



MALDON DISTRICT
COUNCIL

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

DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE
Paul Dodson

04 May 2022

Dear Councillor

You are summoned to attend the fiftieth;

ANNUAL MEETING OF THE MALDON DISTRICT COUNCIL

on **THURSDAY 12 MAY 2022** at 7.30 pm.

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

Please Note: All meetings will continue to be live streamed on the [Council's YouTube channel](#) for those wishing to observe remotely.

A copy of the agenda is attached.

Yours faithfully

A handwritten signature in black ink, appearing to read 'P. Dodson', written in a cursive style.

Director of Strategy, Performance and Governance

Serving Members who are past Chairmen of the District Council are invited to wear their past Chairman's badges and medals.



AGENDA
STATUTORY ANNUAL MEETING OF THE MALDON DISTRICT COUNCIL
THURSDAY 12 MAY 2022

1. **Chairman's notices**

2. **Election of Chairman**

To elect the Chairman of the Maldon District Council for the ensuing municipal year.

3. **Chairman's Statutory Declaration of Acceptance of Office**

Chairman to make the Statutory Declaration of Acceptance of Office.

4. **Appointment of Vice-Chairman**

To appoint the Vice-Chairman of the Maldon District Council for the ensuing municipal year.

5. **Vice-Chairman's Statutory Declaration of Acceptance of Office**

Vice-Chairman to make the Statutory Declaration of Acceptance of Office.

6. **Apologies for absence**

7. **Declarations of Interest**

To declare the existence and nature of any 'personal' or 'personal and prejudicial' interests relating to items on the agenda having regard to paragraphs 8 to 12 inclusive of the Code of Conduct for Members.

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

8. **Minutes - 31 March 2022** (Pages 7 - 20)

To confirm the Minutes of the meeting of the Council held on 31 March 2022, (copy enclosed).

9. **Chairman's Announcements**

10. **Minutes of Meetings of the Council**

To note that since the last meeting of the Council, up until Wednesday 4 May 2022 (Council agenda dispatch) the following Committees have met, and to receive any questions in accordance with Council and Committee Procedure Rule 6 (2).

Overview and Scrutiny Committee	23 March 2022
Performance, Governance and Audit Committee	24 March
North Western Area Planning Committee	30 March
South Eastern Area Planning Committee	6 April
District Planning Committee	7 April

11. **Notice of Motion**

In accordance with notice duly given under Procedure Rule 4, Councillor A S Fluker to move the following Motions, duly seconded by Councillor R P F Dewick and M W Helm:

“Motion One

Preamble:

With reference to the Cost Decision Appeal Ref/APP/X1545/W/21/3281036 Land South of Charwood and east of Orchard House, Stoney Hills, Burnham-on-Crouch, CM0 8QA and in the best interests of maintaining the status of the Council as a Local Planning Authority.

Motion to Council:

With regards to openness, transparency, and public interest the Council writes to the Planning Inspector appointed by the Secretary of State Mr Terrance Kemmann-Lane JP DipTP FRTPI MCMI asking him to evidence his findings of ‘substantive’ ‘unreasonable behaviour’ and pre-determination by ‘elected members’. And that the Council appoints an Independent Person to conduct a review of the decision notice and report their findings to Council.

Motion Two

Preamble:

With regards the Planning Cost Decisions awarded against the Council reference, Appeal Ref/APP/X1545/W/21/3281036, Appeal Ref/APP/X1545/W/21/3283478, Appeal Ref APP/X1545/C/21/3275000 and others.

For the municipal years 22/3, 23/4 and 24/5 the Council is forecasting significant shortfalls in its budgets. The cost decisions referred to above and others along with legal and professional fees incurred by the Council when defending appeals will substantially increase unaccounted expenditure and therefore widen the budget gaps further. As a result of these additional costs the Council will need to draw down and use its cash reserves, public funds to enable it to continue to provide services to residents.

Motion to Council:

With regards fiscal propriety, public interest, and value to customers the Director of Resources in his role under S151 Local Government Act 1972 brings forward an Autumn Budget for consideration by Council.

Motion Three

Preamble

With refence to Part 4 of the Procedure Rules, Rule 1,3(m) rule – Leaders’ Questions.

Motion to Council:

With regards public interest, openness, democracy, and transparency that Part 4 of the Rules of Procedure, Rule 1, 3 (m) be amended from:

(m) Questions (which may be made without notice) to the Leader of the Council (or in his absence the Deputy Leader) (other than at the Annual Meeting, and at the meetings referred to in (h) above) for a maximum of 15 minutes and not beyond 10.00pm unless such period is extended with the mutual agreement of the Chairman of the Council and the Leader (or Deputy Leader).

to:

(m) Questions (which may be made without notice) to the Leader of the Council (or in his absence the Deputy Leader) (other than at the Annual Meeting, and at the meetings referred to in (h) above) for a maximum of 15 minutes allocated to the asking of questions. Where the Leader or (Deputy Leader in their absence) is unable to answer a question, the answer will be given by a written response from the Leader to all members within 5 working days.

Motion Four

Motion to Council:

With regards public interest, customer service and satisfaction and performance management the director of Service Delivery updates the next meeting of Council regarding the performance of Council in the following areas:

1. Planning Applications - Communications with Customers and Interested Parties
2. Planning enforcement - Outstanding Cases”

12. **Questions in accordance with Procedure Rule 6 (2) of which notice has been given**

13. **Leaders and Composition of Political Groups** (To Follow)

- (i) To consider the report of the Director of Strategy, Performance and Governance on the Leaders and composition of each political group (copy to follow).
- (ii) That the Council considers ratification of the Leader-designate as Leader of the Council.
- (iii) That the Council elects the Deputy Leader of the Council.

14. **Appointment of Membership of Committees of the Council** (To Follow)

To appoint Members to serve on Committees, as required by Procedure Rule 17. (Report of the Director of Strategy, Performance and Governance on the nominations of the Leader of the Council and the Opposition Leader to the places allocated to their respective Groups, copy to follow).

15. **Adjournment of meeting**

To adjourn the meeting to allow Committees of the Council and the Area Planning Committees to proceed to elect Chairmen and Vice-Chairmen.

Special Meeting of the Performance, Governance and Audit Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Strategy and Resources Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Licensing Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Overview and Scrutiny Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Joint Standards Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Investigating and Disciplinary Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

**To be followed by:-*

Special Meeting of the District Planning Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Central Area Planning Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the North Western Area Planning Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the South Eastern Area Planning Committee

- (a) To elect a Chairman of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairman of the Committee for the ensuing Municipal Year

16. **Resumption of Business**

To continue with the business of the Statutory Annual Meeting of the Council.

17. **Appointment of Representatives to Local Government and Outside Bodies** (To Follow)

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

18. **Appointment of Members to serve on Working Groups of the Council** (To Follow)

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

19. **Annual Report of the Overview and Scrutiny Committee** (Pages 21 - 26)
To consider the report of the Director of Strategy, Performance and Governance (copy enclosed).
20. **South Eastern Area Planning Committee - Burnham Town Council Offices Live Streaming** (Pages 27 - 34)
To consider the report of the Director of Resources (copy enclosed).
21. **Business by Reason of Special Circumstances Considered by the Chairman to be Urgent**
22. **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.
23. **Commercial Options for Princes Road** (Pages 35 - 38)
To consider the report of the Director of Service Delivery (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 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 Television (CCTV)

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