



MALDON DISTRICT
COUNCIL

APOLOGIES Committee Services
Email: Committee.clerk@maldon.gov.uk

DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE
Paul Dodson

16 February 2022

Dear Councillor

You are summoned to attend the meeting of the;

COUNCIL

on **THURSDAY 24 FEBRUARY 2022 at 7.30 pm**

in the **Council Chamber, Maldon District Council Offices, Princes Road, Maldon.**

Please Note: Following the relaxation of Covid rules, members of the public can now physically access meetings in the Council Chamber. With physical attendance the Council encourages all attendees to wear a face mask and complete a lateral flow test. All meetings will continue to be live streamed on the [Council's YouTube channel](#) for those wishing to observe remotely. Public participants wishing to speak remotely at a meeting can continue to do so via Microsoft Teams.

To register your request to speak please submit a [Public Access form](#) (to be submitted by 12noon on the working day before the Committee meeting). All requests will be considered on a first-come, first-served basis.

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.





AGENDA COUNCIL

THURSDAY 24 FEBRUARY 2022

1. **Chairman's notices**

2. **Apologies for Absence**

3. **Minutes of previous meetings**

To confirm the following Minutes of the Council (copies enclosed)

- a) 2 September 2021 (Pages 7 - 18)
- b) 4 November 2021 (Pages 19 - 22)
- c) 16 December 2021 (Pages 23 - 26)
- d) 18 January 2022 (Extraordinary) (Pages 27 - 32)

4. **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).

Local Government Finance Act 1992 – Section 106

Will any Members affected by Section 106 please note that any declarations to that effect should be made on the commencement of the meeting or immediately on arrival if this is later. Under Section 106 a Member who has not paid an amount due in respect of their Council Tax for at least two months after it became payable is precluded from voting on any matters affecting the level of Council Tax or the arrangements for administering the Council Tax. (The Member is, however, entitled to speak).

5. **Public Questions**

To receive questions from members of the public, of which prior notification in writing has been received (no later than noon two clear working days before the day of the Council meeting).

Should you wish to submit a question please complete the online form at www.maldon.gov.uk/publicparticipation.

6. **Chairman's Announcements**

7. **Minute Book**

To receive the approved Minutes of the Committees detailed from a) – c) (copy enclosed) and consider their related recommendations as listed below.

To consider the recommendations coming forward from the Committees detailed at d) and e). Please note the Minutes of these meetings are not enclosed as they have not been approved at Committee level.

- a) Performance, Governance and Audit Committee - 18 November 2021 (Pages 33 - 38)
- Minute No. 388 – Decision to Opt into the National Scheme for Audit Appointments
- b) Strategy and Resources Committee - 6 January 2022 (Pages 39 - 72)
- Minute No. 426 – Pay Policy Statement 2022 / 23
 - Minute No. 428 – Discretionary Fees and Charges 2022 / 23
- c) Performance, Governance and Audit Committee - 13 January 2022 (Pages 73 - 76)
- d) Strategy and Resources Committee - 3 February 2022

Review of Memorials in Cemeteries, Parks and Open Spaces Policy

Recommended:

- (i) That the sale of benches as an individual item available for purchase, which are then installed in our Parks and Open spaces, cease;
- (ii) That a new scheme be introduced where customers can lease a plaque on a bench for ten-year periods;
- (iii) That the updated Memorials in Cemeteries, Parks and Open Spaces Policy (attached as **APPENDIX 1**) be agreed and implemented no later than 1 April 2022;
- (iv) That the new scheme be introduced with effect from 1 April 2022 and will not be applied retrospectively.

Lease Agreement.

Recommended:

- (i) That the Director of Service Delivery seek legal clarification in relation to Clauses 16 and 19 of the lease;
- (ii) That subject to (i) above the Council agrees a new lease for 30 years for the organisation outlined in the report;
- (iii) That in consultation with the Chairman of the Strategy and Resources Committee, the Director of Service Delivery be given authority to agree the annual rent figure in line with a current market valuation with annual Retail Price Index (RPI) adjustment.

Please note that the following recommendations coming forward from this Committee are not for consideration at this point as they form part of Agenda Item 9 - 2022 / 23 Budget and Medium-Term Financial Strategy, due to be considered at this meeting:

- Capital and Investment Strategies for 2022 / 23 and Minimum Reserve Statement 2022 / 23;
- Discretionary Fees and Charges;
- Medium-Term Financial Strategy 2022 / 23 – 2024 / 25;
- Revised 2021 / 22 Estimates, Original 2022 / 23 Budget Estimates and Council Tax 2022 / 23;
- Treasury Management 2022 / 23.

e) Joint Standards Committee - 8 February 2022 (Pages 77 - 92)

Adoption of New Code of Conduct for Members

Recommended:

That the Council adopt the Model Code of Conduct attached as **APPENDIX 1**, (version of May 2021) together with the amendment resolved at the Joint Standards Committee on 8 February 2022 to include ‘or well-being’ in Appendix B, paragraph 9 (a) of the code and that the code take effect by 1 November 2022 unless brought into effect prior by the Monitoring Officer depending on when Essex County Council bring into effect the New Code of Conduct.

8. **Minutes of Meetings of the Council**

To note that since the last Council, up until Wednesday 16 February 2022 (Council agenda dispatch) the following Committees have met, and to receive any questions in accordance with Council and Committee Procedure Rule 6 (2).

Central Area Planning Committee	15 December 2021
South Eastern Area Planning Committee	12 January 2022
District Planning Committee	19 January 2022
Overview and Scrutiny Committee	20 January 2022
Central Area Planning Committee	27 January 2022
North Western Area Planning Committee	2 February 2022

9. **2022 /23 Budget and Medium-Term Financial Strategy**

To receive a Budget Statement from the Leader of the Council, to consider the following reports of the Section 151 Officer (copies enclosed) and to determine the level of Council Tax.

Members’ attention is drawn to the following Procedure Rules:

- **Voting** – Procedure Rule 13(5) set outs the requirement for any vote taken at a budget decision meeting (as defined by the Local Government Finance Act 1992) to be recorded in the Minutes.

- **Budget Speech** – Procedure Rule 1(13)(a) sets out the time limits in relation to the budget speech and (b) details the requirements for making alternative proposal or amendment as part of the Budget and Council Tax setting.
- a) Capital and Investment Strategies for 2021 / 22 and Minimum Reserve Strategy 2022 / 23 (Pages 93 - 138)
- b) Treasury Management Strategy 2022 / 23 (Pages 139 - 194)
- c) Discretionary Fees and Charges 2022 / 23 (Pages 195 - 218)
- d) Medium-Term Financial Strategy 2022 / 23 to 2024 / 25 (Pages 219 - 280)
- e) Revised 2021 / 22 and Original 2022 / 23 Budget Estimates and Council Tax 2022 / 23 (Pages 281 - 308)
- f) Council Tax 2022 / 23 (Pages 309 - 318)

10. **Notice of Motion**

In accordance with notice duly given under Procedure Rule 4, Councillor C Morris to move the following motion, duly seconded by Councillor M G Bassenger.

Motion:

“That MDC resolves to write an open letter to MP John Whittingdale asking him to raise the lack of GP access (by possible parliamentary question, if necessary) in our District and enquire about emergency funding for Maldon District and any other areas with high doctor to patient ratios, to assist the residents and the emergency departments of our hospitals which are also under strain in these medically deprived areas.”

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

12. **Council Tax Support Scheme 2022 / 23** (Pages 319 - 336)

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

13. **Updated Discretionary Non-Domestic Rate Relief Policy** (Pages 337 - 406)

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

14. **Taxi and Private Hire Policy and Licensing Conditions** (Pages 407 - 456)

To consider the report of the Director of Service Delivery (copy enclosed).

15. **Committee Meetings and Future Options** (Pages 457 - 466)

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

16. **Update on Social Enterprise Accelerator Fund and Member Representation** (Pages 467 - 470)

To consider the report of the Director of Service Delivery (copy enclosed).

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

18. **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.

19. **Leisure Contract Update** (Pages 471 - 476)

To consider the report of the Leisure Contract Member Task and Finish Working Group, (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.

Fire

In the event of a fire, a siren will sound. Please use the fire exits marked with the green running man. The fire assembly point is outside the main entrance to the Council Offices. Please gather there and await further instruction.

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber. There are steps behind the main horseshoe as well as to the side of the room.

Closed-Circuit Televisions (CCTV)

Meetings held in the Council Chamber are being monitored and recorded by CCTV.