



**MINUTES of
COUNCIL
4 FEBRUARY 2021**

PRESENT

Chairman Councillor M S Heard

Vice-Chairman Councillor C Mayes

Councillors Miss A M Beale, B S Beale MBE, M G Bassenger, V J Bell,
R G Boyce MBE, Mrs P A Channer, CC, M F L Durham, CC,
M R Edwards, A S Fluker, M W Helm, A L Hull, K W Jarvis,
J V Keyes, K M H Lagan, C P Morley, C Morris, S P Nunn,
N G F Shaughnessy, R H Siddall, W Stamp, Mrs J C Stilts,
C Swain, Mrs M E Thompson and Miss S White

232. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to this remote meeting of the Maldon District Council, held under new regulations which had come into effect in response to the COVID-19 situation. The Chairman then went through some general housekeeping arrangements for the meeting.

A roll call of those Members present was taken.

233. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R P F Dewick, Mrs J L Fleming and N Skeens.

At this point the Chairman reminded Members that any apologies for absence should be sent to Committee Services and the respective Chairman for any meetings.

234. DECLARATION OF INTEREST

Councillor Mrs P A Channer disclosed a non-pecuniary interest as a Member of Essex County Council advising that there were a number of items of business due to be considered at this meeting that related to the County Council.

Councillor M F L Durham disclosed a non-pecuniary interest as a Member of Essex County Council and any items related to them on the agenda.

Councillor K M H Lagan disclosed a non-pecuniary interest in Agenda Item 18 – Bradwell B Briefing as he had had previous conversations with the organisation.

Councillor W Stamp advised that Councillor C Morris was having difficulties logging into the meeting. However it was noted that shortly afterwards Councillor Morris joined the meeting.

235. MINUTES - 17 DECEMBER 2020

RESOLVED that the Minutes of the Council meeting held on 17 December 2020 be agreed.

236. PUBLIC QUESTIONS

There were none.

237. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that the Council's flag had been lowered to half-mast as an exceptional case following the recent passing of Captain Sir Tom Moore, the Army veteran who had raised over £32 million for the NHS. He referred to how the Council was working with the NHS during this COVID crisis and asked all those present to take a moment to remember Captain Sir Tom Moore's achievements and inspirations as well as all those who had lost their lives through COVID. The Chairman then thanked all Council staff for their continued efforts to keep services going, commenting that they had been working tirelessly.

238. PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE - 14 JANUARY 2021

RESOLVED (by assent) that the Minutes of the Performance, Governance and Audit Committee held on 14 January 2021 be agreed.

239. JOINT STANDARDS COMMITTEE - 26 JANUARY 2021

RESOLVED (by assent)

- (i) That the Minutes of the Joint Standards Committee meeting held on 26 January 2021 be received.

The Council considered the following recommendation set out in the Minutes:

Minute 9 – Appointment of a New Independent Person and a Reserve

RESOLVED (by assent)

- (ii) That Mr John Mitchell be appointed as the new Independent Person and Mrs Kathy Payne as the new Reserve Independent Person.

RESOLVED (by assent)

- (iii) That subject to the above decision the Minutes of the Joint Standards Committee be agreed.

240. MINUTES OF MEETINGS OF THE COUNCIL

RESOLVED (by assent) that the list of Committees that had met since the last meeting of the Council, up to Wednesday 27 January 2021 for which Minutes had been published be noted.

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

There were none.

242. CLIMATE EMERGENCY STATEMENT

The Council considered the report of the Director of Strategy, Performance and Governance providing a Climate Emergency Statement (attached at Appendix 1 to the report) for Member discussion and adoption.

It was noted that the Inter Parliamentary Climate Change Commission advised the Council had until 2030 to take urgent action on climate change. The report provided an update on the District's current status in respect of climate change and how declaring a climate emergency would be the first step towards a cleaner and more sustainable Council, benefitting both residents and future generations.

Members were advised that the Climate Emergency Statement would demonstrate the Council's commitment to playing its part in helping the District by agreeing to reduce carbon emissions and become a net zero carbon organisation by 2030.

The Chairman put the recommendation as set out in the report and this was duly seconded.

During the debate and in response to a number of questions, the Director of Strategy, Performance and Governance provided the following information:

- Climate change had been identified as part of the Council's corporate plan along with the development of an environmental strategy, however due to the recent COVID crisis progress had been slow.
- The forthcoming review of the Local Development Plan would give opportunity to review and update the Council's green policies. Reference to the Essex Coast Recreational Disturbance Avoidance Mitigation Strategy (RAMS) and planning policy would be included in the climate strategy as it was developed.
- In a statement to the Council a previous Leader of the Council had referred to the Council moving premises however it was noted that this had not been agreed by the Council.

- In response to a question regarding recycling Members were advised that the market had considerably dipped over the last couple of years and this had affected the Council's contract.

During the discussion points of order were raised by Councillors Mrs P A Channer and A S Fluker in response to comments made by other Members of the Committee.

The Chairman moved the recommendation as detailed in the report and this was duly agreed by assent.

RESOLVED that the Council adopts and publishes the Climate Emergency Statement attached at Appendix 1 to the report.

243. MEMBER TRAINING AND DEVELOPMENT PLAN

The Council considered the report of the Director of Strategy, Performance and Governance providing further detail and seeking Members' approval of a Member training and development plan (attached at Appendix A to the report).

The report provided an update on the suggested Member development plan and it was noted that the Local Government Association (LGA) had agreed to manage some of the initial training. The revised training and development programme outlining expected course content and outcomes was set out at Appendix B to the report.

The Leader of the Council presented the report and proposed that the recommendations as set out in the report be agreed. This was duly seconded.

Councillor R H Siddall proposed an amendment to recommendation (iii) removing reference to consultation with the Leader of the Council and replacing this with a Working Group comprising of the Leader of the Council and the Chairmen of all Committees. This proposed amendment was duly seconded.

In response to a comment the Director of Strategy, Performance and Governance advised that all Member training was highly encouraged and reference to compulsory related to the requirements within the Council's constitution for compulsory training for areas such as Area Planning Committees.

During the discussion that ensued a point of order was raised by Councillor A S Fluker.

Councillor Fluker proposed that recommendation (ii) be amended to replace the word attendance with training. This was not supported.

The Chairman put the recommendations and amended recommendation (iii). Councillor Siddall clarified that his proposal should include the Deputy Leader. This was noted and the amended recommendations were duly agreed by assent.

RESOLVED

- (i) That the Councillor Training and Development Plan as set out in Appendix A to the report, be adopted;

- (ii) that compulsory Member attendance where relevant, be agreed;
- (iii) that further scoping of the full course details be delegated to the Director of Strategy, Performance and Governance, in consultation with a Member Training Working Group (made up of the Leader and Deputy Leader of the Council and the Chairman of all Committees).

244. ELECTIONS SCHEDULED FOR 6 MAY 2021 - POLLING STATIONS

The Council considered the report of the Director of Strategy, Performance and Governance seeking delegated authority to the Council's Returning Officer to decide on an alternative polling station at the forthcoming elections in May 2021, in the event of any designated venues not being available for use.

Members were reminded that the last review of polling places had taken place in 2019 and how having given prior notice of the need to use all designed polling stations in May 2021 the booking agents for a number had yet to confirm. Delegated authority was therefore being sought to allow the Director of Strategy, Performance and Governance to agree alternative polling stations, if required.

The Leader of the Council presented the report and proposed that the recommendation be agreed. This was duly seconded.

The Director of Strategy, Performance and Governance advised that since writing the report further responses had been received from Polling Station booking agents and as a result there were now only two stations from which a response was awaited. It was noted that should the elections continue as scheduled for May 2021 there would be a significant amount of work required over the forthcoming months to ensure that all polling stations were COVID safe.

The Chairman moved the recommendation and this was duly agreed by assent.

RESOLVED that for the elections being held on 6 May 2021, the Council delegates authority to the Returning Officer to decide on a suitable alternative venue, should any designated polling station become unavailable.

245. QUESTIONS TO THE LEADER OF THE COUNCIL IN ACCORDANCE WITH PROCEDURE RULE 1 (3)(M)

In response to a question from Councillor Mrs M E Thompson regarding the Council's Five-Year Housing Land Supply (5YHLS), being vulnerable to speculative planning applications and the steps made to protect schools, highways etc., the Leader of the Council, Director of Strategy, Performance and Governance and Lead Specialist Place provided the following information:

- The Council was awaiting a response from Essex County Council regarding school places.
- Any shortfall or harm in infrastructure regarding education and highways would potentially adversely outweigh any benefit and would be a reason for refusal;

- The Council's 5YHLS had fallen below and Officers were working to support delivery across the District.
- The Council for the last three years had achieved its best results in terms of the housing delivery test, building in excess of 400 houses in District.
- In light of the likelihood of very sufficient developments coming forward Officers would be working with partners to ensure infrastructure was in place or if it would form a reason for refusal.

Councillor Mrs P A Channer referred to Parish Forum Minutes and asked if these could be available to all Members. In response the Leader of the Council advised she would check the constitution / terms of reference but saw no reason for them not being made available to all Members.

Councillor Miss A M Beale asked what was being done to increase the 5YHLS and made specific reference to the Heybridge Garden Suburb. The Leader of the Council referred to the Lead Specialist Place who provided an update and explained how some of the allocated site were coming forward slower than hoped, although there had been a lot of houses built in the District.

At this point and in response to a query regarding the number of questions that could be raised by a Member, the Lead Legal Specialist and Monitoring Officer provided advice to the Council regarding this.

Councillor R G Boyce referred to a decision by the Council to provide electric car owners free car parking and sought confirmation as to whether this had been rescinded. In response the Leader advised that she would check this out and make sure it happened in the new climate strategy as far as possible.

246. EXCLUSION OF 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test

247. ADJOURNMENT OF THE MEETING

RESOLVED that the meeting be adjourned at 19:36 for a short comfort break.

248. RESUMPTION OF BUSINESS IN CLOSED SESSION

RESOLVED that the meeting of the Council resumes in closed session at 19:41.

249. HOUSING MARKET REPORTS

The Council considered the report of the Director of Strategy, Performance and Governance informing the Council of changes coming forward regarding Maldon District Council's Housing Market Assessment (HMA).

The Leader of the Council presented the report and proposed its content be noted. This was duly seconded.

The Lead Specialist Place provided a presentation of the detail within the report which highlighted the following areas:

- Housing market area;
- Strategic Housing Market Area Assessment 2014;
- Local Housing Needs Assessment (2020);
- Short-term implications;
- Strategic growth.

The Chairman moved the proposal of the Leader of the Council and this was agreed by assent.

RESOLVED that the contents of the report be noted.

250. LEISURE CONTRACT UPDATE

The Council considered the report of the Leisure Contract Member Task and Finish Working Group (the Working Group) providing an update and seeking approval for the Working Group to continue to review further proposals, negotiations and make further recommendations to the Council.

It was noted that the Working Group had considered legal advice, analysed and challenged information provided by Places Leisure and made recommendations to the Council on the basis of this advice. The Working Group would continue to work with Officers and Places Leisure and future options would be presented to the Council on 18 March 2021.

The Leader of the Council presented the report and thanked the Chairman of the Working Group for his work on this matter. She then proposed that the recommendations as set out in the report be approved and this was duly seconded.

Members were advised that further announcements on the opening of Leisure Centres were expected and these would be considered by the Working Group and reported to the Council accordingly.

Members expressed their thanks to the Director of Resources and all Officers involved for their work on this matter.

Councillor C Morris referred to the Minutes of the last meeting and questioned whether and answer to the request regarding the specific number of people using the Leisure

Centres had been circulated. In response the Director of Service Delivery advised that he was unable to confirm this but would check and advise Members accordingly outside of the meeting.

The Chairman moved the recommendations set out in the report and these were duly agreed by assent.

RESOLVED

- (i) That the Leisure Contract Member Task and Finish Working Group continues to meet to consider future variations to the leisure contract and provide further updates to meetings of the Council in relation to the long-term provisions of the contract;
- (ii) That the Working Group reports back to the Council on 18 March 2021 with further updates and recommendations.

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

251. BRADWELL B BRIEFING

The Council considered the report of the Director of Strategy, Performance and Governance providing a briefing to Members regarding Bradwell B.

The Leader of the Council presented the report and provided Members with an outline as to why the briefing report had been brought to the Council. She proposed that the contents of the report be noted.

A number of questions were raised by Members and in response information was provided by the Director of Strategy, Performance and Governance.

The Chairman moved the recommendation which was duly agreed by assent.

RESOLVED that the contents of the report be noted.

There being no further items of business the Chairman closed the meeting at 8.30 pm.

M S HEARD
CHAIRMAN