240.79	2,648.21	3,055.61	3,666.74
Purleigh	1,246.68	1,454.47	1,662.25	1,870.03	2,285.59	2,701.16	3,116.71	3,740.06
Southminster	1,258.20	1,467.90	1,677.60	1,887.30	2,306.70	2,726.10	3,145.50	3,774.60
St. Lawrence	1,224.80	1,428.94	1,633.07	1,837.21	2,245.48	2,653.75	3,062.01	3,674.42
Steeple	1,228.13	1,432.82	1,637.51	1,842.20	2,251.58	2,660.96	3,070.33	3,684.40
Stow Maries	1,248.76	1,456.88	1,665.01	1,873.14	2,289.40	2,705.65	3,121.90	3,746.28
Tillingham	1,255.39	1,464.62	1,673.86	1,883.09	2,301.56	2,720.02	3,138.48	3,766.18
Tollesbury	1,253.41	1,462.31	1,671.22	1,880.12	2,297.93	2,715.73	3,133.53	3,760.24
Tolleshunt D'arcy	1,229.70	1,434.66	1,639.61	1,844.56	2,254.46	2,664.37	3,074.26	3,689.12
Tolleshunt Knights	1,212.38	1,414.45	1,616.51	1,818.58	2,222.71	2,626.84	3,030.96	3,637.16
Tolleshunt Major	1,217.55	1,420.48	1,623.40	1,826.33	2,232.18	2,638.04	3,043.88	3,652.66
Ulting	1,229.28	1,434.16	1,639.04	1,843.92	2,253.68	2,663.44	3,073.20	3,687.84
Wickham Bishops	1,210.94	1,412.77	1,614.59	1,816.42	2,220.07	2,623.72	3,027.36	3,632.84
Woodham Mortimer	1,207.63	1,408.90	1,610.18	1,811.45	2,214.00	2,616.54	3,019.08	3,622.90
Woodham Walter	1,253.68	1,462.63	1,671.58	1,880.53	2,298.43	2,716.33	3,134.21	3,761.06

767. QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 6(3) OF WHICH NOTICE HAS BEEN GIVEN

The Chairman advised that in accordance with Procedure Rule 6(3) he had received notification from Councillor C Swain of a question he wished to ask.

Councillor Swain asked the following question:

“In order to reassure the public that decisions of the Joint Standards Committee are objective and fair will you ask or recommend that the Overview and Scrutiny Committee review the effectiveness of the decision-making procedure of the Joint Standards Committee?”

The Chairman responded to this question, advising:

“You have kindly informed me that your reason for asking your question is that you would like to see each member of the Joint Standards Committee (JSC) explain why they voted.

JSC is a Committee like other Committees of the Council. Members can explain their position during any debate and can introduce their proposal with an explanation for their proposal. Members then vote on that proposal and their vote is a statement on their view on whether they are ‘for’ or ‘against’. As in other Committees no member can be forced to participate in a debate nor to explain their reasons for voting.

I do not see any basis for any changes in the constitution regarding JSC and therefore see no basis for a referral to O and S.”

768. ONE MALDON DISTRICT

The Council considered the report of the Director of Service Delivery presenting the One Maldon District (OMD) proposal.

It was noted that OMD was a senior level partnership, working together across the statutory, voluntary and private sector, to ensure a healthier and prosperous Maldon District in relation to the themes of Place, Prosperity, Community and Safety. It sought to maximise collaboration to ensure there was an abundance of opportunities for enhanced health, wellbeing, community safety and the feeling of safety within communities across the District.

The Leader of the Council referred to the importance of this group and that the Council should endorse it as an excellent thing to do. He raised some concern regarding that there was insufficient information provided within the report to make an informed decision. Councillor Fluker proposed that this report be brought back to the March 2020 meeting of the Council with more information. This was duly seconded.

The Council requested that its thanks be passed onto the Health Improvement Officer and Strategy Theme Lead - Community for the enormous amount of work they had done in respect of this project.

The Chairman then put the proposal to the Council and upon a vote being taken this was agreed.

RESOLVED that consideration of formation of One Maldon District be deferred to the March 2020 meeting of the Council pending further information.

769. COMMUNITY INFRASTRUCTURE LEVY WORKING GROUP

The Council considered the report of the Director of Strategy, Performance and Governance seeking Members' approval to establish a Community Infrastructure Levy (CIL) Working Group to consider and inform the work being undertaken to introduce a CIL for Maldon.

The report provided an outline of the process for implementing CIL and a timetable towards the adoption of CIL was summarised in Appendix 1 to the report. Members were advised that Essex County Council was offering support and funding for up to two authorities to meet the costs of bringing forward a CIL. However as a condition of the grant the County Council would wish to influence the spend of CIL income, if a CIL was adopted, on infrastructure priorities up to the value of the grant, with terms agreed through a Memorandum of Understanding.

The Leader of the Council proposed that recommendation (i) be agreed and the following Members be appointed to the Community Infrastructure Levy (CIL) working group:

- Councillor E L Bamford,
- Councillor Mrs P A Channer
- Councillor A S Fluker
- Councillor J L Fleming

- Councillor M S Heard
- Councillor Mrs M E Thompson

Following further debate and a proposal from Councillor Mrs W Stamp, Councillor Fluker amended his proposal to increase the Membership of the Working Group by one to seven Members and add Councillor Stamp to its proposed Members. This was duly seconded and agreed.

The Chairman then put recommendation (ii) to the council as set out in the report and this was duly agreed. At this point he thanked Councillor Mrs P A Channer, previous Chairman of the Planning and Licensing Committee for all the work she had in respect of CIL.

RESOLVED

- (i) That a Community Infrastructure Levy (CIL) Working Group comprised of the following Members be established:
 - Councillors E L Bamford, Mrs P A Channer, A S Fluker, J L Fleming, M S Heard, W Stamp and Mrs M E Thompson
- (ii) That the progress made in developing the CIL since the Planning and Licensing Committee in September 2019 be noted.

770. BRADWELL B DEVELOPMENT PLAN DOCUMENT

The Council considered the report of the Director of Strategy, Performance and Governance providing a summary of the adopted planning policy with regards to Bradwell B. The report also sought Members' consideration of the preparation of a Development Plan Document (DPD) to address wider development impacts and opportunities arising from the Bradwell B proposal.

The report provided background information regarding the identification of Bradwell as one of the eight sites suitable in principle for the siting of a new nuclear power station and the process following this.

The DPD would provide an adopted planning policy framework and clarity on the Council's vision and development strategy in relation to the wider development impacts and opportunities arising from the development of a new nuclear power station at Bradwell-on-Sea. If the DPD was approved the Local Development Scheme (LDS) would be updated to include the DPD.

The report suggested establishing a Bradwell B DPD Working Group to provide opportunity for Members to input into the DPD work programme as it progressed.

The Leader of the Council proposed that recommendations (i) and (ii) as set out in the report be agreed. In respect of recommendation (iii) he proposed that this be amended and the remit of this work be added to that of the Bradwell B Working Group. These proposals were duly seconded and agreed. It was noted that the Membership of the

Bradwell B Working Group would be reviewed at the Statutory Annual meeting of the Council.

In response to a question regarding the timing of the DPD the Leader of the Council provided the Council with additional information on progress of work to date.

RESOLVED

- (i) That the current references and policies in the Local Development Plan be noted;
- (ii) That the Council approves preparation of a Development Plan Document (DPD) to provide an adopted planning policy framework and to provide clarity on the Council's vision and development strategy in relation to the wider development impacts and opportunities arising from the development of a new nuclear power station at Bradwell-on-Sea;
- (ii) That preparation of a DPD be added to the Bradwell B Working Group Terms of Reference.

771. BRADWELL B PROJECT - CONSULTATION ON DRAFT STATEMENT OF COMMUNITY CONSULTATION

The Council considered the report of the Director of Strategy, Performance and Governance seeking Members' consideration of a proposed response to the consultation on the draft Statement of Community Consultation (SoCC) (attached as Appendix A to the report) relating to the proposed Bradwell B power station proposals. It was noted that the Joint Bradwell Board had recommended that a joint consultation response representing the view of both Maldon District Council and Essex County Council be submitted and the report contained joint responses. Members were informed that the consultation period expired on 14 February 2020.

The Leader of the Council proposed that the recommendations as set out in the report be agreed with an amendment that if a Parish Council were to ask BRB to consult with them on a 121 basis that this will be implemented.

In response to a question regarding consultation areas, the Strategy, Policy and Communications Manager advised that the Council had asked for definition of the consultation areas and BRB informed that these areas related to areas of impact. The Council had made it clear that it was commenting in response to the consultation document and until the proposals were live the contents of the proposals would not be known.

The Chairman put the proposal of Councillor Fluker which was duly agreed.

RESOLVED that the Officer comments on the submitted draft Statement of Community Consultation, as set out in the report, subject to amendment to include reference so that if a Parish Council were to ask BRB to consult with them on a 121 basis that this will be implemented be endorsed at the Council's response to the consultation made in accordance with section 47 of the Planning Act 2008 and regulation 12 of the Infrastructure Planning (Environmental Impact Assessment) Regulation 2017.

772. EXCLUSION OF THE PUBLIC AND PRESS

In response to a question from Councillor Swain regarding the reason for the following report being considered in private sessions, the Council's Monitoring Officer provided Members' with some guidance.

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

773. REVIEW OF CORPORATE SUBSCRIPTIONS

The Council considered the report of the Corporate Leadership Team presenting for consideration the outcomes of a review of corporate subscriptions with external partnership organisations. Members were reminded that this review had been undertaken following a decision by the Council which requested the review as part of the 2020 / 21 budget process along with a value for money analysis.

The report provided background information regarding the request for a review and Appendix 1 to the report detailed information previously provided on the Local Government Association and East of England Local Government Association to Members in June 2019. Details of each review undertaken were set out in the report and in respect of the Local Government Information Unit, Appendix 2 to the report outlined the services provided by this Unit.

The Director of Service Delivery provided Members with further information regarding the Local Government Information Unit and why the Corporate Leadership Team were recommending that Members consider whether they wished to renew its membership of this body.

The Leader of the Council then proposed that recommendations (i), (ii) and (iv) as set out in the report be agreed and that the Council agrees not to re-join the Local Government Information Unit. This was duly seconded and upon a vote being taken was agreed.

RESOLVED

- (i) That the corporate subscription with the Local Government Association (LGA) and East of England Local Government Association (EELGA) be continued;
- (ii) That corporate subscriptions with the following organisations are renewed for the 2020 / 21 financial year and then are subject to annual review by the Corporate Leadership Team:
 - Essex On Line Partnership;
 - Vine HR;
 - Local Authority Building Control (LABC) Membership – District Surveyors Association;

- Volume and Values Survey by Visit England.
- (iii) That the Council not re-join the Local Government Information Unit;
- (iv) That the corporate subscription to the Chartered Institute of Public Finance and Accounting be reinstated.

There being no further items of business the Chairman closed the meeting at 9.09 pm.

R G BOYCE MBE
CHAIRMAN

I stand to present the 2020/21 Budget

The budget reflects the financial requirements of the Council and the overarching principal of delivering first class services to residents and customers.

The budget meets our fiscal responsibilities and follows the advice and guidance of the Section 151 Officer

Over the last three years Government funding has reduced by 22%, in real terms this equates to around £425k, the Council has not received Revenue Support Grant (RSG) since 2018, the sum total of RSG is now negative which means if the government chooses they could ask us to repay around £330,000.

Furthermore, the Government has announced that the New Homes Bonus will cease to exist from 2021. Whilst the details of the new funding formula is currently unknown it is likely that it will provide less than the current New Homes Bonus scheme

On the plus side the Council has completed the Transformation Programme which will deliver efficiency savings and income of £1.9m per annum based on the 18/19 budget.

For the Council to become Sustainable and meet its MEDIUM-TERM FINANCIAL STRATEGY for 2020/1 – 2023/4 it must start to generate NEW commercial income via its Corporate Projects Plan. Projects from the plan and other new emerging projects will be presented to Council and its committees for consideration in the coming months.

The council pension fund has a requirement of £25m and is currently underfunded by approximately £7m compared to £8.5m a few years ago. Following the request from the FUND ACTUARIES it is proposed a payment of £1.5m is made to the scheme to cover the years 2020 to 2023

Sums of £100k each will be required to support both the Resources Department and the doorstep collections of Glass and Green Waste for recycling. The investment in the Waste Collection Service will enable us to work more efficiently – it will also mean that the 800 plus households that are currently waiting for a garden waste recycling bin will get one and that moving forward, and in recognition of the HOUSING DELIVERY PROJECTION of the LDP and the expected requirements of our existing residents an additional 2,500 green bins will be made available to residents over the coming years.

To meet these extraordinary costs, it will be necessary to draw down £1.7m from reserves.

To support the budget Capital Project Bids have been kept to a bare minimum and only include those items that are considered essential or where there has been a service failure

With regards to DISCRETIONARY FEES and CHARGES the council has where appropriate met and consulted with customers and residents to ensure that any CHANGES that it is planning are FAIR AND TRANSPARENT. As a result, and in recognition of the enormous value they bring to the District the Council will NOW meet with the Thames Sailing Barge Operators on a regular basis to ensure that their needs and those of the Council are properly understood.

It would be remiss of me not to highlight some of the financial issues that we will be facing over the coming years. Towards the end of the administration the first statutory review of the LDP will need to be undertaken - the estimated cost to deliver this piece of work is likely to be in the region of £600,000. The Bradwell B project is gathering momentum with an announcement today that the GDA GENERIC DESIGN ASSESSMENT is moving to the final stage of the assessment process, it is also anticipated that the first public consultation will start in the Spring and whilst an initial PPA has been agreed with BRB this will only cover certain elements of the consultation and DCO process. As far as MAXIMISING the SOCIO-ECONOMIC benefits to the District are concerned the Council will have to meet the costs of developing its own SOCEC team. Costs for both projects could with the agreement of Council be met partly through the New Homes Bonus Reserve.

The costs of dealing with Planning Appeals can be significant - following today's announcement that the Council has passed the Statutory Housing Delivery Test and that its five year housing land supply is re-confirmed as a result; it is hoped that the number of appeals and associated costs will reduce accordingly.

The Budget provides for the delivery of an inordinate amount of services and whilst we monitor our performance through both Statutory and Corporate indicators it is always helpful to see how others see us. To that end I am delighted to announce that the latest Quality of Life survey by the Halifax has reported that Maldon District is the 5th best place to live in the UK. The survey was based on 26 different factors including safety, access to green space, wellbeing, lifestyle, affordability, cleanliness and happiness. The District Council should be very proud of the part it has played in making that happen.

Each year the Council faces inflationary costs that it has no control over, for 20/21 these include in salary cost increases of £163,000, a £221,000 increase in Employers Pension Contributions and £69,000 to mitigate the impact of the increase in the living wage on the WASTE CONTRACT

With the exception of the draw down from reserves the budget is balanced but to achieve that we need to protect our tax base, keep track with inflation, meet costs outside of our control and ensure that our statutory and other frontline services are maintained to the highest standards for both our residents and customers. We are therefore proposing that the Maldon District Council's Band D Council Tax is increased by £5 per annum; this equates to 42p per month for a band D Property, and that all other bands are determined proportionally in accordance with the Local Government Finance Act 1992

In summary chairman... To meet our overarching corporate Objective of a 'Sustainable Council – with a Prosperous Future' we need to become financially independent and sustainable and thereafter use every pound we raise to deliver first class services for our residents and customers. Chairman to do otherwise will eventually leave us with no reserves and the bleak prospect of having to merge with another authority.

This budget lays the FOUNDATION STONES for a SUSTAINABLE, RESILIENT AND AUTONOMOUS COUNCIL - going forward we MUST build on THIS BUDGET to ensure we prosper for the benefit of our residents and future generations who choose to live in MALDON District

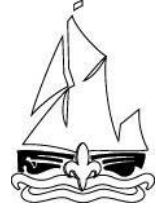
CHAIRMAN I COMMEND THE BUDGET TO THE COUNCIL.

Cllr Adrian S Fluker

Leader of the Council

Ward Member for Southminster

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**MINUTES of
COUNCIL
17 MARCH 2020**

PRESENT

Chairman	Councillor R G Boyce MBE
Vice-Chairman	Councillor Mrs P A Channer, CC
Councillors	E L Bamford, Miss A M Beale, M G Bassenger, R P F Dewick, Mrs J L Fleming, A S Fluker, B E Harker, M S Heard, M W Helm, A L Hull, K W Jarvis, J V Keyes, K M H Lagan, C Mayes, C P Morley, C Morris, N G F Shaughnessy, R H Siddall, W Stamp, Mrs M E Thompson and Miss S White

1. CHAIRMAN'S NOTICES

The Chairman thanked Members for attending this meeting and then referred to the notices as detailed on the agenda.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B S Beale MBE, V J Bell, M F L Durham CC, M R Edwards, S P Nunn, N J Skeens, Mrs J C Stilts and C Swain.

3. DECLARATION OF INTEREST

Councillor Mrs P A Channer disclosed a non-pecuniary interest as a Member of Essex County Council.

4. COVID-19 GOVERNANCE ARRANGEMENTS

The Council considered the report of the Monitoring Officer seeking Members consideration of a process for governance arrangements because of COVID-19 (Coronavirus disease).

The report provided background information relating to the outbreak of COVID-19 and identified a process for the continuation of decision-making powers during the pandemic whilst seeking to avoid the spread of the virus and protect those who might be vulnerable. The process included authorising any Director, in the interim, to determine business that otherwise would have been determined by the Council or its Committees

and Working Groups in consultation with the Chairman of the Council, Leader of the Council and Leader of the Opposition or their substitute (as identified).

The Monitoring Officer presented his report and referred to the Secretary of State in a recent meeting advising Councils that all meetings should be suspended and in their place emergency powers should be set up. It was noted that temporary legislation was being arranged by the Government to enable Councils / Committees to meet in a virtual form to enable decisions being made by Members, but current legislation did not allow for remote decision making.

In response to a question regarding the convening of this meeting, the Monitoring Officer referred to Section 100A of the Local Government Act 1972 and the provision for the Council to give five clear working days' notice of a meeting taken place but that there was also provision within this Act for the Council to convene a meeting in a shorter period.

A debate ensued, and a number of Members raised concern regarding whether the proposal was premature in advance of there not having been any announcement from the Government. Further information was provided at this time by the Monitoring Officer.

The Leader of the Council thanked Members for attending the meeting at short notice. He provided some background information regarding this report, the very serious issue as a result of COVID-19 and how being a very small Council it would be in a very difficult position if 23 / 30% of its staff and Members was lost through self-isolation etc. He took the Council through the five recommendations set out in the report and proposed an amendment to recommendation (ii) amending it to read "...shall end fully or partially *and in any event a review will take place in eight weeks*" to add a check and balance to the process. The Leader explained that if the proposal was agreed and subsequently legislation regarding virtual meetings was made, this could be put in place without the need to come back to the Council. In respect of recommendation (iii) the Leader proposed the following named substitutes:

	Substitute Members
Leader of the Council	Councillors E L Bamford, M W Helm, S P Nunn, Mrs M E Thompson and Miss S White
Chairman of the Council	Councillors Mrs P A Channer CC, M F L Durham CC, Mrs J L Fleming, B E Harker and J Stilts
Leader of the Opposition	Councillors Mrs P A Channer CC, R P F Dewick, S P Nunn, N G F Shaughnessy and W Stamp

The Leader of the Council then proposed in the interest of the District and the Council that the recommendations in the report with the amendments he proposed be agreed.

Councillor M S Heard, Leader of the Opposition, seconded the proposal of the Leader of the Council referring to the eight-week review and proposed substitutes.

Further debate ensued, during which a number of comments were raised, and the following information provided in response to questions:

- Normal statutory requirements for consultations in respect of planning and licensing applications would continue, along with opportunity for the public to

write in. Members were advised that the only change would be that the public would not be able to attend meetings when the decision was due to be made by a Director.

- If the proposal was agreed as for current Council and Committee meetings, agendas and related reports will be published following statutory deadlines and all decisions will be reported to Members. The Monitoring Officer advised Members that should the recommendations be agreed there was no requirement under the Local Government Act 1972 for the Council to publish agendas as the decisions would be made by Directors under delegated powers. However the Leader of the Council advised that papers would be published to ensure Members were kept informed.
- There would not be any change to the way that planning applications were dealt with and Officers would still contact Members to discuss any call-ins.
- In response to a suggestion that the Council met with only a reduced number of Members rather than the proposal, the Monitoring Officer advised that this would not be lawful as every Member was democratically elected and when a meeting of the Council was called every Member was entitled to attend.

At this, point, the Leader of the Council asked that the question be put.

In accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote. This was duly seconded.

The Chairman advised that there would be an individual vote on each recommendation.

The Chairman put **recommendation (i)** as set out in the report to the Council and the voting was as follows

For the recommendation:

Councillors E L Bamford, M G Bassenger, Miss A M Beale, R G Boyce, Mrs P A Channer, R P F Dewick, J L Fleming, A S Fluker, B E Harker, M S Heard, M W Helm, A J Hull, K W Jarvis, J V Keyes, C Mayes, C P Morley, N G F Shaughnessy, R H Siddall, W Stamp, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillors K M H Lagan and C P Morris.

Abstention: There were none.

Recommendation (i) was therefore agreed.

The Leader of the Council reminded Members of the amendment he had proposed to **recommendation (ii)**. He commented that an extraordinary meeting of the Council could be called by petition of Members and outlined how his amendment built some checks into the process but also allowed changes should any new legislation be brought forward in respect of virtual meetings.

The Chairman then put recommendation (ii) as amended by the Leader of the Council to include '*and in any event a review will take place in eight weeks*' and the voting was as follows:

For the recommendation:

Councillors E L Bamford, Miss A M Beale, R G Boyce, Mrs P A Channer, R P F Dewick, J L Fleming, A S Fluker, B E Harker, M S Heard, M W Helm, A J Hull, K W Jarvis, J V Keyes, C Mayes, C P Morley, N G F Shaughnessy, R H Siddall, W Stamp, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillors M G Bassenger, K M H Lagan and C P Morris.

Abstention: There were none.

Recommendation (ii) as amended was therefore agreed.

At this point Councillor Miss A M Beale proposed that recommendations (iii) – (v) be considered together. The Chairman advised that there was a proposition that the recommendations be taken one at a time.

The Leader clarified that in respect of his proposed list of substitutes relating to **recommendation (iii)** this list was not in any order of preference and he referred to the benefit of substituting Members from a particular Area when considering planning applications.

The Chairman then put recommendation (iii) with the named substitutes as outlined by the Leader of the Council and the voting was as follows:

For the recommendation:

Councillors Miss A M Beale, R G Boyce, Mrs P A Channer, R P F Dewick, A S Fluker, B E Harker, M S Heard, M W Helm, A J Hull, K W Jarvis, J V Keyes, C P Morley, N G F Shaughnessy, W Stamp, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillors E L Bamford, M G Bassenger, J L Fleming, K M H Lagan, C Mayes, C P Morris and R H Siddall.

Abstention: There were none.

Recommendation (iii) with the named substitutes was therefore agreed.

The Chairman then put **recommendation (iv)** as set out in the report to the Council and the voting was as follows:

For the recommendation:

Councillors Miss A M Beale, R G Boyce, Mrs P A Channer, R P F Dewick, A S Fluker, B E Harker, M S Heard, M W Helm, A J Hull, K W Jarvis, J V Keyes, C P Morley, N G F Shaughnessy, W Stamp, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillors E L Bamford, M G Bassenger, J L Fleming, K M H Lagan, C Mayes, C P Morris and R H Siddall.

Abstention: There were none.

Recommendation (iv) was therefore agreed.

The Chairman then put **recommendation (v)** as set out in the report to the Council and the voting was as follows

For the recommendation:

Councillors E L Bamford, M G Bassenger, Miss A M Beale, R G Boyce, Mrs P A Channer, R P F Dewick, J L Fleming, A S Fluker, B E Harker, M S Heard, M W Helm, A J Hull, K W Jarvis, J V Keyes, K M H Lagan, C Mayes, C P Morley, N G F Shaughnessy, R H Siddall, W Stamp, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillor C P Morris.

Abstention: There were none.

Recommendation (v) was therefore agreed.

RESOLVED

- (i) That all Council, Committee, Sub-Committee, Working Group and all like meetings are suspended with immediate effect for the time being;
- (ii) That any one of the Directors, in consultation with the Leader of the Council, Chairman of the Council and the Leader of the Opposition or any of their substitutes identified in recommendation (iii), may determine that the suspension shall end fully or partially and in any event a review will take place in eight weeks from the date of this meeting;
- (iii) That in the interim any Director is authorised to determine the business that would otherwise have been determined by the Council, Committees and Sub-Committees but for the suspension in recommendation (i) above, in consultation with the Leader of the Council, Chairman of the Council and Leader of the Opposition (and in their absence with those substitutes identified below):

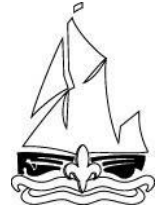
	Substitute Members
Leader of the Council	Councillors E L Bamford, M W Helm, S P Nunn, Mrs M E Thompson and Miss S White
Chairman of the Council	Councillors Mrs P A Channer CC, M F L Durham CC, Mrs J L Fleming, B E Harker and J Stilts
Leader of the Opposition	Councillors Mrs P A Channer CC, R P F Dewick, S P Nunn, N G F Shaughnessy and W Stamp

- (iv) That prior to the implementation of (iii) above, where a planning or licensing application was due to be determined by a Committee or Sub-Committee the applicant(s) will be asked whether they would rather delay determination of their planning or licensing application to a future Committee or Sub-Committee meeting;

- (v) That all decisions will be reported to Members as soon as reasonably possible.

There being no further items of business the Chairman thanked Members for attending and closed the meeting.

R G BOYCE MBE
CHAIRMAN



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

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, Mrs J L Fleming, A S Fluker, A L Hull, K M H Lagan, C Mayes, N G F Shaughnessy, R H Siddall, N J Skeens, 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
Depositing Litter	Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005	£100	£150	£2,500
Dog Fouling (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. Flytipping	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) £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 (Flyposting)	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

Document title	Pay Policy Statement
Summary of purpose	Compliance with Localism Act
Prepared by	Annette Cardy – Resources Specialist Services Manager
Status	Final
Version number	9
Approved by	
Approval date	
Date of implementation	Immediate
Review frequency	Annual (or as necessary before then)
Next review date	January 2021
Circulation	
Published on the Council's website	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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**MINUTES of
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
27 FEBRUARY 2020**

PRESENT

Chairman	Councillor E L Bamford
Vice-Chairman	Councillor K W Jarvis
Councillors	B S Beale MBE, Mrs P A Channer, CC, A S Fluker, B E Harker, M S Heard, J V Keyes, S P Nunn, W Stamp, Mrs J C Stilts, C Swain and Mrs M E Thompson

815. CHAIRMAN'S NOTICES

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

816. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham and N Skeens.

817. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 9 January 2020 be approved and confirmed.

818. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer declared a non-pecuniary interest as a member of Essex County Council regarding any items on the agenda pertaining to that organisation.

819. PUBLIC PARTICIPATION

No requests had been received.

820. ACTIONS TAKEN TO THE FINDINGS AND COMMENT OF THE EXTERNAL AUDITOR ARISING FROM THE 2018/19 AUDIT OF ACCOUNTS

The Committee considered the report of the Interim Section 151 Officer together with appendices 1 and 2 that detailed actions taken in response to the findings of the external auditor arising from the audit of 2018/19 accounts.

The Chairman introduced the report noting how comprehensive it was. In response to questions raised officers reported the following:-

- That Ignite highlighted the risk of losing staff in the transformation programme blueprint. From their experience with other like organisations they forecast a straight line in terms of departures, however, this Council experienced a curved line as some staff left due to the transformation and some for other reasons. This resulted in a more rapid reduction than anticipated.
- That senior management direction was impacted by a number of issues as outlined in the report. Given that the same senior officer was responsible for both the local elections, as Returning Officer, and the production of the Statement of Accounts, as Director of Resources, had a major impact on delivery of the accounts. This was further compounded by the departure of said member of staff as detailed in the report. In order to prevent a re-occurrence, the Council would ensure the Director of Resources post is supported by an experienced deputy Section 151 Officer. In addition, since September 2019, the Director of Resources role had been separated from the Returning Officer role which would also preclude the same situation re-occurring. The Returning Officer role was now under the remit of the Director of Strategy, Performance and Governance.
- That all actions identified in the report were already in hand and being actioned by the Tier 2 Managers in liaison with Finance Specialists. All roles, responsibilities and timescales were clearly delineated in the timetable at appendix 2 to ensure the process remained on track for the production of a set of accounts by 31 May 2020. Any deviation from this would be covered by decisive urgent action on the part of the Director of Resources to bring it back on track.
- That the content of both appendices made it clear to officers the focus must be on production of working papers in advance, thereby precluding auditors the opportunity of adding more time to their charges. However, it was also noted that the working papers this time round were the same as previous years, but the auditors were new to the process. This would always be an issue as the Council cannot legislate for who the auditors appoint in their respective team (s).
- That knowledge and experience had been built back up within the finance team. In respect of treasury management, staff were following the operational guidance agreed by Council in February 2019 whereby qualified officers (a qualified accountant), would identify where an investment deposit could be made, with the final decision taken by the Section 151 Officer. The appropriate processes were now in place and the clean audit opinion corroborated that. It may now be timely to look at the financial accounting system in use. It was noted that SAGE 200 reporting was onerous in that information had to be downloaded into excel for reporting purposes. A system with inbuilt reporting

tools that allowed reports provided directly from the system, cutting out the unwieldy excel process, would be more efficient, particularly now the Council was operating with leaner teams.

- Finally, it was noted that since the abolition of the audit commission the Council, along with councils nationally, opted into the Public Sector Audit Appointments Ltd company to appoint their own auditors on a three yearly cycle. By opting in it saved the council expensive procurement costs on a three year cycle.

The Chairman thanked the Interim Section 151 Officer for the report and input from Members. She then put the recommendation to the committee and it was agreed.

RESOLVED that the Committee considered and noted the reasons for the issues identified by the external auditor in the 2018/19 audit of accounts, actions taken by the Interim Section 151 Officer as set out in section 3 of the report and appendix 1 and appendix 2 and the risks as identified in paragraph 3.5.

821. INTERNAL AUDIT REPORTS - PROGRESS, IT DISASTER RECOVERY AND KEY FINANCIAL SYSTEMS

The Committee considered the report of the Interim Section 151 Officer covering three reports from BDO LLP, the Council's internal audit service provider. The reports were titled:- Internal Audit Progress Report February 2020 at appendix 1; IT Disaster Recovery – Final Report at appendix 2; and Main Financial Systems (Accounts Payable, Accounts Receivable, Expenses) – Final Report at appendix 3.

The Chairman introduced the Internal Audit reports and deferred to the BDO Partner, Mr Greg Rubins, to present the first report, namely the Progress Report.

He advised that the report covered the progress against the audit plan 2019/20 and explained the four assurance levels used by internal audit on each of the audits. He said that there were two other reports currently in draft covering Workforce Management and Network Security scheduled for the next committee and that the two reports under this agenda item today would be presented by the Internal Audit Manager, Ms Emma Donnelly.

In response to a query regarding items in the plan being deferred to 2020 he advised that these were in response to requests for deferment by officers who felt that reporting them in 2020 would be more useful.

The Internal Audit Manager then took the Committee through the IT Disaster Recovery report. She advised that it was part limited on assurance at the time of the audit which was a direct result of not having a testing schedule in place. Members were reassured that the Business Impact Assessment and the Business Continuity Plan were now fully documented. In addition, the outstanding testing schedule at the time of the audit had now been set up with a test scheduled for 29 February 2020. The recommendations were all on track due for implementation by the end of March 2020.

Concerns were raised around areas colour coded red and whether appropriate risk assessments had taken place prior to adoption of the transformation programme. The

Director of Strategy, Performance and Governance, noting that the testing schedule was key to IT disaster recovery, advised that once this had been flagged by internal audit the speed with which staff were able to respond and put a schedule in place demonstrated that a lot of work had already been undertaken and that staff took the issue very seriously. In terms of risk assessment, he informed the Committee that the Ignite Blueprint for Transformation, available to all Members on the I:\ Drive, included a risk assessment. It was agreed that the risk assessment would be circulated to all Members following the meeting.

In summary it was noted that the new server should mitigate these issues going forward, that the Council took IT issues very seriously, it was accepted that some areas required improvement and others work completed. The Chairman asked when this issue would be reported back to the Committee and the Audit Manager advised that it would be covered at the next Performance, Governance and Audit Committee (PGA) under the Follow-up of Recommendations report.

The Audit Manager then took the Committee through the Main Financial Systems report looking at accounts payable, accounts receivable, expenses, including Members' expenses. Within the aforementioned areas she highlighted good practice together with areas where there were weaknesses in terms of reporting controls and policies.

The Interim Section 151 Officer and the Audit Manager, addressing areas of concern raised in the report and from Members, advised the following:-

- That the Sundry Debtor Policy and Procedure had been revised, this was an operational document underpinning the Corporate Debt Strategy approved by Council in November 2019. It had been circulated to the Tier 2 Manager responsible for the accounts receivable function as an accounting instruction from the Interim Section 151 Officer. The revised policy did not need committee approval as it operated via an instruction from the Section 151 Officer and had already been actioned.
- That delivery of debt recovery actions and staff training on the system were adversely impacted by the transition from the old structure to the new. Debt recovery actions have now commenced, based on information from the Debt Recovery Agency.
- That the council decided not to pursue receipts for fuel as this was not cost effective to administer, however, all staff and Members were required to complete a mileage form.
- That all write-offs were undertaken in accordance with the Council's Financial regulations, procedure rules and scheme of delegation in accordance with the Constitution. Anything above £20,000 was referred to the Strategy and Resources Committee for approval, nothing was written off by officers. Debt recovery action was now in hand and would form part of the handover to the Interim Director of Resources to address in accordance with the Council's constitution.
- That it was not the role of internal audit to undertake risk assessments on the part of the Council. However, it was important to note that in previous years all areas were generally very well controlled. This was the first year with significant

issues reported and in terms of senior management this was a moving picture throughout the year, impacted by a resignation.

- That the budget underspend had already been reported to the Finance and Corporate Services Committee on 24 September 2019 (now Strategy and resources Committee) in an outturn report. This was the result of a host of issues, principally the budget for 2018/19 was set under the old structure and the impact of transformation changes resulted in the large underspend. It was suggested that Members revisit the outturn report which can be found under this link:- 10 Financial Outturn 2018-19.docx
- That all outstanding items would be reported back to Committee as appropriate through the Follow-up of Recommendations report.
- That urgent action had already been taken to put in place an operational procedure around supplier issues. From now all changes to suppliers' bank accounts, address details, names or new suppliers were followed up through independent checks by the Financial Resources section via email or direct contact, in order to confirm suppliers were bona-fide.

With reference to the Members Expenses' claim form both Councillor Fluker and Councillor Mrs Channer suggested that a form, similar to that at Essex County Council be adopted, using a start and finish postcode to calculate journeys. This to be introduced by April 2020, accompanied by clear guidance on completion. It was felt that this would mitigate the issues raised in the report.

In addition, Councillor Fluker, addressing the issue of write-offs proposed that the Director of Strategy, Performance and Governance bring a report to the Strategy and Resources Committee on 'Aged Debtors'. This was agreed.

There being no further queries the Chairman then put the recommendations to the Committee and they were agreed

RESOLVED that the Committee considered, commented and approved the following:

- (i) Internal Audit Progress Report February 2020 at appendix 1;
- (ii) IT Disaster Recovery – Final Report at appendix 2;
- (iii) Key Financial Systems (Accounts Payable, Accounts Receivable, Expenses) – Final Report at appendix 3.

822. INTERNAL AUDIT FOLLOW-UP OF RECOMMENDATIONS REPORT - FEBRUARY 2020

The Committee considered the report of the Interim Section 151 Officer covering the Internal Audit Follow-up of Recommendations report that provided an overall update of Audit actions, including both open and closed actions, and those recommended and

approved by BDO and Maldon District Council (MDC) staff for removal, at appendix 1 to the report.

The Chairman introduced the report and deferred to the Interim Section 151 Officer to cover the key issues before handing over to the Internal Audit Partner.

The Interim Section 151 Officer drew Members' attention to page 80, the section titled new superseded/closed actions. He reminded Members that this section followed on from a report 'Historic Audit Actions' that was previously deferred by the committee. This was part of a necessary housekeeping exercise and both the internal auditors and internal officers confirmed the original recommendation was either out of date or being picked up in other ways. The aim was to result in a coherent list of outstanding actions that Members could follow through and decide how they were delivered.

The Internal Audit Partner reiterated that the report outlined the current situation as explained by the Section 151 Officer, namely where recommendations were closed and where they were superseded. He said this was a sensible piece of work in light of all the changes that had taken place and that internal audit would continue to follow up on recommendations, focusing on the risk and best approach under the Council's new structure. In response to a query regarding the way work was categorised in the report the Internal Audit Partner said that BDO was looking at introducing less complicated reporting mechanisms.

The Interim Section 151 Officer, in response to a query around work outstanding in respect of fraud advised that within the authority this area was the responsibility of the Section 151 Officer and that work was now in hand. All areas where the Council's Anti-Fraud and Corruption Strategy impacted had been identified. In order to raise awareness of anti-fraud and corruption risk, key documents had been shared with Tier 2 Managers who in turn cascaded the information to their respective service managers and officers. This was also on the agenda for both the Extended Leadership Team (ELT) meetings that included the Corporate Leadership Team (CLT) and Tier 2 Managers.

He reassured Members that considerable work had already been undertaken in this area as a result of previous audits where weaknesses had been identified and actioned:- understanding collusion, pricing cartels, accounts payable and additional checks around changes in suppliers which in turn addressed anti-fraud/corruption activity. He clarified that the reference to a substantive piece of work in the report related to constitutional changes reflecting where the responsibility lay for this area of work in the scheme of delegation, namely with the Section 151 Officer. This, together with other constitutional changes would be reported back to Committee for recommendation to Council.

In addition, he reported that the Section 151 Officer would be supported by a member of staff responsible for embedding awareness of the potential risks. That work and necessary action around this area would require a corporate approach, led by the Section 151 Officer with input from Human Resources, the Strategy, Performance and Governance Directorate etc. to ensure a comprehensive programme of periodic awareness was in place, including training programmes for new and existing staff together with regular review of document processes and procedures.

He concluded that the Council was actively addressing and monitoring how it might be defrauded, how to avoid fraud and embed an understanding of fraud risks across the Council, as issues of this nature remained live.

There being no further questions the Chairman put the recommendations to the Committee and they were agreed.

RESOLVED

- (i) That the Members reviewed the audit actions update, including removal of audit actions which have been addressed and delivered in other ways operationally, or are no longer relevant and approved the current list;
- (ii) That Members reviewed this report bearing in mind the future internal audit plan and are reassured that actions will continue to be reviewed as part of our internal audit process;
- (iii) That this report is provided quarterly in order to monitor internal audit actions going forwards;
- (iv) The progress report on the implementation of the Committee's resolution as set out in section 3.6 of this report be noted including appendix 2.

823. INTERNAL AUDIT - DRAFT STRATEGIC PLAN 2018/19 - 2020/21 AND DRAFT ANNUAL AUDIT PLAN 2020/21

The Committee considered the report of the Interim Section 151 Officer and Internal Audit that sought approval of the Draft Internal Audit Strategic Plan 2018/19 -2020/21 and the 2020/21 Operational Plan attached as appendix 1 to this report.

The Chairman introduced the report and then deferred to the Interim Section 151 Officer. He advised the Committee that some of the items identified in the superseded section of the *Follow-up of Recommendations* report were likely to be re-assessed in future audits that were already identified in the proposed Internal Audit Draft Annual Plan on pages 106-107 namely audits on:- *Flood Management and Information Management*.

The Internal Audit Partner then took the Committee through the report reminding Members that it was based on the highest risks on the Council's risk register. He said there were audits going forward that alluded to transformation but were more granular in detail e.g. *Customer Service and Communications*, *Workforce* etc. There was also an audit on the new corporate plan and strategy and how that flowed through into detailed objectives and performance reporting. Internal audit work would continue on the usual audits around *Main Financial Systems* etc.

There being no further issues raised the Chairman put the recommendation to the Committee and it was agreed.

RESOLVED that the indicative internal audit plan covering the draft internal audit strategic plan 2018/19 -2020/21 and 2020/21 draft annual audit plan be approved, attached at appendix 1.

824. QUARTERLY REVIEW OF CORPORATE RISK REPORT (Q3)

The Committee considered the report of the Director of Strategy, Performance and Governance that required the Committee to undertake a quarterly review of the Corporate Risk Register as assurance that the corporate risks were being managed effectively. Appendix 1 was attached to the report for this purpose.

The Chairman introduced the report and deferred to the Programmes, Performance and Governance Manager to take the Committee through the report.

The Programmes, Performance and Governance Manager reminded the Committee that as a result of the new corporate risk management strategy agreed in November 2019 all scores had been revised to a 5:5 scoring scale. Appendix 1 detailed the risk scoring criteria and, that based on its contents the risk 'Poor Financial Accounting' would be titled 'Financial Resource and Process Issues' in future reports. It was noted that the risk score on the following three risks had been lowered:- *R4 Failure to influence Community Safety Partners to address the key areas of public concern (including rural crime) and the negative perception of crime; R22 Contracts not managed or owned and not providing Value for Money, out of contract on many across Council. Procurement process not adhered to resulting in fines, loss of reputation and R6; Failure to have a clear shared plan regarding strategic ownership of coastal, fluvial and surface flood mitigation and long term maintenance responsibilities.*

There being no issues raised the Chairman put the recommendations to the Committee and they were agreed.

RESOLVED

- (i) Members noted the change in scoring in this report, to reflect recent policy updates;
- (ii) Members reviewed the Corporate Risk Register in appendix 1 and provided comment and feedback for consideration;
- (iii) Members were assured through this review that corporate risk was being managed effectively;
- (iv) Members challenged risk where the Committee felt that the Council's corporate goals may not be achieved.

825. QUARTERLY REVIEW OF CORPORATE PERFORMANCE (Q3)

The Committee considered the report of the Director of Strategy, Performance and Governance that required the committee to undertake a quarterly review of the Thematic Strategy's performance, as assurance that performance was being managed effectively to achieve the Corporate outcomes, and where necessary make consensus suggestion of improvement. Appendix 1 to the report provided the first view of performance as of the end of Quarter 3 (31 December 2019). Online versions were available to view on the Members SharePoint site using the following link: [Corporate Performance Report](#)

The Chairman introduced the report and deferred the detail to the Programmes, Performance and Governance Manager.

She took the Committee through the report that highlighted performance progress against the corporate outcomes, as outlined in the corporate plan. It was noted that the areas of concern detailed in appendix 1 were highlighted in amber or red colour.

Addressing performance against the Council's three Thematic Strategies she reported that there were no initial concerns in relation to the Community theme, however in the Place theme there were concerns around the maintenance of open places. With reference to the Prosperity theme there were no initial concerns but there were gaps in data and these would be addressed by quarter 4.

A query was raised regarding the community theme, in particular the area D) 'Support health and wellbeing - priority: Older peoples' health. The Programmes, Performance and Governance Manager explained that this activity was at the supporting plan level. There were plans and areas reported as amber within the three strategies, however the overall measure for the strategy would still be on track due to the impact of other ongoing work. She then drew Members' attention to the high level outcome for the three strategic themes on pages 132,136 and 142 that provided an overview of how the Council was performing.

There being no further issues raised the Chairman put the recommendations to the Committee and they were agreed.

RESOLVED

- (i) Members reviewed the information as set out in this report and appendix 1 with priority focus given to the Strategic Outcome level performance;
- (ii) Members were assured through this review that corporate performance was being managed effectively;
- (iii) Members challenged the performance where the Committee felt that the Council's corporate goals may not be achieved;
- (iv) Members questioned Members and Officers on decisions and performance, relating to comparisons with the Corporate Plan outcomes or in respect of decisions, initiatives or projects.

826. ANNUAL REVIEW OF FINANCIAL REGULATION AND CONTRACT PROCEDURE RULES

The Committee received a verbal update on Annual Review of Financial Regulation and Contract Procedure Rules. The Chairman introduced the item and deferred to the Interim Section 151 Officer for the update.

The Interim Section 151 Officer reported that as a result of transformation and the new committee structure the financial regulations, contract procedure rules, standing orders and scheme of delegation were now out of date and needed to be aligned to the new Council structure. This would be covered in a handover to the new Interim Director of

Resources to take forward. A report would then come back to this committee for recommendation to Council.

RESOLVED that a report on this issue be brought back to committee for recommendation to Council.

827. CORPORATE HEALTH AND SAFETY (Q3)

The Committee considered the report of the Director of Service Delivery that provided an update on corporate health and safety activity from 1 October to 31 December 2019 (quarter three) together with the health and safety action plan for 2019-20.

The Chairman introduced the report and deferred to the Director of Service Delivery to take the Committee through the report.

The Director of Service Delivery highlighted the incident/ accidents that had taken place. There were five incidents of unacceptable behaviour by members of the public. The areas effected were within customer services, environmental health and planning enforcement respectively. It was noted that quarter three had been a particularly busy time in the organisation therefore less progress had been made regarding the action plan. However there had been specific progress within customer solutions and conflict management.

He advised Members that all recommendations following the Health and Safety Executive (HSE) visit to Promenade Park had been completed and following a revisit by HSE all work had been approved. That prior to the initial visit by HSE a health & safety review had been undertaken and all was now in order for the new season. In addition, first aid arrangements were being updated across the organisation.

In response to a query regarding a lack of response to emails the Director of Service Delivery said he would liaise with staff and ensure a prompt response system was in place. He further advised that health & safety was a standing agenda item for this Committee and would be reported back as appropriate.

There being no further issues raised the Chairman put the recommendations to the Committee and they were agreed.

RESOLVED that the following was noted:-

- (i) accident and incident statistics for the quarter;
- (ii) progress with the health and safety action plan 2019/20;
- (iii) information pertaining to corporate health and safety matters.

828. SECTION 106 UPDATE

The Committee received a verbal update on Section 106 from the Director of Strategy, Performance and Governance as follows:-

- That Stephen Andrews had been appointed to the s106 Officer role as of 27 January 2020, on a permanent basis.
- There were no new reporting requirements for the income and expenditures from s106 set out in the National Planning Policy Framework (NPPF) 2019. It required a report on income, outgoings and banked holdings in the year April 2019 to March 2020. In this light the s106 Officer had been asked to undertake the following key tasks in preparation for the reporting date in December 2020.
 1. A comprehensive review of the Council's existing spreadsheets and the necessary monitoring visits to ensure the records were up to date.
 2. To ensure these findings were reconciled with the finance department records for s106.
 3. To carry out a review of the Maldon District Council's (MDC) business processes related to the gathering and expenditure of s106 funding.
 4. To improve partnership working with s106 recipient organisations to ensure, where appropriate, better collaboration and information sharing.
 5. To maintain the day to day running of the process and to deal with s106 related issues as they arise.

The s106 Officer had also been asked to prepare advice on making the s106 system more robust for any future periods of change and thus less dependent on individual post holders. The system should become more easily understood and accessible e.g. via a web site page. This will help the system to be more transparent in its working and more readily accountable to Developers, Members and the Public alike.

In taking these steps Officers believe they offer the best means of ensuring a smooth transition into the future period when s106 funding was being brought in at the same time as the Community Infrastructure Levy.

- The s106 accounts were last presented in October 2019 and there had been little income since then. Two health payments have been sought recently (based on house sales trigger points) and we are awaiting income. A single payment of £7,500 has been made to the NHS in terms of delivering s106.
- Training – the Section 106 Officer was also helping to broaden knowledge of the s106 processes among MDC staff and had provided a staff training session ensuring a sound baseline of understanding. Further sessions will be made available on request. If it would be found helpful a session of up to an hour could be made available to Members.

It was requested that the s106 Officer review all previous s106 decisions emanating from committee minutes, in particular the former Planning and Licensing Committee. It was further agreed that the verbal update be reflected fully in the minutes and circulated to committee members following the meeting.

RESOLVED that an update report be brought to the April 2020 meeting of the committee.

829. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COMMITTEE DECIDES ARE URGENT

In accordance with the Council decision (minute No. 542) the Chairman drew the Committee's attention to the report for noting, the Annual Audit Letter 2018/19, which was also available on the I:Drive. It was agreed that this be circulated to the committee following the meeting.

The Chairman then extended sincere thanks on behalf of herself and the Committee to the Interim Section 151 Officer for all the work he had done and wished him all the best for the future. Councillor Mrs Channer also thanked him for his informed clear responses and his openness and transparency.

The Interim Section Section 151 Officer thanked all for the kind words. He said that whilst it had been a challenging seven months it had also been satisfying.

There being no further items of business the meeting closed at 9:20pm.

E L BAMFORD
CHAIRMAN



REPORT of DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE

**to
COUNCIL
28 MAY 2020**

REMOTE COMMITTEE MEETINGS AT MALDON DISTRICT COUNCIL

1. PURPOSE OF THE REPORT

- 1.1 To review the procedures and arrangements for remote Committee meetings at Maldon District Council.

2. RECOMMENDATIONS

- (i) That Members advise items they would like considered at Working Groups / areas they consider to be urgent business;
- (ii) That Members agree to review remote working arrangements in August 2020, ahead of the Statutory Annual meeting, allowing time to assess the way they work, and that this is based on a report of the Corporate Governance Working Group;
- (iii) That Members review a recommended start date for all Committees remotely from 5 October 2020.

3. SUMMARY OF KEY ISSUES

- 3.1 A report was considered by the COVID-19 Interim Measures Group (COVID-19 Group) to agree procedures as part of virtual committee's instatement at Maldon District Council and the report and associated documents (as amended by the COVID-19 Group) are attached at **APPENDIX A**.
- 3.2 Based on discussion of the COVID-19 Group, a Statutory Annual meeting of the Council has been scheduled to take place remotely on Thursday 3 September 2020. Based on appointments and Committee membership being agreed at that meeting, it is proposed to schedule all Council and Committee meetings to re-start from 5 October 2020.
- 3.3 As new processes allow for a streamlining of reports, Members will be invited to review frequency and size of the Committee meetings, as well as which meetings should be re-instated remotely in August ahead of the Statutory Annual meeting.

- 3.4 As this report is being considered at the first remote meeting of the Council, it is recommended that an additional paper be considered at the Council meeting on 6 August 2020 to include a report by the Corporate Governance Working Group.
- 3.5 The COVID-19 Group also requested that live public participation be implemented as soon as possible. The online form that has been currently implemented allows the public to submit questions / comments to be read and responded to. The officer team working on the technology for remote Committees are reviewing the options and risks around this and will action as soon as practicable looking to provide a solution as part of the August review, at the very latest.
- 3.6 The COVID-19 Group resolved that Area Planning Committees be reinstated at their meeting of 13 May 2020. These have now been included in the schedule for remote Committees and will start from 8 June 2020.

4. CONCLUSION

- 4.1 **APPENDIX A** sets out the agreed procedure for remote meetings for Member review, and the recommendations and information is given to propose an approach to review and improve the implementation of remote Committees.

5. IMPACT ON STRATEGIC THEMES

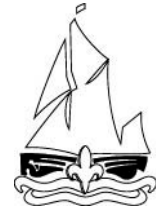
- 5.1 Enables democracy to take place and be publicly viewable.

6. IMPLICATIONS

- (i) **Impact on Customers** – Enables the elected representatives to participate in the democratic process and for the public to observe democracy.
- (i) **Impact on Equalities** – None.
- (ii) **Impact on Risk** – None.
- (iii) **Impact on Resources (financial)** – None.
- (iv) **Impact on Resources (human)** – None.
- (v) **Impact on the Environment** – None.
- (vi) **Impact on Strengthening Communities** – Enables the elected representatives to participate in the democratic process and for the public to observe democracy.

Background Papers: None.

Enquiries to: Paul Dodson, Director of Strategy, Performance and Governance.



REPORT of MONITORING OFFICER

to
COVID-19 INTERIM MEASURES GROUP
13 MAY 2020

AMENDMENT OF RULES OF PROCEDURE FOR COUNCIL AND COMMITTEES AND PROTOCOL ON PUBLIC PARTICIPATION

1. PURPOSE OF THE REPORT

- 1.1 To enable remote meetings to take place by amendments to the Rules of Procedure for Council and Committees and the Protocol on Public Participation.

2. RECOMMENDATIONS

- (i) that the amendments shown in **APPENDIX 1** to the Rules of Procedure for Council and Committees and the Protocol on Public Participation at Council and Committee meetings shall be made.
- (ii) that the Remote Meeting Protocol as a procedural document (**APPENDIX 2**) be adopted;
- (iii) that the virtual meetings schedule at **APPENDIX 3** be adopted, and resolve that this replaces the existing committees schedule until a decision is made to reinstate Committees fully.
- (iv) that that the Council recommences remote Area Planning Committee meetings, as soon as practicably possible and the virtual meetings schedule be updated accordingly.
- (v) that public speaking at Committee meetings of the Council, starting with Planning Committees, is reinstated as soon as practicably possible.

3. SUMMARY OF KEY ISSUES

- 3.1 The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020 came into effect on 4 April 2020. These enable the District Council to resume transaction of business by Council and Committee meetings remotely using technology. Microsoft Teams has been introduced recently and is available to officers and members. A protocol for use of the technology and how to conduct a remote meeting will be produced later.

- 3.2 The Rules of Procedure for Council and Committees, which form part of the Constitution, require amendment to be compatible with the 2020 Regulations. Notably Rule 13 has been changed to allow voting to take place electronically or by roll call. A vote by a show of hands would not be possible for those members unable to use their cameras. In Rule 8 I have added a new rule 8 (18) making it clear that the Chairman can mute microphones whenever s/he feels appropriate. Furthermore, to avoid complications with the technological challenges there should be no spoken public participation at remote meetings. Public participation will be in writing and there will be no obligation on the Chairman for any written view to be read out because there may be too many especially in relation to planning applications. This should not be confused with removing the statutory right of the public to remotely attend meetings. This right is preserved by the 2020 Regulations and the amendment to the Protocol is limited only to public participation at meetings.
- 3.3 To identify more detail within how the virtual committee meetings will run, a procedural document has been put together, and is presented in **APPENDIX 2**. This is in line with what other Councils are doing and guidance from central government. It gives the detail of how virtual meetings will work, specific to the technology we have at Maldon District Council.

4. CONCLUSION

- 4.1 The constitutional amendments set out in **APPENDIX 1** allow the Council to benefit from the new Regulations in the spirit of flexibility introduced by the Government but also take account of the challenges.
- 4.2 Further operational guidance and protocols for members are outlined in **APPENDIX 2**, which is designed to sit alongside the constitution of Maldon District Council.
- 4.3 A schedule of meetings has been attached within **APPENDIX 3** and this schedule although currently drafted to October, will replace the existing committee schedule whilst the virtual committee meetings are in place as agreed by the Interim Measures Group.

5. IMPACT ON STRATEGIC THEMES

- 5.1 Enables democracy to be seen to take place.

6. IMPLICATIONS

- (i) **Impact on Customers** – Enables the elected representatives to participate in the democratic process and for the public to observe democracy.
- (i) **Impact on Equalities** – None.
- (ii) **Impact on Risk** – None.
- (iii) **Impact on Resources (financial)** – None.

- (iv) **Impact on Resources (human)** – None.
- (v) **Impact on the Environment** –None.
- (vi) **Impact on Strengthening Communities** – Enables the elected representatives to participate in the democratic process and for the public to observe democracy.

Background Papers:

The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020

Enquiries to: Simon Quelch, Monitoring Officer, (Tel 01621 854477).

AMENDMENTS TO PROCEDURE RULES FOR COUNCIL AND COMMITTEES

Rule 4 – Notices of Motion

- (1) Notice of every motion, other than a motion which under Rule 5 may be moved without notice, shall be given in writing and signed or sent by email from a Maldon District Council Member email address, by the Member intending to move the motion and by a seconder and shall reach the Programmes, Performance and Governance Manager before 10.30 a.m. on the Wednesday in the week preceding the week in which the Council meeting is held.

Rule 8 – Rules of Debate for Council Meetings

Motions and Amendments:

- (1) A motion or amendment shall not be discussed apart from the opening speech of the proposer unless it has been proposed and seconded, and unless notice has already been given in accordance with Rule 4 it shall, if required by the Chairman, be put into writing and handed to the Chairman, unless in a remote meeting, before it is further discussed or put to the meeting.

Only one Member to stand at a time:

- (3) A Member when speaking shall stand and address the Chairman. If two or more Members rise, the Chairman shall call on one to speak; the other or others shall then sit. While a Member is speaking the other Members shall remain seated, unless rising to a point of order or in personal explanation. This sub-rule shall not apply in a remote meeting.

Points of Order

- (14) A Member may rise, -on a point of order or in personal explanation and shall be entitled to be heard forthwith. In a remote meeting a member may indicate he wishes to raise a point of order or give a personal explanation by stating he wishes to do so and shall likewise be heard forthwith.
 - (a) A point of order shall relate only to an alleged breach of a Rule of Procedure or statutory provision and the Member shall specify the Rule of Procedure or statutory provision and the way in which he considers it has been broken.
 - (b) A personal explanation shall be confined to some material part of a former speech by him which may appear to have been misunderstood in the present debate.

Respect for Chairman:

- (16) Whenever the Chairman rises during a debate a Member then standing shall resume his seat and the Council shall be silent. In a remote meeting when the Chairman declares that he requires silence then any member speaking at that moment shall immediately become silent

Application to Committees and Sub-Committees: Remote Meetings:

(18) In a remote meeting the Chairman shall have in his absolute discretion the right to temporarily mute the microphone of any member at any time for the sake of the proper and efficient running of the meeting and the transaction of business

Rule 11 – Disturbance by the Public

If a member of the public interrupts the proceedings at any meeting the Chairman shall warn him. If he continues the interruption the Chairman shall order his removal from the Council Chamber or in the case of a remote meeting require that s/he can no longer have access to the meeting. In case of general disturbance in any part of the Chamber open to the public the Chairman shall order that part to be cleared.

Rule 13 - VotingMeetings:

(1) Any item of business will be decided by a simple majority of those Members voting and present ~~in the room~~ at the time the question was put. If a Member has not been present at the meeting for the whole of the consideration of a planning application or related matter, or has not undergone fundamental induction training once such a programme has been introduced he / she shall not vote on the matter. In the case of a remote meeting the following shall apply:

(a) A Member in remote attendance is present and attends the meeting, including for the purposes of the meeting's quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:

- (i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other Members in attendance.
- (ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and
- (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.

(b) A Member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in (a) above are not met. In such circumstance the Chair may, as they deem appropriate;

- (i) adjourn the meeting for a short period to permit the conditions for remote attendance of a Member contained in (a) above to be reestablished;
- (ii) count the number of Members in attendance for the purposes of the quorum; or

(iii) continue to transact the remaining business of the meeting in the absence of the Member in remote attendance.

(2) If there are equal numbers of votes for and against, the Chairman will have a second or casting vote. There will be no restriction on how the Chairman chooses to exercise a casting vote.

(3) (i) The mode of voting at meetings of the Council, Committees and Sub-Committees shall be by a show of hands, or if there is no dissent, by affirmation of the meeting: Provided that on the requisition of any Member of the Council made before the vote is taken and supported by one other Member who signifies his support the voting on any question shall be by roll-call and shall be recorded so as to show how each Member present and voting gave his vote. The name of any Member present and not voting shall also be recorded.

(ii) In a remote meeting the Chairman will call for a vote by the use of an electronic voting system for remote voting or by roll-call and the number of votes for or against or abstentions will be recorded unless there is no dissent in which case it will be by general affirmation of the meeting.

(4) Where any Member requests it immediately after a vote ~~by a show of hands is taken~~, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

Rule 14 – Record of Attendances

Every Member of the Council attending a meeting of the Council, or of any of its Committees of which he is a Member, shall sign his name in the attendance book or sheet provided for that purpose or in a remote meeting his name shall be recorded.

Rule 15 – Disclosure of Interests

If a Member has a Discloseable Pecuniary, Other Registrable Pecuniary or Non-pecuniary Interest as defined by the Council's Code of Member Conduct then that interest must be disclosed and where that interest is a Disclosable or Other Registrable Pecuniary one as defined in the Code the Member shall not only disclose it but then withdraw from the meeting (in a remote meeting this will require the remote access to be severed for the particular Member and then reconnected on the conclusion of that item of the agenda) while the business to be transacted is under consideration (unless formal dispensation has been granted).

AMENDMENT TO PROTOCOL ON PUBLIC QUESTION TIME AND PARTICIPATION
AT COUNCIL AND COMMITTEE MEETINGS

In relation to Council meetings:

A period of two minutes will be allowed for the reading of each question (by the questioner if present but not in the case of remote meeting) and the response.

At the end of the document the following shall be added:

“Remote Meetings

In relation to meetings of the Strategy and Resources, Performance, Governance and Audit, Licensing, Overview and Scrutiny, District Planning and Area Planning Committees that are held remotely the references to expressing a view can be done only in writing providing it is received by the Programmes and Performance and Governance Manager by noon on the working day preceding the meeting. No written view shall take longer than 2 minutes to be read nor is there any obligation on the Chairman to allow the reading of any or all of them”

Please note - This is a working document, that will be updated as additional technology updates became available



MALDON DISTRICT COUNCIL

Remote Meeting Protocol

May 2020

1. INTRODUCTION AND APPLICATION OF THE REMOTE MEETINGS PROCEDURE RULES

- 1.1. This Protocol and accompanying Procedure Rules provide the means and guidance for the conduct of any remote meeting of the Council, and its various Committees and Sub-Committees, held under the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 ('the Regulations').
- 1.2. This Protocol and Procedure Rules should be read in conjunction with the Council Standing Orders and Procedure Rules within the Council's Constitution. The Regulations, made under section 78 of the Coronavirus Act 2020, apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Authority governing meetings and remain valid until 7 May 2021. This means that, wherever there is a conflict, these Remote Meetings Procedure Rules take precedence in relation to any remote meeting.
- 1.3. Meetings of the Council / Committees will take place using the Microsoft Teams software platform. Committee Services will prepare a detailed briefing note for the Chairman to manage the meeting electronically.

2. NOTICE OF MEETING AND PAPERS

- 2.1 A revised committee schedule will be issued, in accordance with the decision made by the COVID-19 Interim Measures Group on 29 April 2020, that Council and the District Planning Committee meetings be reinstated monthly.
- 2.1. The Regulations enable the Council to hold meetings without all, or any, of the members being physically present in a room. They allow for remote meetings through electronic and digital means at virtual locations using video and telephone conferencing, live webcast and live interactive streaming.
- 2.2. The Proper Officer will give the requisite notice to the public of the time of the meeting, and the Agenda, together with details of how to join the meeting which will be available on the Council's website www.maldon.gov.uk.
- 2.3. Members will be notified of a remote meeting by email and all agenda papers will be available on the Council's website and via the Modern.Gov app as relevant or other electronic means as appropriate.
- 2.4. The "place" at which the meeting may be held may be a council building, or where the organiser of the meeting is located, or an electronic, digital or virtual location, a web address or a conference call telephone number or could be a number of these combined.

3. REMOTE ACCESS TO MEETINGS

- 3.1. Councillors and members of the press and public will be encouraged to use any video conferencing facilities provided by the Council to attend a meeting remotely.
- 3.2. If this is not possible, attendance may be through an audio link to view or by electronic means as referred to in Regulation 5(6)(c) of the Regulations.
- 3.3. Remote access for members of the public and Members who are not attending to participate in the meeting together with press facilities, will be provided through webcasting, live audio streaming, or others means.
- 3.4. If technology fails for a wholly remote meeting, and the meeting is no longer open to the public, any decisions made could be challenged as unlawful. In this case, the chair would postpone the meeting, until technology issues are resolved.

4. MANAGEMENT OF REMOTE MEETINGS FOR MEMBERS

- 4.1. Any Member participating in a meeting remotely, must when they are speaking, be able to be heard (and ideally seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other Members participating.
- 4.2. The Chairman will normally confirm at the outset and at any reconvening of a Committee meeting that they can see and hear all participating Members. Due to the number of Councillors present at a Council meeting, Members roll-called, and asked to switch their video on, and a brief pause given while the Chairman and Committee services collect this information. Any Member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can see and hear the proceedings and the other participants.
- 4.3. The attendance of those Members at the meeting will be recorded by the Committee Services Officer.
- 4.4. The quorum requirements for remote meetings will be as set out in the Council's Constitution.
- 4.5. In the event of any apparent failure of the video, telephone or conferencing connection, the Chairman should immediately determine if the meeting is still quorate:
 - if it is, then the business of the meeting will continue; or
 - if there is no quorum, then the meeting shall adjourn for a period specified by the Chairman, expected to be no more than ten or fifteen minutes, to allow the connection to be re-established.
- 4.6. Should any aspect of an individual's remote participation fail, the Chairman may call a short adjournment of up to five minutes to determine whether the connection can quickly be re-established, either by video technology or

telephone in the alternative. If the connection is not restored within that time, the meeting shall continue to deal with the business whilst this happens providing the meeting remains quorate and the public are able to hear.

- 4.7. In the event of connection failure, the remote Member(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those Member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item/s.
- 4.8. If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned at the point of re-establishment.
- 4.9. If a connection to a Member is lost during a regulatory meeting, the Chairman will stop the meeting to enable the connection to be restored. If the connection cannot be restored within five minutes, the meeting will proceed, but the Member who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.
- 4.10. Etiquette at the meeting is referred to further below.

5. PUBLIC PARTICIPATION

- 5.1. Public participation will continue, whereby members of the public are required to complete a Microsoft Form for the chair to review and read at the meeting. The form can be accessed at https://forms.office.com/Pages/ResponsePage.aspx?id=VH_RilQmuUumwvI0YlcqFJCd4KzoXBdDs1brNZU39TJUNkY5QzBXOVFSQzdBUIZIUk1VSjAxTjVRRy4u. This is in line with government advice.
- 5.2. In being able to access the meetings live, the public will still be given access to view the meetings.

6. MEETING PROCEDURES

- 6.1. A meeting facilitator, (who may be the Committee Services Officer but preferably this will be a separate additional officer), is ~~encouraged to be~~ enlisted; whose role it will be to control the video, telephone or conferencing technology employed for remote access and attendance and to administer Member interaction, engagement and connections on the instruction of the Chairman.
- 6.2. The Authority will endeavour to put in place a technological solution that will enable councillors participating in meetings remotely to indicate their wish to speak via this solution, replacing the physical practices or rules concerning raising one's hand or standing to be recognised or expressing a desire to speak.
- ~~6.3. In respect of Council and Committee meetings, it will assist the meeting if those Members who wish to speak on a particular item could indicate their wish to speak to the Chairman and to the Committee Services Officer in advance of the start of the meeting where possible. Political groups are also~~

~~encouraged to co-ordinate this activity where possible in respect of Council and other meetings likely to result in a high number of requests to speak. This is particularly important if councillors are unable to participate via video conference.~~

6.4.6.3. The Chairman will follow the rules set out in the Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.

6.5.6.4. The Chairman, at the beginning of the meeting, will explain the protocol for Member and public participation and the rules of debate. The Chairman's ruling during the debate will be final.

6.6.6.5. Members are asked to adhere to the following etiquette during remote attendance at a meeting:

- Committee Members are asked to join-connect to the meeting no later than fifteen minutes before the start to allow themselves and Committee Services the opportunity to test the equipment
- Any camera (video feed) should where possible show a non-descript background ~~or, where possible, a virtual background~~ and Members should be careful to not allow exempt, ~~or~~ confidential papers or any inappropriate material or images to be seen in the video-feed.
- Members should type their name on joining the meeting in full, i.e. "Cllr Joanne Smith" (where the technological solution employed by the authority enables this).
- At the start of the meeting, the Chairman ~~will~~may carry out a roll call of all Members present. Confirmation will be given by each Member switching their video on and unmuting their microphone to confirm they are present and turning video off and muting once confirmed.
- All Members to have their video turned off and microphones muted when not talking.
- Rather than raising one's hand or rising to be recognised or to speak, Members should avail themselves of the remote process for requesting to be heard:
 - [e.g., where available] Members are to use any chat facility to indicate to the Chairman that they wish to speak. Members will unmute their microphone and turn their cameras on when the Chairman invites them to speak. The chat facility must not be used for private conversations between councillors.
- Only speak when invited to by the Chairman.
- Only one person may speak at any one time.
- Turn on the microphone and also the video-feed (if available or unless speaking to a diagram, presentation slide or drawing), then state your name before you make a comment.
- When referring to a specific report, page, or slide, mention the report, page, or slide so that all Members have a clear understanding of what is being discussed at all times.

- The Chairman may also request Committee Services to mute or turn off cameras for attendees to assist with the smooth running of the meeting.
- All Members and Officers are reminded to disable smart speakers, for example Google assistant and Alexa during the meeting. This will avoid potential disruptions and background noise.
- Any Member returning after a disconnection is asked not to interrupt when returning to announce their return. Members can use the chat function to confirm this, if required.

6.7.6.6. When the Chairman is satisfied that there has been sufficient debate and (if the rules of the meeting require) there is a proposer and seconder for the item being discussed he/she will progress to a decision. Unless a Recorded Vote is called, the method of voting will be at the Chairman's discretion and will be by one of the following methods:

- The Chairman or an officer will call out the name of each Member present in alphabetical order with:
 - Members should unmute their microphone and state 'for', 'against', or 'abstain' to indicate their vote when their name is called, muting their microphone once their vote has been given;
 - the Committee Services Officer clearly stating the result of the vote and the Chairman then moving onto the next agenda item; or
- by the general assent of the meeting; or
- A Vote by electronic means.

6.8.6.7. Details of how Members voted will not be kept or minuted unless a Recorded Vote is called. Where a Recorded Vote is requested the Chairman will ask Members in turn to signify verbally whether or not they support that request (in accordance with the Council's Procedure rules).

7. DECLARATION OF INTERESTS

- 7.1. Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the Committee Services Officer who will invite the relevant Member by link, email or telephone, to re-join the meeting at the appropriate time.

8. EXCLUSION OF PUBLIC AND PRESS

- 8.1. There are times when council meetings are not open to the public, when confidential, or "exempt" issues (as defined in Schedule 12A of the Local Government Act 1972) are under consideration. Where the technology is available, the Committee Services Officer or meeting facilitator will ensure that there are no members of the public in remote attendance or remotely accessing the meeting are able to hear or see the proceedings once the exclusion has been agreed by the meeting.

- 8.2. Each Member in remote attendance must ensure ~~and verbally declare~~ that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.
- 8.3. Any Member in remote attendance who failed to disclose that there were in fact persons present who were not so entitled would be in breach of the Members' Code of Conduct responsibilities.

9. PUBLIC ACCESS TO MEETING DOCUMENTATION FOLLOWING THE MEETING

- 9.1. Members of the public may access minutes and other relevant documents through the Council's website. Requests for access to the list of background papers and other relevant documents should be by email or by post.

10. PETITIONS

- 10.1. During the Covid-19 crisis it will not be possible to accept paper petitions. An electronic petition will be acceptable provided it meets the requirements as set out in the Council's Petition Scheme. Should the Petition meet the criteria for presentation at a Council / Committee meeting, the member of the public submitting the petition will be invited to submit a speech in writing as there will be no opportunity to present the petition in person.

11. COUNCIL / COMMITTEE FORWARD PLAN / DECISIONS

- 11.1. The COVID-19 Interim Measures Group will consider the Forward Plans for all Committees and identify which key operational issues require referral to the Council. These operational issues will be graded, and determined according to the following:
- High importance – needs to be considered by the Council at the next meeting;
 - Medium importance – will be considered by the Council, but at a later date to be determined;
 - Low importance / no decision required – will not be taken to the Council, will either uploaded to the Modern.Gov document library or removed from the Forward Plan.
- 11.2. Monitoring or information items will not be considered and made available through the document library facility within Modern.Gov.

PLEASE NOTE: In line with the Regulations, this protocol is designed to provide a guide to remote formal meetings of the Council / its Committees during the COVID-19 crisis. This has been agreed by the COVID-19 Interim Measures Group and will be kept under regular review.

SCHEDULE OF REMOTE MEETINGS MAY – OCTOBER 2020

KEY:

CAC..... Central Area Planning Committee
COVID-19..... COVID-19 Interim Measures Group

DP District Planning Committee
NW North Western Area Planning Committee

SE South Eastern Area Planning Committee

Monday	4	6	8	3	13	2	17	1	21	6
Tuesday	5		9		14		18		22	
Wednesday	6		10		15		19		23	
Thursday	7		11		16 COUNCIL		20		24 DP (if required)	
Friday	8 BANK HOLIDAY (VE DAY)		12		17		21		25	
Monday	11	0	15	4	20	3	24	2	28	1
Tuesday	12		16		21		25		29	
Wednesday	13 COVID-19		17		22		26		30	
Thursday	14		18		23		27 DP (if required)		1 COUNCIL	
Friday	15		19		24		28		2	
Monday	18	0	22	5	27	4	31 BANK HOLIDAY	3	5	2
Tuesday	19		23 COUNCIL		28		1		6	
Wednesday	20 COVID-19 (NW & SE)		24		29		2		7	
Thursday	21		25 DP (if required)		30 DP (if required)		3 COUNCIL		8 DP	
Friday	22		26		31		4		9	
Monday	25 BANK HOLIDAY	1	29	6	3	5	7	4	12	3
Tuesday	26		30		4		8		13	
Wednesday	27		1		5		9		14	
Thursday	28 COVID-19 (CAC) if required COUNCIL		2		6 COUNCIL		10 DP		15	
Friday	29		3		7		11		16	
Monday	1	2	6	1	10	6	14	5	19	4
Tuesday	2		7		11		15		20	
Wednesday	3 DP		8		12		16		21	
Thursday	4		9 DP		13 DP		17		22 DP (if required)	
Friday	5		10		14		18		23	

No MDC Meetings (except planning)	MDC Council meetings	Bank Holiday	LGA Conference	School Holidays
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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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