PRESENT

Chairman Councillor Cllr Mrs P A Channer, CC
Vice-Chairman Councillor Cllr Mrs M E Thompson
Ex-Officio Member Councillor M F L Durham
Substitute Member Councillor I E Dobson

963. CHAIRMAN'S NOTICES

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

964. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor P G L Elliott and Miss M R Lewis. In accordance with notice duly given Councillor I E Dobson was attending as a substitute for Councillor Elliott.

965. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 14 January 2016, be approved and confirmed.

966. DISCLOSURE OF INTEREST

Councillor R G Boyce declared a non-pecuniary interest in the following items of business as a Member of Essex County Council.

• Agenda Item 6 – Economic Development Update
• Agenda Item 12 – Planning Policy Update
• Agenda Item 13 – Strategic Design Codes – South Maldon Garden Suburb
Councillor Mrs P A Channer declared a non-pecuniary interest in the following items of business as a Member of Essex County Council.

- Agenda Item 6 – Economic Development Update
- Agenda Item 8 – Bradwell Legacy Partnership – Terms of Reference and Project Opportunities 2016 / 17
- Agenda Item 10 - New Homes Bonus Grant Consultation
- Agenda Item 12 – Planning Policy Update
- Agenda Item 13 – Strategic Design Codes – South Maldon Garden Suburb
- Agenda Item 14 – Maldon District Council response to the Lower Thames Crossing Route consultation
- Agenda Item 15 - Maldon District Council response on National Infrastructure Commission Consultation
- Agenda Item 20 – Transfer of Land, Maldon. She advised that she had no direct financial interest in this item of business.

At this point in the meeting the Director of Planning and Regulatory Services introduced Mr Adrian Tofts, who had joined the Council in the role of Planning Policy Manager.

967. PUBLIC PARTICIPATION

There was none.

968. ECONOMIC DEVELOPMENT UPDATE

The Committee received the report of the Director of Planning and Regulatory Services on Economic Development. Economic Development works towards strengthening and encouraging development of the local economy. It had previously been agreed that a regular report would be submitted to this Committee to update Members and provide an opportunity for feedback and input.

In response to a question regarding work on the Chelmer and Blackwater Navigation, the Economic Development, Partnerships and Projects Manager advised that there had been a delay and outlined the reasons for this.

It was clarified that the European Union LEADER Programme related to projects put forward by businesses in the Maldon District and not the Council itself.

The Economic Development, Partnerships and Projects Manager advised that all businesses across the District were invited to attend the forthcoming Business to Business event and she would circulate further details with a link to the expressions of interest form.
RESOLVED that the contents of the report be noted.

Councillor S J Savage joined the meeting during this item of business.

### COAST COMMUNITY TEAMS

The Committee considered the report of the Director of Planning and Regulatory Services seeking Members’ endorsement of Economic Plans recently prepared and adopted by the Maldon and River Blackwater Coastal Community Team (CCT) and the River Crouch CCT. The report also sought Members engagement and participation in the work of both CCTs.

The report provided background information following the launch of CCTs by the Department for Communities and Local Government to identify projects and activities which focussed on coastal regions and had a positive and sustainable impact on the economic well-being of coastal towns and communities. Members were advised of inaugural meetings of the Maldon & River Blackwater and River Crouch CCTs and the proposed make up of management teams of which this Council was requested to provide two representatives.

The Chairman advised that recommendation (ii) should be amended to remove “…recommending to the Council…” as this was a matter the Committee could resolve.

Following discussions, it was proposed and agreed that the Chairman and Vice-Chairman of the Committee be nominated to join the Management teams on the Maldon and Blackwater Estuary and the River Crouch Coastal Community Teams with Councillors E L Bamford and P G L Elliott as named substitutes.

RESOLVED

(i) that the Economic Plans as prepared and adopted by the Maldon and Blackwater Estuary and the River Crouch Coastal Community Teams, be endorsed;

(ii) that the Community Services Committee be asked to consider that the Chairman and Vice-Chairman of the Community Services Committee or his / her substitute be nominated to join the Management Team of the Maldon and Blackwater Estuary Coastal Community Team;

(iii) that the Chairman and Vice-Chairman of the Committee be nominated to join the Management teams on the Maldon and Blackwater Estuary and the River Crouch Coastal Community Teams with Councillors E L Bamford and P G L Elliott as named substitutes.

### BRADWELL LEGACY PARTNERSHIP - TERMS OF REFERENCE AND PROJECT OPPORTUNITIES 2016 / 17

The Committee considered the report of the Director of Planning and Regulatory Services updating Members on the work of the Bradwell Legacy Partnership (BLP) and
seeking endorsement of the revised BLP Terms of Reference (attached as Appendix 1 to the report). Endorsement of the Business and Tourism Growth Project Opportunities for 2016 / 17 (Appendix 2) and the proposed allocation of remaining Magnox grant were also sought.

The report provided an update on the BLP including its revised Terms of Reference and how these would affect the Council and its representation on the BLP. In light of these changes Members were requested to recommend to the Council that the Council’s current representation on the BLP be revised to the Chairman of the Planning and Licensing Committee and one Member representative from the Dengie Peninsula (with the Vice-Chairman and another Member as their respective substitute).

In response to a number of questions the Economic Development, Partnerships and Projects Manager provided the Committee with the following additional information:

- The Council was being requested to nominate Members to sit on the core board which would meet frequently but this would not prohibit other interested parties from attending meetings of the BLP.
- In respect of funding from Magnox for projects, Members were advised that Magnox had requested the BLP to be more proactive in terms of making requests for projects. It was noted that individual groups etc. could also apply for funding from Magnox for related projects aside from those being led through the BLP.
- The proposed changes to the Terms of Reference had come about following a suggestion from Magnox for the BLP not to be elected member dominated. At this point the Chairman of the Committee reminded Members of the Council’s current representatives on this body.

The Chairman suggested that perhaps consideration should be given to whether the Ward Member for Bradwell or their substitute should be added to the Council’s representatives on the proposed Core Membership of the BLP. This was debated by the Committee.

Members discussed the report and comments were raised in respect of the proposed Core Membership of the BLP including:

- addition of the Bradwell Ward Member or their substitute;
- why a representative of Burnham-on-Crouch Town Council was proposed and not one from one of the more affected Parishes such as Bradwell, Tillingham or Latchingdon.
- addition of the Essex County Council Divisional Member for the Bradwell area.
- comments regarding those Members representing Wards outside of the Dengie Peninsula but on which Bradwell Power Station had an impact, such as those to the north of the Blackwater Estuary.

Following further discussion Councillor H M Bass proposed that Burnham-on-Crouch Town Council be removed from the Core Membership of the BLP and that the Ward Member for Bradwell (or his / her substitute) be inserted.
Councillor S J Savage declared an interest at this point in the meeting as he sat on the Town Council and LCLC with voting rights.

The Chairman suggested that if the BLP did not agreed to remove the Burnham-on-Crouch Town Council representative that Maldon District Council representation be increased to include (in addition to the Chairman / Vice-Chairman) a representative from the Dengie Peninsular and the Bradwell Ward Member (or their substitute).

In response to a question, it was agreed that recommendation (i) would be amended to refer to any endorsement being subject to the changes proposed.

In light of the discussion and proposal from Councillor Bass, the Director of Planning and Regulatory Services suggested an additional recommendation to read:

That the Bradwell Legacy Partnership be requested not to include a Burnham-on-Crouch Town Council member and to replace this with an additional member from Maldon District Council representing the Bradwell Ward (or his / her substitute).

This was duly agreed by Members of the Committee.

It was further agreed that Councillor R G Boyce be nominated at the Member representative from the Dengie Peninsular. There was some discussion regard the named substitute for Councillor Boyce and Councillors E L Bamford and B S Beale were proposed. Upon a vote being taken the Chairman used her casting vote and Councillor Bamford was nominated as the named substitute for Councillor Boyce.

**RESOLVED**

(i) that subject to the changes set out below, the revised Terms of Reference (2016) *(APPENDIX 1)*, be endorsed;

(ii) that the proposed Business and Tourism Growth Project Opportunities 2016 / 17 *(APPENDIX 2)*, be endorsed;

(iii) that the proposed allocation of the remaining Magnox grant funding (£30,000) as detailed (page 12) in the proposed Business and Tourism Growth Project Opportunities 2016 / 17 – Dengie Peninsular, be endorsed;

(iv) that the Bradwell Legacy Partnership be requested not to include a Burnham-on-Crouch Town Council member and to replace this with Councillor R P F Dewick from Maldon District Council representing the Bradwell Ward (or his substitute);

**RECOMMENDED**

(v) that in accordance with the Bradwell Legacy Partnership (BLP) Terms of Reference, the Council’s current representation on the BLP be replaced with the following:
971. LICENSING FOR LATE NIGHT REFRESHMENT

The Committee considered the report of the Director of Planning and Regulatory Services seeking Members’ consideration of the opportunity to de-regulate the requirement to licence the provision of late night refreshment having regard to the Deregulation Act 2015 and guidance published by the Home Office.

The report provided background information regarding the provision of late night refreshments. Members were advised that in addition to the benefits of regulating the activity, the Licensing Authority must also have regard to the regulatory burden on businesses. The discretionary opportunity to de-regulate was summarised in Appendix 1 to the report. Appendix 2 provided a list of the premises in the Maldon District where the licence for the supply of late night refreshment was secondary to the main activity of supply of alcohol either on or off the premises.

It was noted that on balance the drawbacks of deregulation outweighed the benefits. Members were advised that if they were mindful to agree the exemptions then further work would be required to define how they would be applied and to consult stakeholders.

RESOLVED that the new discretionary exemptions for licensing of the provision of late night refreshment not be introduced.

972. NEW HOMES BONUS GRANT CONSULTATION

The Committee considered the report of the Director of Resources inviting comments from Members on the consultation from the Government (attached as Appendix 1 to the report) on reforms to the New Homes Bonus Grant before the end date on 10 March 2016. The report was also to be considered by the other two programme Committees and Members were advised that the Community Services Committee had agreed the recommendations as set out in the report subject to the inclusion of the following:

- that developers of new homes in the District be penalised financially if work does not commence within the time period stated in the planning conditions.

The report outlined details of the New Homes Bonus Scheme which was introduced in 2011/12 as a way to encourage local authorities to facilitate housing growth.

Attached as Appendix 2 to the report was the Council’s draft response to the consultation. Members were asked to consider and provide any additional comments prior to the deadline.

The Director of Resources drew Members’ attention to the Addendum circulated at the meeting which proposed that the Director of Resources would consult with the Chairmen of the three programme Committees prior to the final submission of the
response. This would enable the Chairmen to consider all the comments received at the three Committees. Therefore, an additional recommendation (ii) had been added to the report.

RESOLVED

(i) that Members are invited to comment on the draft response to the New Homes Bonus consultation as set out in Appendix 2 to the report (comments to be received by the Director of Resources by 10 March 2016);

(ii) that the District Council’s response to the New Homes Bonus Consultation be submitted by Director of Resources in consultation with the Chairmen of all the three programme Committees.

973. RIVER BLACKWATER TASK AND FINISH WORKING GROUP UPDATE

The Committee considered the report of the River Blackwater Task and Finish Working Group which provided an overview of the discussions undertaken at the most recent River Blackwater Task and Finish Working Group (the Working Group) meetings and sought this Committee’s guidance on future plans.

Members noted that there had been a deterioration of some of the boats in Heybridge Creek and Appendix 1 to the report highlighted the vessels which were present on site and provided a location plan.

It was reported that the Working Group had established an outline plan to improve Heybridge Creek over a number of years. The plan was designed to tackle the least complex issues first and then develop a strategy to deal with more complex challenges after a ‘use’ and management plan for Heybridge Creek had been agreed.

Councillor A K M St. Joseph, Chairman of the River Blackwater Task and Finish Working Group, presented the report advising of an omission from the table detailed within the report relating to serving 28 day notices. In response to a question, the Director of Resources outlined the process for approving any changes to fees and charges.

Councillor H M Bass proposed that Officers be authorised to deal with serving 28 day notices on the vessels in Heybridge Creek. In response, the Officer provided information regarding legal advice being sought in respect of the wording of such notices.

The Committee discussed the list of tasks set out in the report and some concern was raised regarding the potential costs involved. In response, the Group Manager (Leisure, Countryside and Tourism) advised that the Working Group had discussed what work could be carried out with a limited budget over the summer and he identified that clearance of the rubbish was the biggest issue and sought to be addressed first. The Officer explained that there were delegated powers in place for Officers which would be used in relation to ensuring safe navigation of the rivers.
The Chairman suggested that recommendation (i) be amended and that the Committee agree to the first item in the table – clearance of rubbish. It was also suggested that the word ‘review’ be removed from recommendation (ii). The Chairman referred to the need for additional information and suggested that the Committee be provided with this in respect of the remainder tasks proposed including the omitted 28 day notices as referred to by Councillor St. Joseph. The Committee discussed the tasks set out in the report including whether some could be accepted at this time, whilst others required additional information.

In response to a question, the Director of Resources commented that given the significant budget gap that the Council was facing for 2017 / 18 it was extremely unlikely that the cost of the work (estimated to be around £100,000) suggested for 2017 / 18 would be funded.

Following further discussion the Chairman proposed that in respect of recommendation (i) the Committee agree the initial section of the table detailed in the report subject to additional reports being brought to the Committee.

Councillor R G Boyce left the meeting at this point and did not return.

The Group Manager (Leisure, Countryside and Tourism) provided the Committee with the work proposed by Officers which included a new audit of vessels within the creek as there had been considerable change since the last audit. He advised that he would provide additional information on works proposed through the Working Group.

Following a lengthy debate, Councillor Bass proposed the following amendments to recommendations (i) and (iii):

(i) that the outline plan to deal with Heybridge Creek as set out in paragraph 2.1.7 of the report, be noted;

(iii) that River Blackwater Task and Finish Working Group is asked to explore fees and usage relating to the Hythe Quay and report back to this Committee by September 2016.

This proposal was duly seconded and upon duly agreed along with recommendation (ii) as set out in the report.

The Chairman asked Officers to provide a clearer report back to the next meeting of this Committee.

RESOLVED

(i) that the outline plan to deal with Heybridge Creek as set out below above, be noted;

<table>
<thead>
<tr>
<th>Task</th>
<th>Description and estimated cost</th>
<th>Provisional Timescale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearance of rubbish</td>
<td>Removal of rubbish and abandoned items from Maldon District Council (MDC) land. Approximately £2,000</td>
<td>Summer 2016</td>
</tr>
<tr>
<td>Task</td>
<td>Description and estimated cost</td>
<td>Provisional Timescale</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>Clearance of small seaworthy craft</td>
<td>Officer time and possible disposal costs offset by potential sale of any abandoned craft.</td>
<td>Autumn 2016</td>
</tr>
<tr>
<td>Long term solution</td>
<td>Development of Long term plan / use for Heybridge Creek consistent with Policy S5 and Maldon &amp; Heybridge Central area Master Plan</td>
<td>Winter 2016</td>
</tr>
<tr>
<td>Advice and consultations</td>
<td>Develop clear understanding of legal position, ownership of land, rights of MDC and others. Establish best practical environmental options for each vessel / wreck. Officer time and possible consultancy.</td>
<td>Summer / Autumn 2016</td>
</tr>
<tr>
<td>Potential clearance of seaworthy large craft</td>
<td>Subject to long term plan, embark on a programme of clearance of remaining larger seaworthy vessels. £40,000</td>
<td>2017 / 18</td>
</tr>
<tr>
<td>Clearance of remaining wrecks</td>
<td>Subject to long term plan, embark on programme of clearance of wrecks. £60,000.</td>
<td>2017 / 18</td>
</tr>
<tr>
<td>Implementation of longer term plan</td>
<td>To be confirmed.</td>
<td>2017</td>
</tr>
</tbody>
</table>

(ii) that the Committee monitors implementation of the initial stages of the plan through the River Blackwater Task and Finish Working Group (the Working Group) and that it receives further reports after each meeting of the Working Group;

(iii) that River Blackwater Task and Finish Working Group is asked to explore fees and usage relating to the Hythe Quay and report back to this Committee by September 2016.

974. PLANNING POLICY UPDATE

The Committee considered the report of the Director of Planning and Regulatory Services providing an update summary of events related to the Local Plan evidence base, the Local Development Plan (LDP) and the work being undertaken for delivery of garden suburbs.

The report provided an update in respect of the following areas:
- LDP;
- LDP evidence base update;
- Site Allocations Development Plan Document (SA DPD) Update;
- Update on the creation of the Maldon District Design Review Panel;
- Update on Strategic Growth in North and Central Essex;
- Notes from 29 January Planning Policy Panel meeting.

RESOLVED that the Planning Policy Update outlined in the report, be noted and that at the appropriate time matters for decision will be brought to this Committee.
The Committee considered the report of the Director of Planning and Regulatory Services seeking Members’ approval of the Strategic Design Codes (attached as Appendix 1 to the report) as a basis for the determination of planning applications for development within the South Maldon Garden Suburb. It was noted that reserved matter applications were anticipated shortly and the determination of these was conditional on the prior approval of the Strategic Design Codes.

The report provided detailed information in respect of the following areas:
- Implementation of the South Maldon and North Heybridge Garden Suburbs;
- South Maldon Garden Suburb Strategic Design Codes;
- Primary Street Code;
- Green Edge Code;
- Green Space Code;
- Built Edge Code;
- Design Guidance.

The Committee received a presentation from the Senior Conservation and Urban Design Officer regarding Strategic Design Codes.

It was noted that Strategic Design Codes would provide an effective tool to ensure high quality design was delivered through the development of the South Maldon Garden Suburb. The interface between the policy requirements and the development management process would be maintained to ensure deliver of high quality sustainable development. The Council would continue to work closely with applicants to secure high quality design and development.

**RESOLVED** that the South Maldon Garden Suburb Strategic Design Codes (Appendix 1 to the report) be approved for Development Management purposes in the determination of planning applications within the garden suburb.

The Committee considered the report of the Director of Planning and Regulatory Services presenting the proposed consultation response from the Council to Highways England on the Lower Thames Crossing Route Consultation 2016.

The report outlined the consultation which set out a series of options for new Lower Thames crossing points. Appendix 1 to the report set out a map of the proposed route options linked to Location C (a bored tunnel between Gravesend and Tilbury). In response to a question, the Planning Policy Officer outlined the location of Location B.

Appendix 2 to the report set out the Council’s proposed response to the consultation.
RESOLVED that the proposed response (Appendix 2 to the report) to Highways England on the Lower Thames Crossing Route Consultation 2016 be approved, subject to agreement of the final response by the Director of Planning and Regulatory Services in consultation with the Chairman and Vice-Chairman of the Planning and Licensing Committee, the Leader of the Council and the Leader of the Opposition prior to submission.

977.  MALDON DISTRICT COUNCIL RESPONSE ON NATIONAL INFRASTRUCTURE COMMISSION CONSULTATION

The Committee considered the report of the Director of Planning and Regulatory Services presenting the consultation on the governance, structure and operation of the National Infrastructure Commission (NIC).

The report provided background information regarding the NIC which had been set up by the Treasury as an independent body to plan for national infrastructure projects. The consultation sought a response on how the NIC would be governed and operate. The consultation posed a number of questions and although they did not directly affect the District they could have an impact in the future, if the Commission was tasked with producing a recommendation on nationally significant infrastructure projects which affected Maldon. It was noted that the NIC was likely to be involved with the decision making for Bradwell B Nuclear Power Station.

Members were advised that any comments should be directed to the Director of Planning and Regulatory Services and Chairman of the Committee before 10 March 2016.

RESOLVED

(i) That no response is made to the consultation on the governance, structure and operation of the National Infrastructure Commission.

OR (if there are elements that Members wish to comment on)

(ii) That the proposed response to the consultation on the governance, structure and operation of the National Infrastructure Commission be delegated to the Director of Planning and Regulatory Services in consultation with the Chairman and Vice-Chairman of the Planning and Licensing Committee.

(iii)

978.  MALDON DISTRICT COUNCIL LETTER TO LANGFORD AND ULTING PARISH COUNCIL NEIGHBOURHOOD PLAN EXAMINATION

The Committee received the report of the Director of Planning and Regulatory Services presenting the Council’s proposed response to the Langford and Ulting Neighbourhood Plan Consultation (attached as Appendix 1 to the report) which would be submitted to the appointed examiner.
It was noted that the consultation response from Heybridge Parish Council (attached as Appendix 2 to the report) objected to the Neighbourhood Plan as set out in the Langford and Ulting Neighbourhood Plan and recommended a change to exclude the area within the North Heybridge Garden Suburb. Officers proposed that a written response to this letter be issued to address the concerns raised and generally support the Neighbourhood Plan at examination.

RESOLVED that the letter from the Council (Appendix 1 to the report) in response to the Langford and Ulting Neighbourhood Plan Consultation be approved and sent to the Examiner for the Langford and Ulting Neighbourhood Plan.

979. ADOPTION OF THE AMENDMENTS TO THE LOCAL INFORMATION REQUIREMENTS FOR THE VALIDATION OF PLANNING APPLICATIONS (LOCAL LIST)

The Committee considered the report of the Director of Planning and Regulatory Services seeking Members’ agreement of the adoption of the revised local information requirement for the validation of planning applications (local list).

It was noted that the Council had recently undertaken a review of its existing local list (attached as Appendix 1 to the report). It was found that the current local list did not accord with best practice and therefore a revision (Appendix 2 to the report) was proposed.

Members were advised that no adverse response had been received from external consultation on the proposed changes. The Council’s Countryside and Coastal Officer had requested some further requirements and the Director of Planning and Regulatory Services informed Members that this would require further discussion with the Officer.

The Committee had no objections to the changes.

It was agreed that in light of the need to take into account landscape and biodiversity requirements, adoption of the Planning Validation Requirement List – Update 2016 would be delegated to the Director of Planning and Regulatory Services in consultation with the Chairman and Vice-Chairman of this Committee.

RESOLVED that adoption of the Maldon District Council Planning Validation Requirement List – Update 2016 (Appendix 2 to the report) be delegated to the Director of Planning and Regulatory Services in consultation with the Chairman and Vice-Chairman of the Planning and Licensing Committee to take into account landscape and biodiversity requirements.

980. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED 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 they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.
981. **DISPOSAL OF LAND, MALDON**

The Committee considered the report of the Director of Resources seeking Members' consideration of two areas in Maldon that required transferring to Essex County Council (ECC) in order to carry out highway improvements. A map of the related area was attached at Appendix 1 to the report.

It was noted that this report had been considered by the Community Services Committee and was due to considered by the Finance and Corporate Services Committee. The Director of Resources circulated an addendum at the meeting which set out the outcome of the Community Services Committee and advised of a proposed change to recommendation (ii) following discussions with Essex County Council.

Following discussion, Councillor H M Bass proposed that the Finance and Corporate Services Committee be recommended that the land adjacent to the Limebrook Way roundabout be transferred to Essex County Council for the value stated in paragraph 2.5 of the report. He also proposed that the Council allocate these monies to the Highways panel and match funded as Essex County Council had indicated it would match fund any monies submitted to the Highways Panel by Local Authorities. This was duly seconded and agreed.

**RESOLVED** that the Finance and Corporate Services Committee be recommended that the land adjacent to the Limebrook Way roundabout is transferred to Essex County Council for a fee of £8,000 and that the Council allocate these monies to the Highways panel and match funded by Essex County Council.

There being no further items of business the Chairman closed the meeting at 9.58 pm

MRS P A CHANNER, CC
CHAIRMAN

(a)
(b)