

# Unrestricted Document Pack



MALDON DISTRICT  
COUNCIL

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DIRECTOR OF STRATEGY,  
PERFORMANCE AND  
GOVERNANCE  
Paul Dodson

22 June 2021

Dear Councillor

You are summoned to attend the meeting of the;

## **COUNCIL**

on **WEDNESDAY 30 JUNE 2021** at **7.30 pm**

in the **Maldon Stadium (Maldon and Tiptree Football Club), Park Drive, Maldon, Essex, CM9 5JQ.**

Please Note that due to social distancing and space limitations, we require any members of the public or press who wish to attend physically and observe or speak under Public Participation rules at this meeting to complete [a request form](#) (to be submitted by 12noon on the working day before the Committee meeting). This will be reviewed and managed according to capacity of the meeting and whether any other persons have already registered.

The Committee meeting will still be live streamed via the [Council's YouTube channel](#) for ease of viewing.

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](http://www.maldon.gov.uk).





## AGENDA COUNCIL

**WEDNESDAY 30 JUNE 2021**

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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 of the Statutory Annual Council - 20 May 2021** (Pages 5 - 20)

To confirm the Minutes of the Statutory Annual Council meeting held on 20 May 2021 (copy enclosed).

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](http://www.maldon.gov.uk/publicparticipation).

6. **Chairman's Announcements**

7. **Minute Book**

To consider the Minutes of the under mentioned Committees.

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

a) **Performance, Governance and Audit Committee - 10 June 2021** (Pages 21 - 30)

b) **Strategy and Resources Committee - 15 June 2021** (Pages 31 - 46)

- Minute No. 102 – Information Communication Technology Strategy 2021 - 2026

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

To note that since the last Council, up until Tuesday 22 June 2021 (Council agenda dispatch) the following Committees have met, and to receive any questions in accordance with Council and Committee Procedure Rule 6 (2).

Minutes published:

Performance, Governance and Audit Committee (special)	<a href="#">20 May 2021</a>
Strategy and Resources Committee (special)	<a href="#">20 May 2021</a>
Licensing Committee (special)	<a href="#">20 May 2021</a>
Overview and Scrutiny Committee (special)	<a href="#">20 May 2021</a>
Joint Standards Committee (special)	<a href="#">20 May 2021</a>
Investigating and Disciplinary Committee (special)	<a href="#">20 May 2021</a>
District Planning Committee (special)	<a href="#">20 May 2021</a>
Central Area Planning Committee (special)	<a href="#">20 May 2021</a>
North Western Area Planning Committee (special)	<a href="#">20 May 2021</a>
South Eastern Area Planning Committee (special)	<a href="#">20 May 2021</a>
North Western Area Planning Committee	<a href="#">25 May 2021</a>
South Eastern Area Planning Committee	<a href="#">26 May 2021</a>
Central Area Planning Committee	<a href="#">2 June 2021</a>
District Planning Committee	<a href="#">9 June 2021</a>

Minutes NOT finalised for publication:

North Western Area Planning Committee	<a href="#">16 June 2021</a>
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9. **Statement of the Leader of the Council** (Verbal Report)

To consider the Statement of the Leader of the Council setting out the Council's report and programme for the current municipal year.

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

11. **Making of the Wickham Bishops Neighbourhood Plan** (Pages 47 - 52)

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

12. **One Maldon District** (Pages 53 - 62)

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

13. **Mid-Essex Alliance - Memorandum of Understanding** (Pages 63 - 82)

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

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

15. **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(s) 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.

16. **Outstanding Loan - Financial Arrangements** (Pages 83 - 132)

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

17. **Leisure Contract Update** (Pages 133 - 138)

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

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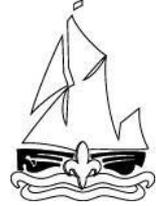
**NOTICES**

**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.

**Fire**

In the event of a fire please use the fire exits marked with the green running man.



**MINUTES of  
STATUTORY ANNUAL COUNCIL  
20 MAY 2021**

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**PRESENT**

Chairman                      Councillor M S Heard

Vice-Chairman              Councillor C Mayes

Councillors                      M G Bassenger, Miss A M Beale, B S Beale MBE, V J Bell, Mrs P A Channer, M F L Durham, CC, M R Edwards, Mrs J L Fleming, CC, 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, N J Skeens, W Stamp, CC, Mrs J C Stilts, C Swain, Mrs M E Thompson, B B Heubner and E L Stephens

**1. CHAIRMAN'S NOTICES**

The Chairman welcomed everyone to the Statutory Annual meeting of the Council and went through some general housekeeping arrangements for the meeting.

**2. ELECTION OF CHAIRMAN**

It was proposed by Councillor S P Nunn and seconded by Councillor C Mayes that Councillor M S Heard be elected as Chairman of the Maldon District Council for the ensuing Municipal Year.

Councillor C P Morley proposed that Councillor M F L Durham be elected as Chairman of the Maldon District Council for the ensuing Municipal Year. This was duly seconded by Councillor Mrs M E Thompson.

In accordance with Procedure Rule No. 13(3) Councillor C Morris requested a recorded vote. This was not supported.

The Chairman then put the proposal that Councillor M S Heard be elected as Chairman to the Council. Upon a vote being taken this was duly agreed.

**RESOLVED** that Councillor M S Heard be elected Chairman of the Maldon District Council for the ensuing Municipal Year.

**3. CHAIRMAN'S STATUTORY DECLARATION OF ACCEPTANCE OF OFFICE**

Councillor M S Heard made the Statutory Declaration of Acceptance of the Office of the Chairman of the Council.

#### **4. APPOINTMENT OF VICE-CHAIRMAN**

It was proposed by the Chairman (Councillor M S Heard) and seconded by Councillor W Stamp that Councillor C Mayes be elected as Vice-Chairman of the Maldon District Council for the Municipal Year.

There being no further nominations and a vote being taken it was:

**RESOLVED** that Councillor C Mayes be elected as Vice-Chairman of the Maldon District Council for the Municipal Year.

#### **5. VICE-CHAIRMAN'S STATUTORY DECLARATION OF ACCEPTANCE OF OFFICE**

Councillor C Mayes made the Statutory Declaration of Acceptance of the Office of Vice-Chairman of the Council.

#### **6. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor R G Boyce MBE, R P F Dewick and Miss S White.

#### **7. DECLARATIONS OF INTEREST**

Councillor N Skeens advised that the paragraph numbers referred to on the agenda in relation to this item were incorrect and should be paragraphs 8 – 12. The Chairman advised that this had been noted.

Councillors M F L Durham, Mrs J L Fleming and W Stamp each declared a non-pecuniary interest as a Member of Essex County Council.

#### **8. MINUTES - 18 MARCH 2021**

**RESOLVED** that the Minutes of the meeting of the Council held on 18 March 2021 be received and adopted.

#### **9. MINUTES - 29 APRIL 2021**

**RESOLVED** that the Minutes of the extraordinary Council meeting held on 29 April 2021 be received and adopted.

#### **10. PUBLIC QUESTIONS**

There were none.

#### **11. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman thanked Members for their presence at the meeting and for all staff who had been involved in setting up the meeting.

## 12. PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE - 24 MARCH 2021

**RESOLVED** that the Minutes of the Performance, Governance and Audit Committee held on 24 March 2021 be agreed.

## 13. MINUTES OF MEETINGS OF THE COUNCIL

The Council noted the list of Committees that had met before and since the last meeting of the Council, up until Wednesday 12 May 2021 for which Minutes had been published.

## 14. NOTICE OF MOTION

In accordance with Procedure Rule 4, the Chairman advised that three motions proposed by Councillor M W Helm and seconded by Councillor A S Fluker had been received.

Councillor Helm read out his Motions (as set out below):

### **“Motion One:**

To prevent Filibustering the 15 minutes allocated for Questions to the Leader applies only to the time taken by the member to ask questions and not the time taken for a reply to be made.

### **Motion Two:**

In the best interest of public understanding the policy of the administration, if the Leader of the Council is unable to answer a question put to them during Questions to the Leader, the Leader should not defer, but provide a written response to Council.

### **Motion Three:**

That an item Questions to the Leader, is included on the agenda of all Council meetings.”

Members discussed the three motions and a number of comments were made.

Councillor C Morris proposed an amendment that each motion was voted on individually.

In response to some comments made by Councillor Morris, Councillor Mrs P A Channer raised a Point of Order advising that the comments were offensive and should not be made in this forum. In response to a question from the Chairman, Councillor Morris advised he would not withdraw his comments.

Further debate ensued.

In response to a question as to whether the Motions, if agreed, resulted in a change to the Constitution, the Lead Legal Specialist and Monitoring Officer provided Members with some explanation and advised that they would not physically change the Constitution.

Councillor Fluker, as the seconder to the Motions provided the Council with further clarification in respect of each Motion.

At this point Councillor V J Bell seconded the proposal by Councillor Morris to take each motion separately.

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

The Lead Legal Specialist and Monitoring Officer advised the Council that an amendment was not required to take each Motion separately as they were separate Motions so would be voted on individually under normal procedure.

The Chairman then put Motion One as set out above to the Council and the voting was as follows:

For the recommendation:

Councillors Mis A M Beale, B S Beale, Mrs P A Channer, M F L Durham, Mrs J L Fleming, A S Fluker, M W Helm, B B Heubner, A L Hull, J V Keyes, C P Morley, C Morris and Mrs M E Thompson.

Against the recommendation:

Councillors M G Bassenger, V J Bell, M R Edwards, M S Heard, K W Jarvis, K M H Lagan, C Mayes, S P Nunn, N G F Shaughnessy, R H Siddall, N J Skeens, W Stamp, E L Stephens, Mrs J C Stilts and C Swain.

Abstention:

There were none.

The Chairman then put Motion Two as set out above to the Council and the voting was as follows:

For the recommendation:

Councillors Mis A M Beale, Mrs P A Channer, M F L Durham, Mrs J L Fleming, A S Fluker, M W Helm, B B Heubner, A L Hull, J V Keyes, C P Morley and Mrs M E Thompson.

Against the recommendation:

Councillors M G Bassenger, B S Beale, V J Bell, M R Edwards, M S Heard, K W Jarvis, K M H Lagan, C Mayes, C Morris, S P Nunn, N G F Shaughnessy, R H Siddall, N J Skeens, W Stamp, E L Stephens, Mrs J C Stilts and C Swain.

Abstention:

There were none.

The Chairman then put Motion Three as set out above to the Council and the voting was as follows:

For the recommendation:

Councillors Mis A M Beale, Mrs P A Channer, M F L Durham, Mrs J L Fleming, A S Fluker, M W Helm, B B Heubner, A L Hull, J V Keyes, C P Morley, C Morris and Mrs M E Thompson.

Against the recommendation:

Councillors M G Bassenger, B S Beale, V J Bell, M R Edwards, M S Heard, K W Jarvis, K M H Lagan, C Mayes, S P Nunn, N G F Shaughnessy, R H Siddall, N J Skeens, W Stamp, E L Stephens, Mrs J C Stilts and C Swain.

Abstention:

There were none.

The Chairman declared that therefore all three Motions were lost.

**15. QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 6 (2) OF WHICH NOTICE HAS BEEN GIVEN**

There were none.

**16. LEADERS AND COMPOSITION OF POLITICAL GROUPS**

The Council considered the report of the Director of Strategy, Performance and Governance, circulated prior to the meeting. As required by the Local Government and Housing Act 1989, the Director of Strategy, Performance and Governance had been notified that the composition of the political Groups on the Council were as follows:

Independent Group	Leader	Councillor W Stamp CC
	Members	Councillors M G Bassenger, B S Beale MBE, V J Bell, M R Edwards, M S Heard, K M H Lagan, C Mayes, S P Nunn, R G F Shaughnessy, R H Siddall, N J Skeens, E L Stephens, Mrs J C Stilts and C Swain
Conservative Group	Leader	Councillor Mrs P A Channer
	Members	Councillors Miss A M Beale, M F L Durham CC, Mrs J L Fleming CC, B B Heubner, A L Hull, J V Keyes, C P Morley, Mrs M E Thompson and Miss S White
Democratic Alliance Group	Leader	Councillor M W Helm
	Members	Councillors R G Boyce MBE, R P F Dewick and A S Fluker

In accordance with the Council's Constitution, Councillor W Stamp was therefore recognised as Leader-designate. There being no further nominations it was:

**RESOLVED**

- (i) that the Leader-designate, Councillor W Stamp, be ratified as Leader of the Council;

Councillor M S Heard then proposed that Councillor S P Nunn be elected as Deputy Leader of the Council and this was seconded by Councillor C Mayes. There being no further nominations it was:

**RESOLVED**

- (ii) that Councillor S P Nunn be elected as Deputy Leader of the Council for the ensuing Municipal Year.

## 17. APPOINTMENT OF MEMBERSHIP OF COMMITTEES OF THE COUNCIL

The Council considered the report of the Director of Strategy, Performance and Governance, circulated prior to the meeting to appoint Members to Committees for the municipal year to May 2022.

The Chairman drew Members' attention to recommendation (iii) in the report, advising that there were a number of Committees where the Council would need to nominate and appoint a non-aligned Councillor to. Members were also advised that Membership of the Appointments Board would be considered following the appointment of Committee Chairmen.

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

The Council then moved onto appointment a non-aligned Councillor to the Committees set out the report. The nominations and voting is as follows:

- **Performance Governance and Audit Committee:**  
The Leader of the Council nominated Councillor K W Jarvis to this Committee. This proposal was duly seconded and agreed.
- **Strategy and Resources Committee:**  
The Leader of the Council nominated Councillor K W Jarvis to this Committee. This proposal was duly seconded and agreed.
- **Licensing Committee:**  
The Leader of the Council nominated Councillor K W Jarvis to this Committee. This proposal was duly seconded and agreed.
- **Joint Standards Committee:**  
The Leader of the Council nominated Councillor K W Jarvis to this Committee. This proposal was duly seconded and agreed.
- **Investigatory and Disciplinary Committee:**  
The Leader of the Council nominated Councillor K W Jarvis to this Committee. This proposal was duly seconded and agreed.

### RESOLVED

- (i) that the Council notes the nominations of the Leader of the Conservative Group and the Leader of the Independent Group to the places allocated to their respective;
- (ii) that accordingly, the membership of the Committees of the Council as set out below be agreed:

Committee	Members
Performance, Governance and Audit	Councillor R G Boyce MBE, M R Edwards, Mrs J L Fleming CC, M S Heard, A L Hull, K W Jarvis, J V Keyes, S P Nunn, E L Stephens and Mrs J C Stilts
Strategy and Resources	Councillors R G Boyce MBE, Mrs P A Channer, M F L Durham CC, K W Jarvis, K M H Lagan, N G F Shaughnessy, R H Siddall, W Stamp CC, C Swain, Mrs M E Thompson and Miss S White

<b>Committee</b>	<b>Members</b>
Licensing	Councillors B S Beale MBE, M F L Durham CC, M W Helm, A L Hull, K W Jarvis, C Mayes, R H Siddall, E L Stephens, Mrs J C Stilts and Mrs M E Thompson
Overview and Scrutiny Overview and Scrutiny (meeting as the Crime and Disorder Committee)	Councillors M G Bassenger, V J Bell, Miss A M Beale, B S Beale MBE, R P F Dewick, M W Helm, B B Heubner, C Mayes, C P Morley and N J Skeens
Joint Standards	Councillors M G Bassenger, Miss A M Beale, R P F Dewick, Mrs J L Fleming CC, K W Jarvis, C Mayes, S P Nunn and R H Siddall  <u>Parish Councillors (non-voting):</u> Councillor P Stilts and <i>one vacancy</i>  <u>Independent Person:</u> Mr J Mitchel ( <i>Reserve: Ms K Payne</i> )
Investigating and Disciplinary	Councillors Mrs P A Channer, M W Helm, B B Heubner, S P Nunn and R H Siddall
Investigating and Disciplinary Panel Minimum of five Members of the Council – politically balanced – of which three have not served on the initial investigation carried out by the Investigating & Disciplinary Committee. In addition, two or three Independent Persons appointed by the Council to assist the Joint Standards Committee under the Localism Act 2011.	Councillors V J Bell, R G Boyce MBE, A L Hull, M S Heard, K W Jarvis, W Stamp CC, E L Stephens, C Swain, Mrs M E Thompson and Miss S White  <u>Independent Person:</u> Mr J Mitchel ( <i>Reserve: Ms K Payne</i> )
District Planning	All Members of the Council (with the exception of Councillor A S Fluker up to 2 September 2021)
Central Area Planning	Councillors Miss A M Beale, M R Edwards, M S Heard, B B Heubner, K M H Lagan, C Mayes, C Morris, S P Nunn, N G F Shaughnessy, Mrs J C Stilts and C Swain
North Western Area Planning	Councillors M F L Durham CC, Mrs J L Fleming CC, K W Jarvis, J V Keyes, C P Morley, R H Siddall, E L Stephens, Mrs M E Thompson and Miss S White
South Eastern Area Planning	Councillors M G Bassenger, B S Beale MBE, V J Bell, R G Boyce MBE, Mrs P A Channer, R P F Dewick, M W Helm, A L Hull, N J Skeens and W Stamp, CC

## 18. ADJOURNMENT OF MEETING

**RESOLVED** that the meeting be adjourned at 10:48am to allow special meetings to be held as follows:

Performance, Governance and Audit Committee, Strategy and Resources Committee, Licensing Committee, Overview and Scrutiny Committee (including Overview and Scrutiny Committee acting as the Crime and Disorder Committee), Joint Standards Committee, Investigating and Disciplinary Committee, District Planning Committee, Central Area Planning Committee, North Western Area Planning Committee and South Eastern Area Planning Committee.

## 19. RESUMPTION OF BUSINESS

**RESOLVED** that the business of the Annual Meeting of the Council be resumed in open session at 11:30am.

## 20. APPOINTMENT OF MEMBERSHIP OF COMMITTEES OF THE COUNCIL CONTINUED

The Chairman advised Members that the Council needed to confirm the Membership of the Appointments Board now that Committee Chairmen had been appointed. He asked Councillor Mrs P A Channer, Leader of the Opposition, for a nomination from her Political Group to this Board.

Councillor Mrs Channer proposed Councillor Mrs J L Fleming.

The Chairman then advised the Council that the proposed membership of the Appointments Board was therefore as follows:

Leader of the Council (Councillor W Stamp CC)\*  
Leader of the Opposition (Councillor Mrs P A Channer)\*  
\* or their deputies

Chairman or Vice-Chairman of the Strategy & Resources and Performance, Governance & Audit Committees

Councillors: Mrs J L Fleming, CC  
M W Helm

This was duly seconded and agreed.

**RESOLVED** that the membership of the Appointments Board for the ensuing Municipal Year be agreed as follows:

Leader of the Council (Councillor W Stamp CC)\*  
Leader of the Opposition (Councillor Mrs P A Channer)\*  
\* or their deputies

Chairman or Vice-Chairman of the Strategy & Resources and Performance, Governance & Audit Committees

Councillors: Mrs J L Fleming, CC  
M W Helm

## 21. **APPOINTMENT OF REPRESENTATIVES TO LOCAL GOVERNMENT AND OUTSIDE BODIES**

The Council considered the report of the Director of Strategy, Performance and Governance, circulated prior to the meeting, seeking Members' consideration of the appointment of representatives to serve on Local Government and Outside Bodies for the ensuing municipal year.

The Chairman advised that the representatives for the Stow Maries Aerodrome Consultative Committee (SMACC) had not been confirmed and therefore the Council would need to agree the representatives.

The Leader of the Council presented the report and proposed that recommendations (i) and (iii) as set out in the report be approved. This was duly agreed.

The Leader thanked the Leader of the Opposition and Leader of the Democratic Alliance Group for their collaborative work that had gone into agreeing the Committees, Outside Bodies, Working Groups etc. she then proposed that Councillor S P Nunn and K M H Lagan be appointed to the SMACC. This proposal was duly seconded.

Councillor Mrs P A Channer, thanked the Leader and proposed Councillor Miss S White be appointed to the SMACC. She advised that the Group was about making representations on behalf of residents, how Councillor Miss White was a Ward Member and her knowledge would be beneficial.

The Chairman put the proposal in the name of the Leader of the Council nominating Councillors Nunn and Lagan to the SMACC. Upon a vote being taken this was duly agreed.

**RESOLVED** that the appointment of representatives on Local Government and outside bodies as detailed in **APPENDIX 1** to these Minutes, be approved.

## 22. **APPOINTMENT OF MEMBERS TO SERVE ON WORKING GROUPS OF THE COUNCIL**

The Council considered the report of the Director of Strategy, Performance and Governance, circulated prior to the meeting, seeking Members' agreement to appoint Members to serve on Working Groups of the Council for the municipal year.

The Leader of the Council presented the report, asked Members to note paragraph 3.2 of the report which detailed those Groups which had been removed. She then proposed that the recommendations as set out in report be agreed. This proposal was duly seconded and agreed.

**RESOLVED** that the appointments to the Working Groups as set out **APPENDIX 2** to these Minutes be confirmed.

## 23. **ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE**

The Council considered the report of the Chairman of the Overview and Scrutiny Committee providing an update on the activities of the Overview and Scrutiny Committee since October 2019 and seeking Members' approval of future arrangements for the Committee to report on an annual basis to the Council.

The report outlined that to date the Committee had two items of scrutiny on its programme of work and a summary of each item was provided. Members noted that it was suggested that an annual report from the Committee be received at the Statutory Annual meeting of Council.

The Chairman of the Overview and Scrutiny Committee presented the report and proposed that the recommendation as set out in the report be approved. This was duly seconded and agreed.

**RESOLVED** that the principle of the Overview and Scrutiny Committee submitting an annual report on its work to each statutory annual meeting of the Council is endorsed, and that this update is both noted and also accepted as the annual report for 2020 / 21.

## **24. 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 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.

## **25. COMPULSORY PURCHASE OF LAND**

The Council considered the report of the Director of Service Delivery advising Members on progress regarding purchase of land and seeking authorisation to allow investigation of the compulsory purchase of additional land.

The report provided background information, including the decision by this Council on 6 August 2020 to purchase the land and Officer enquiries since that date.

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.

The Senior Specialist: Legal provided further background information regarding the agreement to purchase land and confirmed the proposed area to be purchased. In response to a number of questions the Officer provided the Council with additional information including the compulsory purchase process, confirmed that the Parish Council would be kept informed and that she would be reporting back to the Council in respect of negotiations.

The Chairman then put the recommendations set out in the report which were duly agreed.

### **RESOLVED**

- (i) that the Council approves, in principle, to use its Compulsory Purchase powers pursuant to section 17 of the Housing Act 1985 “to compulsorily purchase land, houses or other properties to provide housing accommodation” for the acquisition of the land outlined in red on the draft Map at Appendix 1 to the report (“the Land”) in order to enable the Council to develop the Land as an affordable Housing Site;
- (ii) that the Director of Service Delivery be authorised to grant written authority to officers to enter onto the Land or other land for the purposes of carrying out surveys pursuant to section 15 of the Local Government (Miscellaneous Provisions) Act 1976;

- (iii) that the Director of Service Delivery be authorised to issue notices requisitioning information from persons in relation to the Land or other land pursuant to section 16 of the Local Government Planning Act 1990;
- (iv) that (subject to using all reasonable endeavours to obtain the Land by agreement / private treaty) a detailed report in relation to the proposed Compulsory Purchase Order setting out justification and a statement of reasons will be presented to the Council in due course.

Councillors A S Fluker and M W Helm left the meeting during this item of business and did not return.

The meeting closed at 12.07 pm.

M S HEARD  
CHAIRMAN

**APPOINTMENT OF REPRESENTATIVES ON LOCAL GOVERNMENT AND OUTSIDE BODIES 2019 / 20**

<b>LOCAL GOVERNMENT BODIES</b>	<b>LEAD OFFICER</b>	<b>2021 / 22 REPRESENTATIVE(S)</b>
East of England Local Government Association	Head of Paid Service	Leader of the Council
Essex Local Government Association	Head of Paid Service	Leader of the Council
Local Government Association	Head of Paid Service	Leader of the Council

**The following bodies are not appointed by Maldon District Council but involve Members of the Council:**

<b>BODY</b>	<b>LEAD OFFICER</b>	<b>2021 / 22 REPRESENTATIVES</b>
Essex Partnership Board (Mid Essex representative)	Head of Paid Service	Leader of the Council
Essex Leaders and Chief Executives Group	Director of Strategy, Performance and Governance	Leader of the Council

The list of Outside Bodies seeking a Member(s) representative has been split into three. The first section covers Outside Bodies with a wide remit covering the whole of the Council's services. The second and third sections of the list cover Outside Bodies with particular remits that are closely aligned with the Community Services Committee and Planning and Licensing Committee respectively. In these instances, the Council may feel it is more appropriate to nominate Members who sit on those Service Committees.

<b>OUTSIDE BODIES</b>	<b>LEAD OFFICER</b>	<b>2021 / 22 REPRESENTATIVE(S)</b>
Action for Family Carers Liaison Board	Thematic Lead, Community	Councillor S P Nunn
Blackwater Estuary Siltation Steering Group	River Baliff / Lead Countryside and Coast Coordinator	Councillor K M H Lagan
Bradwell B Community Forum	Strategy, Performance and Communications Manager	Councillors K M H Lagan and N J Skeens
Bradwell B Joint Local Authorities Group (Council 29/10/18)	Director of Strategy, Performance and Governance	Leader and Deputy Leader of the Council *Chairman and Vice-Chairman of the Strategy and Resources Committee
Bradwell Local Community Liaison Council	Strategy, Policy and Communications Manager	Councillors K M H Lagan, C Mayes, N J Skeens and Miss S White
Brickhouse Farm Management Committee	Customer, Community and Casework Manager	Councillors K M H Lagan and Mrs J C Stilts
Burnham-on-Crouch Business Board		Councillor W Stamp
British Red Cross Society – Essex County Branch	Thematic Lead, Community	Chairman of the Council
Civilian and Military Partnership Board	Thematic Lead, Community	Councillor S P Nunn
Drapers Farm Sports Club Committee	Countryside and Coast Manager	Councillor M R Edwards <i>Reserve: Councillor B B Heubner</i>

**APPOINTMENT OF REPRESENTATIVES ON LOCAL GOVERNMENT AND OUTSIDE BODIES 2019 / 20**

<b>OUTSIDE BODIES</b>	<b>LEAD OFFICER</b>	<b>2021 / 22 REPRESENTATIVE(S)</b>
Essex Coastal Forum	Countryside and Coast Manager	Councillor M G Bassenger <i>Substitute: Councillor Miss S White</i>
Essex Countywide Traveller Unit Committee	Lead Specialist, Community	Councillor Mrs J L Fleming, CC
Essex Climate Action Forum	Lead Specialist Community / Strategy, Policy and Communications Manager	Councillor C Swain
Essex Flood Partnership Board	Lead Specialist Community	Councillor S P Nunn <i>Substitute: Councillor Miss S White</i>
Essex Housing Policy Portfolio	Lead Specialist-Community	Chairman of the Strategy and Resources Committee
Essex Planning Policy Portfolio and Chairman's Group	Lead Specialist Place / Strategy, Policy and Communications Manager	Chairman of the Strategy and Resources Committee <i>Substitute: Vice-Chairman of the Strategy and Resources Committee</i>
Essex Waste Member Partnership Board	Lead Specialist – Community / Specialist – Commissioning and Contracts (Waste)	Chairman of the Strategy and Resources Committee <i>Substitute: Vice-Chairman Strategy and Resources Committee</i>
Livewell Partnership Group (previously Strengthening Communities Task and Finish Working Group and combined with Livewell Partnership Group)	Customer, Community and Casework Manager / Strategy Theme Lead – <u>Community</u>	Councillors M G Bassenger, Miss A M Beale, Mrs P A Channer, Mrs J C Stilts, E L Stephens and Miss S White
Local Area Highways Panel	Highways Liaison Officer, Essex County Council	Councillors M R Edwards, A L Hull and R H Siddall
Local Government Association Coastal Issues Special Interest Group	Countryside and Coast Manager	Councillor C Swain <i>Substitute: Councillor M F L Durham, CC</i>
Local Government Flood Forum	Lead Specialist – Community	Councillor C Swain <i>Substitute: Councillor Miss S White</i>
Maldon District Dementia Alliance (Council 18/02/31)	Strategic Theme Lead – Community	Councillor Miss A M Beale
Maldon and District Youth Strategy Group	Strategic Theme Lead – Community	Councillor V J Bell
Maldon District Business Board		Councillor S P Nunn
Maldon District Tourism Board		Councillor Mrs J C Stilts
Maldon Harbour Improvement Commissioners <i>This position is an appointment as a Commissioner for a minimum period of three years (appointment will continue even if Member leaves the Council)</i>	River Bailiff / Countryside and Coast Coordinator	Councillor K M H Lagan

**APPOINTMENT OF REPRESENTATIVES ON LOCAL GOVERNMENT AND OUTSIDE BODIES 2019 / 20**

<b>OUTSIDE BODIES</b>	<b>LEAD OFFICER</b>	<b>2021 / 22 REPRESENTATIVE(S)</b>
Maldon High Street Focus Group (Council 16 July 2020)	Strategic Theme Lead - Place	Councillors C Mayes and S P Nunn
Maldon High Street Focus Group (Council 16 July 2020)	Strategic Theme Lead – Place	Councillors C Mayes and S P Nunn
Maldon Locality Board	Corporate Leadership Team	Leader of the Council Deputy Leader of the Council Leader of the Opposition (or representative) Chairmen (or Vice-Chairman) of the Performance, Governance & Audit and Strategy & Resources Committees
Maldon Operational Group (Previously Maldon Health Hub)	Director of Strategy, Performance and Governance	Chairman of the Strategy and Resources Committee  Councillor Mrs P A Channer
North Essex Economic Board (NEEB)		Councillor W Stamp, CC
Plume Educational Trust (Four yearly appointment)		Councillor R H Siddall (to June 2023) Councillor C Swan (to June 2025)
Police and Crime Panel	Director of Service Delivery	Councillor M S Heard  <i>Substitute: Councillor B B Heubner</i>
Responsible Authorities Group (RGA) Community Safety	Director of Service Delivery / Director of Strategy, Performance and Governance / Community Safety Partnership Manager	Councillor M S Heard  <i>Substitute: Councillor B B Heubner</i>
Sense of Place Board	Director of Strategy, Performance and Governance	Chairman of the Strategy and Resources Committee  <i>Substitute: Vice-Chairman of the Strategy and Resources Committee</i>
South Essex Parking Partnership – Joint Committee	Customer, Community and Casework Manager	Councillor C Mayes <i>Substitute: One Member of the Council (If use of substitute, must notify the Committee 30 minutes prior to the start of a meeting)</i>
Superfast Essex Steering Board	Lead Specialist Place	Chairman of the Strategy and Resources Committee
Southend Airport Consultative Committee	Strategic Theme Lead – Prosperity	Councillor S P Nunn
Stow Maries Aerodrome Consultative Committee (Appointed 20/12/18)	Director of Resources	Councillors K M H Lagan and S P Nunn
The Thomas Plume Library Charitable Incorporated Organisation		Councillor S P Nunn
West Maldon Community Association Management Committee	Strategic Theme Lead – Community	Councillor N G F Shaughnessy

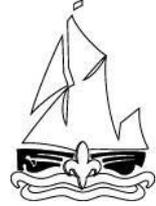
**APPOINTMENT OF CORPORATE WORKING GROUPS 2021 / 22**

**Appointed annually at the Statutory Annual Meeting of the Council:**

<b>Body</b>	<b>Lead Officer</b>	<b>Representatives</b>
Air Quality Management (Market Hill) Member Officer Working Group	Strategy, Policy and Communications Manager	Councillors Mrs P A Channer, M R Edwards, Mrs J L Fleming CC, C Mayes, C P Morley, S P Nunn, N G F Shaughnessy and Miss S White
Alderman, Alderwoman, Working Group (Council 25 July 2019)		Chairman of the Council Leader of the Council Leader of the Opposition Councillors S P Nunn, N J Skeens and Miss S White
Bradwell 'A' Care and Maintenance Working Group (Council – 12/09/19)	Strategy, Policy and Communications Manager	Councillors A L Hull, J V Keyes, C Mayes, S P Nunn, N J Skeens and Miss S White
Bradwell 'B' Power Station Working Group (Council – 12/09/19) (Membership updated by Member / Officer CLT meeting on 1 May 2020)	Strategy, Policy and Communications Manager	Leader and Deputy Leader of the Council Chairman and Vice-Chairman of the Strategy and Resources Committee Councillors M G Bassenger, Mrs P A Channer, Mrs J L Fleming CC, A L Hull, K M H Lagan, C Mayes and N G F Shaughnessy
Climate Action Strategy Working Group (Council 20 May 2021)	Strategy, Policy and Communications Manager	Councillors Mrs P A Channer, C Mayes, N J Skeens, Mrs J C Stilts, W Stamp CC and Miss S White
Corporate Governance Working Group	Head of Paid Service / Director of Strategy, Performance and Governance	Leader of the Council Leader of the Opposition Councillors BB Heubner, K W Jarvis, R H Siddall, E L Stephens, Mrs J C Stilts and Mrs M E Thompson
Corporate Projects Member Task and Finish Working Group (Appointed by the Council on 8 September 2016)	Director of Resources	Councillors M F L Durham CC, J V Keyes, C P Morley, R H Siddall, W Stamp CC and C Swain
COVID-19 Reset and Recovery Member Working Group Council 16 July 2020	Director of Strategy, Performance and Governance	Councillors Mrs P A Channer, Mrs J L Fleming CC, B B Heubner, C Mayes, R H Siddall and Mrs J C Stilts
Finance Member Working Group	Director of Resources	Councillors R G Boyce MBE, K M H Lagan, R H Siddall, W Stamp CC, C Swain, Mrs M E Thompson and Miss S White
Leisure Contract Task and Finish Working Group (Council 23 June 2020 – Minute No. 1016 refers)	Commercial Manager / Director of Service Delivery	Councillors M F L Durham CC, Mrs J L Fleming CC, A L Hull, K W Jarvis, S P Nunn, W Stamp CC, Mrs J C Stilts and Miss S White
Planning Policy Working Group	Director of Strategy, Performance and Governance	Councillors Mrs P A Channer, M W Helm, C Mayes, Mrs J C Stilts, R H Siddall, W Stamp CC and Mrs M E Thompson

**APPENDIX 2**

<b>Body</b>	<b>Lead Officer</b>	<b>Representatives</b>
<b>Strategic Housing Board</b> <i>(Council 16 February 2017 – Minute No, 991 refers)</i>	<b>Senior Specialist - Housing</b>	<b>Councillors Mis A M Beale, M F L Durham CC, J V Keyes, C Mayes, S P Nunn and E L Stephens</b>
<b>Strategies and Engagement Member Task and Finish Working Group</b> <i>(Council – 16 May 2019)</i>	<b>Strategy, Policy and Communications Manager</b>	<b>Councillors Miss A M Beale, Mrs P A Channer, S P Nunn, R H Siddall, W Stamp CC and Mrs M E Thompson</b>



**MINUTES of  
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE  
10 JUNE 2021**

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**PRESENT**

Chairman	Councillor Mrs J C Stilts
Vice-Chairman	Councillor K W Jarvis
Councillors	M R Edwards, Mrs J L Fleming, CC, A L Hull, J V Keyes, S P Nunn, E L Stephens and B S Beale MBE
In attendance	Councillors Mrs P A Channer and C Morris
Substitutes	Councillor B S Beale, MBE

**83. CHAIRMAN'S NOTICES**

The Chairman welcomed all present and took the Committee through some housekeeping arrangements for the meeting.

**84. APOLOGIES**

Apologies for absence were received from Councillor R G Boyce and M S Heard. In accordance with notice duly given Councillor B S Beale, MBE was attending as a substitute for Councillor Heard.

**85. MINUTES**

**RESOLVED** by assent that the Minutes of the meeting of the Committee held on 25 March 2021 be approved and confirmed.

**86. DISCLOSURE OF INTEREST**

Councillor J L Fleming declared a non-pecuniary interest as a Member of Essex County Council in relation to any items on the agenda pertaining to that organisation.

**87. PUBLIC PARTICIPATION**

A public participation submission, in two parts, had been received in respect of Agenda Item 6 - Review of Corporate Risk – Quarter 4. The Chairman advised the Committee that this would be dealt with following the Officer presentation on that item.

## 88. REVIEW OF CORPORATE RISK - QUARTER 4

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. The Risk Register was attached at Appendix 1.

The Chairman introduced the item and deferred to the Director of Strategy, Performance and Governance to present the detail. He took the Committee through the report and noted that section 3.1.1 highlighted the risks that had changed in direction since quarter three, with one risk recommended for closure. Two risks had decreased in score - R9 'Failure to have a coordinated approach to supporting inward investment and maximising business rate growth' and R30 ' May 2021 Elections during Covid-19 pandemic –There is a major risk to successfully delivering the May 2021 Elections and Referenda during the ongoing Covid crisis. This could lead to financial strain and reputational risk for MDC'.

Three risks had increased in score - R10 'Failure to develop jobs to support the growing population' which confirmed that Covid remained a dominant force on the economic landscape. With this risk persisting 'Likelihood' had been increased. The Covid-19 Economic Recovery and Transformation Plan had been created and actions were being progressed. R7 – 'Failure to maintain a 5 yr land supply' – the Local Development Plan (LDP) was approved by Council in March 2021, triggered by the failure to maintain a 5 year land supply. Whilst further mitigation was put in place the risk had materialised hence the increase.

R29 – 'Failure to deliver services as a result of Covid-19' - this risk was increased because of the potential for fatigue of officers due to working for over a year in pandemic conditions, including two national lockdowns. There had not been a detrimental impact on service delivery but the increased risk was due to the potential for ever increasing risk the longer these conditions continued.

One risk was recommended for closure R13 – 'Failure to manage the impact of organisational change'. The Corporate Plan had been updated, resource reviews undertaken and additional funding identified in the February 2021 budget for the required additional staff. The organisation had successfully come through the transformation process and operationally it would continue to regularly review corporate risk in line with the Risk Management Strategy.

The Chairman moved the recommendations in the report and these were seconded by Councillor Jarvis. The Chairman then read the two submissions from Mr Fittock a member of the public.

**In response to the first submission around R7- 'Failure to maintain a 5 year land supply' and what lessons had been learnt the Director of Strategy, Performance and Governance advised the following:-**

That the LDP 2014-2029 set a 15 year development plan for the Maldon district, this was adopted in July 2017. The evidence to underpin that plan was prepared in the first 5 years of 2010. In designing the approach of the LDP review the Council will consider drawing on the latest guidance from the government, in terms of determining how to evaluate the suitability of sites as well as drawing on Council practice and the practice of other local planning authorities around the country. National Planning Policy now stipulated that 10% of all allocated housing growth must go on smaller sites of under 1 hectare which will provide greater choice in housing site size and help support smaller house builders to bring housing forward. The Council had also undertaken a call for

sites that closed on 7 June 2021 so will now start appraising the land that had come forward in efforts to meet the 5 year housing land supply.

**In response to the second submission around R5-** 'Failure to deliver the required infrastructure to support requirements arising from the LDP' the Director advised the following:-

In respect of infrastructure forecasting and delivery the Council was already reviewing its evidence base for this and a proposal was due to be submitted to Strategy and Resources Committee on 15 June 2021 to consult on a 'duty to co-operate' strategy which will be the starting point for the Council's approach on matters which were strategic and cross boundary with various public bodies, such as education, transport and health which were key infrastructure issues that will include Essex County Council as the Highways and Education Authority (ECC).

The LDP originally was subject to an independent examination by a Planning Inspector between 2014-2017 and was judged to be both legal and sound, including the infrastructure aspects. The Council however does intend to approach this challenge with a fresh perspective, update its evidence and understanding and engage in a constructive dialogue with necessary bodies to improve upon infrastructure delivery in the future. Through that review there will again be an examination in public and a full consultation undertaken.

In response to questions from the Committee, Officers responded as follows:

- That the closure of R13 related to having managed organisational change and knowledge retention. The process mapping exercise undertaken now provided knowledge at a corporate level on all processes as opposed to individual knowledge, thus ensuring knowledge retention. Staffing levels were good, sickness levels were at their lowest and the turnover rate was low. During the pandemic some key specialist roles had been filled in Planning which had previously proved difficult to recruit. The Corporate Leadership Team (CLT) was content that all issues had been managed appropriately.
- That there had been a large response to the request for land. That part of the failure at R7 was due to delays with approval on certain major sites, subsequent delays by developers which ultimately delayed delivery of some major future housing.
- That in accordance with Government advice it was not possible to factor in the costs of the slowing supply chain and/or the increased costs in the building industry, the Council had to work with the current figures incorporating the knock on effect of these delays.
- That R10 – the COVID-19 Economic Recovery and Transformation Plan had been framed by the work of the COVID-19 Reset and Recovery Working Group and would be circulated to Committee Members. Additional staff would be brought in to support community recovery, paid from the 'Welcome Back' fund.
- That Climate Change was high on the Council's agenda but not a corporate risk therefore not on the Corporate Risk Register. A Climate Emergency Statement had been received and approved by Council on 4 February 2021 and the Climate and Environment Action Plan will be submitted to Council for approval at the end of this year.
- That R29 incorporated all third party partnerships involved in service delivery.

- That in respect of R14 when looking to employ good people the HR strategy included developing existing staff through apprenticeship schemes etc. The hard to fill posts were generally at senior levels.
- That R30 will be removed from the next iteration of this report, on the report at the moment as this was reporting Q4.
- That the Finance Working Group set up to deal with Member Engagement was due to meet next week and the papers were open to all Members, available on Mod.Gov. The final part of the additional restrictions grants would be paid in the next two weeks. The final tranche of additional funding, approximately £565,000, may be received post the end of the month which will be distributed as soon as possible and in terms of the new burdens funding received for the grants paid to date this was £166,000. As more is being paid out there may be further burdens payments due this year, yet to be confirmed.
- That at R10 the score of 16 was reasonable given that the economic recovery forecast nationally was 7%. The unachieved savings figure referred to at R25 was £133,000. The details on the lack of diligence referred to in R3 would be circulated following the meeting together with a response to the backlog issue raised under R13. Finally, the working group referred to in R29 was confirmed as the COVID-19 Reset and Recovery Group.

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

## **RESOLVED**

- (i) That Members reviewed the Corporate Risk Register in Appendix 1 and provided comment and feedback for consideration;
- (ii) That Members were assured through this review that corporate risk is being managed effectively;
- (iii) That Members challenged risk where the Committee felt that the Council's corporate goals may not be achieved.

## **89. REVIEW OF CORPORATE PERFORMANCE - QUARTER 4**

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 Strategies performance, as assurance that performance was being managed effectively to achieve the corporate outcomes as set out in the Council's Corporate Plan 2019 – 2023. Appendix 1 to the report provided an overview of performance as at the end of Quarter 4 (Q4) (January - March 2021).

The Chairman introduced the report and deferred to the Director of Strategy, Performance and Governance to present the detail. He took the committee through the end of year performance report that covered the outcomes prior to the Corporate Plan refresh. He noted that this was a year like no other, delivering against a background of a pandemic and two national lockdowns. However, this was a positive report showing good progress in general over the past year.

Section 3.3 of the report was a broad outcome update for each of the thematic strategies in the Corporate Plan. Section 3.4 highlighted the specific indicators 'at risk' which meant that delivery had not achieved what was set out. These had been

highlighted in earlier reporting, in wider member communications and in the main had been impacted by the pandemic. Conversely some areas had achieved a positive outcome but not as originally anticipated, for example community engagement and support for shielding groups had contributed to reducing social isolation but that was never part of the delivery design and channel shift was outlined as supporting those who came into the offices to go online. The offices have been closed but the shift to online has happened and more people have embraced online technology during Covid.

Appendix 1 provided the detailed list of indicators and updates that informed the high level assessment. Work was nearing completion on the Corporate Plan refresh outcomes measurements as recently highlighted in the Member Seminar and Members' feedback from that session would be incorporated into the design and build of the framework for the coming year.

The Chairman moved the recommendations in the report and these were seconded by Councillor Jarvis.

In response to questions from the Committee, Officers responded as follows:-

- That management plans, particularly in respect of Promenade Park, needed to be as wide ranging as possible covering all aspects of its management, maintenance and care and that this will be coming to Council for approval later this year.
- That progress on the air quality survey on Market Hill had been impeded by COVID. Essex County Council will undertake this once traffic levels return to normal ensuring a constructive exercise. The Air Quality Action Plan update will be submitted to Council in due course.
- That the outcomes for Air Quality would now be combined into one in the performance report given that delivery on the Action Plan had been agreed.
- That the Superfast Essex Steering Group provided the statistics for the district and were currently reporting ahead of schedule on delivery.
- That delivery of an Enterprise Centre had originally been part of the Central Area Master Plan (CAMP) but was now under review in the performance report. This was due to the current economic landscape and the need to review the original evidence base to determine if it is still appropriate to progress.

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

## **RESOLVED**

- (i) That Members reviewed the information as set out in this report and Appendix 1 with priority focus given to the Strategic Outcome level performance.
- (ii) That Members confirmed they were assured through this review that corporate performance was being managed effectively.

## **90. HEALTH AND SAFETY UPDATE - QUARTER 4**

The Committee considered the report of the Director of Service Delivery and associated appendices that provided an update on health and safety statistics and activity during quarter 4 (1 January 2021 to 31 March 2021). The Chairman introduced the report and deferred to the Director of Service Delivery to present the detail.

He took the Committee through the summary of key issues around accidents, risk assessments undertaken in relation to elections, the First Aid training that had been updated to take into account the new structure and noted that there had been no incidents of unacceptable behaviour in this quarter. He assured the Committee that the overarching work outstanding in the Action Plan at Appendix 2, which was due to Covid pressures, would commence shortly.

The Chairman moved the recommendations in the report and these were seconded by Councillor Jarvis

Councillor Nunn, referring to the risk assessments undertaken, said that the Council and its officers should be commended for the very effective risk assessments undertaken around Covid that had safeguarded Members, Public and Officers not just in the Chamber, but also at the football club.

In response to questions from the Committee, Officers responded as follows:-

- That the Council had fully trained Fire Marshalls that managed fire testing and fire drills when carried out under normal circumstances. At the moment, fire trained facilities staff covered areas in current use.
- That potential accidents involving the Council's motor fleet and residents would not be recorded on the corporate risk register, the focus here was on staffing accidents.
- That the Hand Arm Vibration training and policy were now in place and the Director of Service Delivery would advise in writing when the Health & Safety Policy was due to be considered by Council.
- That staff working in the community were safeguarded through the use of body worn cameras and that all training identified by staff through normal working practices or through risk assessments was delivered as appropriate.

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

## **RESOLVED**

- (i) That Members reviewed the information as set out in the report and associated appendices;
- (ii) That Members confirmed they were assured that through this update health and safety was being managed effectively.

## **91. DRAFT ANNUAL GOVERNANCE STATEMENT - 2020/21**

The Committee considered the report of the Director of Strategy, Performance and Governance and appendix 1 that provided a draft Annual Governance Statement for review and adoption.

The Chairman introduced the report and deferred to the Director of Strategy, Performance and Governance to present the detail. He took the Committee through the Annual Governance Statement that explained the processes and procedures in place to enable the Council to carry out its functions appropriately. Since 2011 it no longer needed to be included in the Statement of Accounts (SOA) and last year the Council published it as a document in its own right to emphasise the importance of governance

assurance. Highlighted in the document were some of the governance achievements that took place in 2020/21 and this included frameworks and training that were put in place in response to the Covid Emergency Measures and new ways of working.

Looking forwards an action plan had been compiled for the coming year. Although there were no areas of significant governance concern highlighted by the Council or the Internal Auditors, the action plan built on best practice and progress and would be reported back to this Committee

The Chairman moved the recommendations in the report and these were seconded by Councillor Jarvis. There being no questions the Chairman then put the recommendations to the Committee and they were agreed by assent.

## **RESOLVED**

- (i) That the Performance, Governance and Audit Committee approved the Annual Governance Statement at Appendix 1;
- (ii) That the Performance, Governance and Audit Committee monitored the progress of the action plan;
- (i) That a quarterly report of Annual Governance actions was provided for Performance, Governance and Audit committee review.

## **92. ANNUAL GOVERNANCE STATEMENT ACTIONS UPDATE**

The Committee considered the report of the Director of Strategy, Performance and Governance that updated the Committee on the actions identified in the 2019/20 Annual Governance Statement (AGS).

The Chairman introduced the item and deferred to the Director of Strategy, Performance and Governance to present the detail. He took the Committee through the report that provided an update on actions highlighted in the 2019/20 Annual Governance Statement. Actions identified were around improving best practice rather than any particular governance concerns. There were a few that had been identified and built into the Action Plan for 2020/21 to continue tracking delivery of best practice.

The Chairman moved the recommendation in the report and it was seconded by Councillor Jarvis.

In response to questions raised Officers responded as follows:-

- That emergency powers were ongoing to deal with timescales etc. However, they were not invoked during the pandemic as the Council voted to put in place a COVID-19 Interim Measures Group to deal with decision-making whilst committees were suspended.
- That the Peer Review in relation to Scrutiny was no longer necessary as the Local Government Association (LGA) had undertaken a review and training with Scrutiny Members.
- That an online survey for resident input on the budget was due to go live and the results would be shared with Members. Those residents without online access would be followed up accordingly.

There being no further questions the Chairman put the recommendation to the Committee and it was agreed by assent.

**RESOLVED** that the Committee reviewed the annual governance action table and updates and challenged where necessary.

### **93. ANNUAL REPORT ON WHISTLEBLOWING POLICY**

The Committee considered the report of the Director of Resources that provided an annual update to the Committee on the Council's whistleblowing policy.

The Chairman introduced the item and deferred to the Director of Resources to cover the detail. He took the Committee through the report and advised that by convention this was reported annually and no concerns had been raised. The key objectives of the policy included encouraging legitimate concerns to be brought forward; protection of whistle blowers from reprisal; assurance of a response and advice on what to do if a response was inadequate.

The Chairman moved the recommendation in the report and this was seconded by Councillor Jarvis.

In response to questions raised Officers responded as follows:-

- That exit interviews were part of the HR processes and any concerns raised were followed up. Officers would check if this information was submitted to any committee and advise Members in writing.
- That dissemination of the policy was through FreshService and would also be circulated via the 'all staff' email. Staff training in key risk service areas had already been undertaken on the policy and all staff training was currently under consideration. The policy was also valid for Members.

There being no further questions the Chairman put the recommendation to the Committee and it was agreed by assent.

**RESOLVED** that the Committee considered the report.

### **94. SECTION 106 UPDATE**

The Committee considered the report of the Director of Strategy, Performance and Governance that updated Members on the S106 monitoring processes and sought Members endorsement for the continuing and effective management of the Council's S106 responsibilities.

The Chairman introduced the item and deferred to the Director of Strategy, Performance and Governance to present the detail. He took the Committee through the report that highlighted events from the last half year which had been one of peaks and troughs in terms of S106 income flows. The winter season and disruptions to the building industry from Covid, coupled with the desire to pace S106 payments in a manner which remained in step with receipts from house sales had resulted in receipts being more disjointed than in other years. The S106 Officer together with planning officers will be undertaking site visits during June/July 2021 to redress the Council's understanding of what is happening on the ground and consider whether further payments have been triggered but not paid.

While the income stream had been disrupted the S106 Officer had maintained pressure on both the NHS, other council departments and partners to make sure that the expenditure deadlines were not missed. A letter was recently sent to the NHS Clinical Commissioning Group and it had recognised the urgency to get the anticipated improvements to their services around the district completed, as more homes are built. It was aware of the Council's keenly felt desire to avoid developer funding being returned through a lack of expenditure within legal deadlines. Since the report was written the NHS had increased its capacity around planning to ensure delivery on that infrastructure.

Similarly, following the new LDP Review Strategic Liaison Group meeting with ECC Team Leads from Planning, Education, Highways and Flood Risk further updates had been requested concerning Education and Highways infrastructure payments. The Council had encouraged a more proactive approach on information sharing across all authorities, including more regular updates on projects that were funded from monies collected by Maldon District Council S106.

In a move for more transparency the Council had published the S106 spreadsheet online, this should reduce the number of Freedom of Information (FOI) enquiries and help broaden understanding of what was secured through developments in the district and when it was due to be paid.

The Chairman moved the recommendations in the report and they were seconded by Councillor Jarvis.

In response to questions raised by the Committee, Officers responded as follows:-

- That specific requests around access to grants be emailed to Officers who will reply in writing.
- That information on how long the sums to support various health projects have been held by the Council would be circulated to Members.
- That the issue of delays at GP Surgeries was a national problem exacerbated by Covid.
- That NHS progress on plans for the delivery of a medical centre at Southminster would be circulated to Dengie Members in the next couple of weeks.

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

## **RESOLVED**

- (i) That Members reviewed the information in this report and appendix 1;
- (ii) That Members confirm they are assured that S106 is being managed effectively.

## **95. APPOINTMENT OF REPRESENTATIVES ON LIAISON COMMITTEES/PANELS**

The Committee considered the report of the Director of Strategy, Performance and Governance that reminded Members of the existing representatives on Liaison Committees / Panels, and for new appointments to be made for the municipal year to May 2022.

The Chairman called for two representatives to join Councillor K W Jarvis on the Maldon Citizen's Advice Bureau Liaison Committee and Councillors J L Fleming and E L Stephens came forward. This was duly seconded.

The Chairman proposed that Councillor S P Nunn and E L Stephens be appointed to the Maldon District Museum Liaison Committee, this was duly seconded.

The Chairman concluded by confirming that the Parish Clerks' Forum and River Crouch and Coastal Community Team representatives would remain the same for the ensuing municipal year.

The aforementioned appointments were put to the Committee and agreed by assent.

**RESOLVED** that the Committee appointed the following representatives to the Outside Bodies detailed below, the municipal year to May 2022.

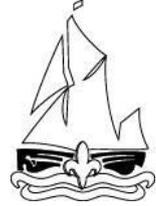
Body	2021/22 Representative(s)
Maldon Citizens Advice Bureau Liaison Committee	Councillors K W Jarvis, J L Fleming and E L Stephens
Maldon District Museum Liaison Committee	Councillors S P Nunn and E L Stephens
Parish Clerks' Forum	Chairman of the PGA Committee <i>Substitute: Vice-Chairman of the Performance, Governance and Audit Committee</i>
River Crouch Coastal Community Team (Management Team) <b>NB: This body aligns with both the PGA and Strategy &amp; Resources Committees</b>	Councillor J C Stilts, Chairman and Councillor K W Jarvis, Vice-Chairman of the Performance, Governance and Audit Committee.

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

There were none.

The meeting closed at 9.08 pm.

MRS J C STILTS  
CHAIRMAN



**MINUTES of  
STRATEGY AND RESOURCES COMMITTEE  
15 JUNE 2021**

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**PRESENT**

Chairman	Councillor R H Siddall
Vice-Chairman	Councillor C Swain
Councillors	Mrs P A Channer, M F L Durham, CC, K W Jarvis, K M H Lagan, N G F Shaughnessy, Mrs M E Thompson and Miss S White
Substitutes	Councillor M R Edwards
In attendance	Councillor C Morris

**97. CHAIRMAN'S NOTICES**

The Chairman welcomed everyone to the meeting and went through some general housekeeping arrangements for the meeting.

**98. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors R G Boyce MBE and W Stamp. In accordance with notice duly given Councillor M R Edwards was attending as a substitute for Councillor Stamp.

**99. MINUTES - 28 JANUARY 2021**

**RESOLVED** that the Minutes of the Strategy and Resources Committee held on 28 January 2021 be approved and confirmed.

**100. DISCLOSURE OF INTEREST**

Councillor M F L Durham declared a non-pecuniary interest as a Member of Essex County Council.

**101. PUBLIC PARTICIPATION**

No requests had been received.

## **102. ICT STRATEGY 2021 - 2026**

The Committee considered the report of the Director of Resources presenting the renewed Maldon District Council Information Communication Technology (ICT) Strategy 2021 – 2026 (attached at Appendix 1 to the report) for approval.

Members were advised that following completion of the 2018 – 2020 Strategy the new Strategy had been written and to support future model and the strategic goals of Maldon District Council.

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

In response to a question the Lead Specialist ICT Infrastructure advised that the three-year recyclable programme for Member laptops was being introduced as part of a rolling cycle. The Officer provided further information and in response to a request for details of the annual cost agreed to circulate this to Members outside of the meeting.

In response to a comment from the Officer that all Members had some form of Council hardware Councillors M F L Durham and Mrs M E Thompson advised that they did not. The Chairman noted this and advised that the Council would supply hardware should they require it.

The Chairman put the proposal, noting that it would be a recommendation to the Council. This was duly agreed.

**RECOMMENDED** that the Maldon District Council ICT Strategy 2021 – 2026 (attached at **APPENDIX 1** to these Minutes) for distribution to all staff giving support and guidance to Management on future ICT projects and planning be agreed.

## **103. WORKFORCE AND COMMUNITY, EQUALITY, DIVERSITY AND INCLUSION STATEMENT OF POLICY**

The Committee considered the report of the Director of Resources seeking approval of the Equality, Diversity and Inclusion (EDI) Statement of Policy (attached as Appendix 1 to the report). The report set out the purpose of the policy and Members were advised the importance of having an agreed EDI Policy to ensure the Council's legal duties were met, responsibilities were understood and goals on EDI aligned with the Corporate Plan.

The Director of Resources presented the report and highlighted the suggestion that a Member of the Committee be appointed to join the Equality, Diversity and Inclusion Officer Working Group (the Working Group).

The Chairman referred to the excellent policy and proposed the recommendations as set out in the report. These were duly seconded. The Chairman then sought nominations for the Committee's representative on the Working Group.

Councillor Mrs M E Thompson proposed that Councillor Mrs P A Channer be appointed to the Working Group and outlined some of the benefits Councillor Mrs Channer would bring. This proposal was duly seconded.

Councillor C Swain then proposed that Councillor R H Siddall be appointed to the Working Group and outlined the benefits he would bring. This proposal was duly seconded.

In accordance with Procedure Rule No. 13 (3) Councillor Mrs P A Channer requested a recorded vote. This was duly seconded. Councillors Mrs Channer clarified that her request for a recorded vote related to the appointment to the Working Group only.

Upon the assent of the Committee, the Chairman advised that recommendation (i) as set out in the report was agreed.

The Chairman put to the Committee the proposal for Councillor Mrs Channer to be the Committee's representative on the Working Group. In accordance to the request for a recorded vote, the voting was as follows:

For the recommendation:

Councillors Mrs P A Channer, M F L Durham, K W Jarvis, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillors M R Edwards, K H M Lagan, N G F Shaughnessy, R H Siddall and C Swain.

Abstention:

There were none.

There being an equality of votes the Chairman used his casting vote against the proposal.

The motion was therefore declared lost.

The Chairman then put to the Committee the proposal for himself (Councillor Siddall) to be the Committee's representative on the Working Group. In accordance to the request for a recorded vote, the voting was as follows:

For the recommendation:

Councillors M R Edwards, K H M Lagan, N G F Shaughnessy, R H Siddall and C Swain.

Against the recommendation:

Councillors Mrs P A Channer, M F L Durham, Mrs M E Thompson and Miss S White.

Abstention:

Councillor K W Jarvis.

The motion was therefore agreed.

**RESOLVED**

- (i) That the new Equality, Diversity and Inclusion Policy, attached at Appendix 1 to the report, be adopted;
- (ii) That Councillor R H Siddall be nominated to join the Equality, Diversity and Inclusion Officer Working Group.

**104. STATEMENT OF COMMUNITY INVOLVEMENT**

The Committee considered the report of the Director of Strategy, Performance and Governance seeking approval of the Council's Statement of Community Involvement (SCI) (attached at Appendix A to the report). It was noted that the SCI set out how the

Council would consult with the community on planning matters and had been revised and updated.

The report provided detailed information regarding the purpose of the SCI and the changes made to the 2018 SCI. Officers' advised that if the SCI was approved a six week consultation would be undertaken, following which any comments received would inform the final version, reported to Members prior to final adoption by the Council.

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

In response to questions raised, the Strategy, Policy and Communications Manager provided the following information:

- Local Housing Needs Assessment work was ongoing with a need to review information that had been received from the Council's Housing Needs Consultant prior to its consideration by the Planning Policy Working Group and this Committee.
- Although the recent Queen's Speech referenced several proposed changes to the planning system the SCI covered the current responsibilities of the Council as Local Planning Authority.
- Reference to pre-application advice within the SCI would only be triggered if pre-application advice was requested.

The Chairman moved the recommendation which was duly agreed.

**RESOLVED** that the Statement of Community Involvement (attached at Appendix A to the report) be approved for consultation purposes.

## **105. DUTY TO CO-OPERATE STRATEGY - APPROVAL TO CONSULT**

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' approval of a new Duty to Co-Operate (DTC) Strategy (attached at Appendix A to the report) for targeted consultation. It was noted that this would establish a firm foundation for the Local Development Plan (LDP) Review's engagement with other Duty to Co-Operate bodies.

The report provided background information regarding the update to the Council's Local Development Scheme 2021 – 2023 and review brought forward of the LDP. It was noted that the DTC Strategy was a clear, robust and effective approach to define how the Council would manage its legal duty for co-operation with other DTC bodies during the LDP review. Approval to consult with a number of DTC bodies (detailed in the report) was sought and Members were advised that any comments received would be considered, the Strategy updated and brought back for final approval.

The Chairman put the recommendations as set out in the report and these were duly seconded.

In the debate that followed and in response to some questions raised the Strategy, Policy and Communication Manager provided the following information:

- The Duty to Co-Operate bodies included all Essex Authorities (as well as the two unitary authorities).
- Local Planning Authorities are required to co-operate with the Mayor of London;

- The Council did not have a DTC with broadband, electric or other utilities companies as these bodies were covered under different legislation, but they may be a statutory consultee as part of the Local Development Plan considerations.

The Chairman moved the recommendations which were duly agreed.

## RESOLVED

- That the Draft Duty to Co-Operate Strategy as set out in Appendix A to the report for a targeted consultation with all other Duty to Co-Operate bodies be approved;
- That following consultation, an updated Duty to Co-Operate Strategy be brought back to the Strategy and Resources Committee, with appropriate amendments for final approval.

## 106. APPOINTMENT OF REPRESENTATIVES ON LIAISON COMMITTEES

The Committee considered the report of the Director of Strategy, Performance and Governance seeking new appointments of representatives for 2021 / 22 to Liaison Committees / Panels, as set out in the report.

The Chairman proposed that the current representations on the Working Groups listed in the report remain unchanged for 2021 / 22. This was duly seconded and agreed.

**RESOLVED** that the Committee appoints the following representatives to the bodies detailed below, for the ensuing municipal year.

Body	2021 / 22 Representative(s)
Car Parking Task and Finish Working Group (Minute 588 – 17/11/15)	Councillors R H Siddall, C Swain, Mrs M E Thompson and Miss S White
Places for People Liaison Committee	Councillors M F L Durham CC and C Swain
River Crouch Coastal Community Team (Management Team)	Chairmen and Vice-Chairmen of the Performance, Governance & Audit and Strategy & Resources Committee.
Waste Member Task and Finish Working Group (Minute 945 – 27/03/18)	Councillors M F L Durham CC, K M H Lagan, R H Siddall and Miss S White

There being no other items of business the meeting closed at 8.17 pm.

R H SIDDALL  
CHAIRMAN

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# Maldon District Council High Level ICT Strategy 2021-26

**Document Version:** 1.1

**Written By:** Lead ICT Specialist, Grant C Hulley

**Reviewed By:** Recourses Specialist, Manager Annette Cardy

**Next Review Date:** 01/10/2026



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## Introduction

The 2018 Maldon District Council (MDC) embarked on a Transformation Programme. A significant part of this relied on the improvement of the ICT infrastructure to support the required changes and cost savings the Council needed to achieve.

Some of the key improvements are listed below:

- The installation and completion of the new infrastructure project, including the replacements of the antiquated firewalls, switches, and networks on site
- Upgraded the internet line to site from 50MBPS over 100MBPS to 1GBPS over 1GBPS with a redundant line in place.
- Upgraded and improved the Wi-Fi coverage on site, including a link to Govroam through our partnership with Thurrock Council.
- Replaced all the desktops on site with laptops and completed the phase three roll out to staff.
- All computers are now image built onsite – which means the process of setting up new devices for staff takes around 10 minutes rather than 3 hours of resource and build time.
- The new Mitel softphone solution is near completion, which replaces the old Alcatel phone system.
- There are new efficiencies within the ICT teams and the way staff use technology and software to complete their work. The team has reduced from 14 ICT staff within Specialist ICT alone to five ICT staff over Specialist and 4 within the Caseworker ICT team, this shows a staff saving for the council whilst still achieving the same working level.
- We have installed upgrades to all our software on site. Civicare, Uniform, TLC, Xpress, Sage and Office 365 are all on the latest builds as of October 2020 and are now hosted on our virtual infrastructure.
- We have released a new website with a new design and layout, integrating with firmstep and as a final step to the transformation project the council upgraded its front office to back office communication helping the public communicate with the correct department using digital communication.
- The release of Microsoft Teams to all staff, facilitated by one-to-one and small group training sessions has enabled better internal communication and collaborative working between departments.

Following the above successes within ICT, this document will now seek to outline the following five year period 2021 to 2026 and the steps needed to realise the councils Corporate Plan of Performance and Efficiency by leading in the community through the use of technology and continuing to achieve our excellent services with value for money. This document will include upgrade paths and costs to achieve a flexible workforce able to deliver collaboratively on its objectives to the public and its stakeholders. It will also provide digital solutions to service delivery for faster, easier and more flexible access for residents with value for money.



### Where are we now

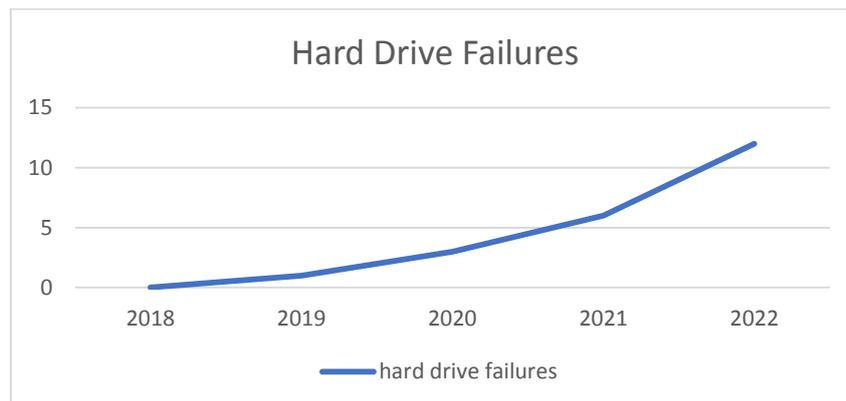
The use of technology is at the centre of MDC's service delivery assisting staff and the public. This can be seen in the day to day running within the council and its District. This will be outlined in each of the areas below. At a high-level overview MDC is benefiting from the new IT infrastructure, which was fully replaced and upgraded to the latest technology in July 2019.

The council has seen more rapid implementation times when making network changes, for example the work completed for the Always On VPN. There is also greater cyber security in terms of access prevention, due to the new firewalls and segregated layer 3 network as well as training and set up of the internal network for officers. Microsoft Teams has also allowed for better communication both on and off site which has been invaluable during the Covid-19 pandemic and has allowed for data and document sharing as well as facilitating the virtual committee meetings efficiently and securely. Finally, the move from desktops to laptops has seen the entire council move to the use of mobile devices, this allows for a more flexible work approach and has facilitated the councils aims of agile working and was key in enabling the Council to move quickly to remote working when the pandemic hit.

Following the successes of the transformation project It is now imperative that we maintain our lead on technology by continual improvement and upgrades. As a council we should have a commitment to making sure our offices hardware (such as laptops) stay up to date, as the older a laptop gets the slower, they will become. Best practice would mean that no device should be more than three years old. A renewal program is being prepared based on this document.

Whilst we have worked to improve the officer's IT equipment over the last 3 years and are now looking to continue that improvement, the data centre urgently requires upgrading. There are 10 hosts in total, all of which are now four or more years old and urgently need replacing as there are risks with hardware failing. This can be seen in the below predicted hard drive failure rate.

We have seen one hard drive fail in 2019 and three in 2020, following this curve we will potentially have up to six additional hard drive failures in 2021. Whilst we do have backups in place, we will hit critical system issues by 2022 unless we start a replacement program for the datacentre.



As hosts start to fail, the council will start to see slower data access alongside more space and resource restrictions.

Outside of hardware, the council would also benefit greatly from a reduction in the amount of software, which is being used across all departments. In order to amalgamate the current software to use fewer software programs, and improve efficiencies, research needs to start now to source a



package capable of running all of MDC's deliverables yet is sustainable with the current on-site resources. One such example would be Dynamics 365.

Whilst we are leading in the field of hardware, our software still requires some work to show the overall efficiencies required by the council.

### Current Council Systems

Below is a more detailed view of the current council systems. This has been broken down into Infrastructure (the internal hardware and systems of the council such as the network and datacentre), Hardware (such as Officer laptops and screens, used daily by staff to work), Software (applications used by offices to run the council) and then ICT business as usual (BAU) and project works which are currently actively being worked on.

#### Infrastructure

##### *Hosts*

MDC have 10, fit for purpose but nearing end of life Hosts. Each host runs several servers which in turn power the software for the council. Whilst these are being maintained they should be replaced as soon as possible. The current hosts are Generation 8 despite Generation 11 now being available, it is standard practice to upgrade hosts every three to four years based on age and performance.

##### *Switches*

MDC Switches are less than 12-month old Aruba HPE switches. In total there are eight, 48 port switches used to run the network at the MDC offices, these are all in warranty and should run for a minimum of another three years before a replacement is needed.

##### *Firewalls*

The firewalls are Palo Alto firewalls, this is one of the best brands in the world for firewall systems and are also brand new and in warranty. We have two firewalls split over a virtual pair for redundancy; these firewalls can be kept in place for up to six years without the need for replacement.

##### *Access points*

Again, based on Aruba HPE, the access points were installed in July 2019. There are 56 access points on site, all in warranty. We can expect these to last up to six years.

##### *Internet*

Following the recommendation of the 2018 ICT strategy the council now has a 1GBPS line into the building, this is a dedicated fibre line with resilience. The council is utilising around 750MBPS on average giving a lot of room for additional system usage.

##### *Disaster Recovery and Testing*

Not included in the 2018 ICT strategy, MDC have a testing environment which can be used within the current datacentre however this is not fit for purpose and is low on resource, with the upgrade of the hosts suggested above it would be advised that the old host system would be used to build a purpose built testing and DR system in the park offices. This would give us the option of an instant back up to the park offices in the event of a system failure at MDC offices.

##### *Backup system*

At this moment the backup system is based on 5 tape drives which have to be switched manually each day by a member of the ICT team. Going forward, it is proposed that the tape drives are removed, and we utilise the full capacity of our Veeam backup solution for offsite backups. This



would allow for faster restoration and safer data storage going forward. It would also remove the need for an officer to travel to site each day.

#### *Projects:*

- Upgrade the HPE fibre switches
- Upgrade the data centre hosts
- Set up the disaster recovery and testing in parks
- Move the entire data centre off site
- The data centre needs to be cleaned up – removing redundant equipment
- The backup tapes need to be removed completely
- Veeam Upgrade and setup for remote Backup solution
- The last 4 physical servers need to be virtualised
- Monitoring and logging needs to be sorted out for all the above
- Upgrade network to better support home working

#### Hardware

##### *Laptops*

Due to the transformation program, council laptops for officers and members are now under a year old and in full warranty, the laptops are set to standard office specification containing 8GB RAM and a modern gen7 or 8 CPU. The laptops themselves are Dell branded and of a robust design. The council have three sizes of laptops, the default being a 15inch model but there are 13inch and 14inch models available as well.

##### *Tablets*

Council Tablets are available for officers and members and are now coming up to three years in age. The council have two brands of tablet, iPad and Samsung Galaxy Tab A. These are on a three year renewal cycle based on warranty.

##### *Docks*

Due to the thunderbolt port on the council laptops a dock can be used to connect two monitors and expand the laptop with two additional UBS ports and a sound card. The docks were setup at each desk during the transformation to enable hot desking. Any officer could use their laptop at any desk by simply plugging in a single cable.

##### *Screens*

The council has one monitor available per officer in addition to their laptop screen giving all staff two screens to work from. For users who are considered advanced ICT users (also know as power users – i.e. the entire ICT Team) there is the option of a second monitor at their desk allowing for three monitors in total. The monitors are 22inch across and work on DVI and HDMI for active digital connections to either the laptops or docks. The monitors also have adjustable risers allowing officers to set the monitor to a preferred high for better posture.

##### *Keyboard and mice*

Keyboards and mice are bought on a per need basis. MDC currently uses a mix of HP and Dell keyboards and mice. The council keeps around 20 sets in storage and some of the current sets are nearly due for renewal.



### *Phones*

The council has now moved to a softphone solution based of Micollab which is installed on the officers Laptop and runs on the built-in mic and speaker system of the laptop. Each officer is also provided with a headset which can be used if needed with the laptop.

In order to maintain the stock of IT kit the following projects are being completed along with a 5-year cycle IT renewal programme

### *Projects:*

- Laptop Refresh program of renewal on a three-year cycle.
- Tablet refresh program of renewal on a three-year cycle.
- Members hardware Refresh program.
- Softphone upgrade to MS Team's integration to Mitel.
- Headset stock increase.
- Keyboard and Mouse stock check.

### *Software*

#### *Office 365 (Inc PowerBI, Forms, Teams, Word and Outlook)*

Used as our primary software in all day to day tasks the council is now fully integrated with office 365 and its business applications. Officers continue to use Word, PowerPoint, Excel and Outlook for all their day to day activities, however users have now started to work with additional software such as Forms and PowerBI helping them to improve and optimise their work and outputs. ICT have also started to work with Power Automation and Power Apps to build custom dynamic content for the council, again helping to achieve efficiencies. ICT continue to lead this through training, self-learning and testing of these new systems prior to staff taking them on board. This helps to enable a dynamic work force.

#### *Civica*

Civica was recently upgraded to the latest available version with the server Civica was stored on, upgraded at the same time, to Server 2012. This is the latest server version available. Civica is used to administer tax collection and public facing amenities, the software is a central point for viewing and updating this information.

#### *Uniform*

Uniform has been used by MDC to digitise its paper-based documentation for all public front office activities, this is a file management software used within the council.

#### *TLC*

Land Charges data, results and info required are stored. Anyone in the TLC group can check the status (search in progress, awaiting acceptance etc.). Notes if responses have been sent, if they're over their expected time.

#### *ArcGIS*

Used to run our mapping and planning departments, ArcGIS integrates with our website to allow the planning portal to show mapping data.

#### *Xpress*

Is used to run the Districts electoral register, whilst the software is old it has a tried and tested track record in running the electoral requirements.

#### *Sage*

Used for the internal accounts for MDC, Sage stores and runs the accounts for MDC.



### *Firmstep*

Firmstep is a front to back office ticketing tool, used by MDC to link our front office contact with the public to our back-office officers for triage and completion. An example of this is the FOI system which integrates with the MDC website and sends completed FOI's to the appropriate department.

This is still under development with forms going live each month.

### *Freshservice*

Is used for ticketing and triage of support requests across the council. All members, staff and officers can raise a ticket which is sent to the correct department to be dealt with, this has provided for greatly increased time efficiencies in resolving issues around the council.

The work requirements to maintain and improve the above software are listed below:

### *Projects:*

- Twice a year upgrade programme for each piece of software.
- Amalgamate the software by removing redundant software.
- Program of introducing new software which will improve council efficiencies such as power apps and MS Forms.
- Dynamics 365 test and project kick off.

### *Covid 19*

With the Covid 19 pandemic effecting business globally, and Government guidance for employers to ensure staff worked from home where possible, MDC had to work flexibly with officers to quickly move from working within the office buildings to remote off site working. For the majority of staff this was achieved within a few days and for all staff who are desk based within 10 days.

This was due to the time and effort of the ICT teams, the pro-active work of managers and staff and the investment that had been made to the infrastructure of the council. This put us ahead of many other Council's in the country. Focus is now on improving remote working. The Always ON VPN setup by ICT requires continue maintenance and monitoring and has now become key to the systems and functionality of the council and its staff.

The planned projects around the Always ON VPN are to move from the current split tunnelling setup into a more secure. faster forced tunnelling structure however due to the pandemic and the limitation of out of hours work progression is slow this is where projects such as the infrastructure DR and testing solution would come into play.

The Pandemic has also brought further requirements around the future of how business and the council will function to provide flexible options for working. For this we have devised the below project list in conjunction with the Always ON VPN to deliver improvements.

### *Future Remote working*

Due to the new way of working ICT are producing a list of projects-to help towards this new flexible working solution, this includes supporting officers with home internet connections or through the use of 4G dongles for the officer laptops.



Further development is then needed to give greater control of the now off-site hardware such as laptops through the implementation of MS Intune and an update which was needed to the council's hardware warranty as devices were originally designed not to leave the offices.

ICT are also now increasing stock for onsite hardware so that staff can work from the offices when needed, from specified desks.

Projects to maintain and improve flexible working for future service delivery are below.

#### *Projects*

- Stability of Always ON VPN
- 4G connection from laptops
- DR and Testing host setup
- Development of MS InTune

2021 and 2022

ICT have three key roles:

#### *Key roles*

1. Continued support of current systems and staff
2. Project preparation for future changes to the system
3. The ICT department has an annual recurring budget of £534,300.00 for the projects and future projects proposed in this document, meaning that all current project works listed here are fully funded.

As a priority 4 main projects are to be completed for current systems in 2020 and 2021 as below.

#### *Projects*

- New softphone system
- SharePoint
- Host Datacentre upgrade

#### *In Parallel*

ICT will provide ongoing training and support to staff and Members to utilise the new hardware and software available and continue to provide the following.

- Continual software upgrades and improvements
- Hardware renewal program
- Laptop Refresh program of renewal
- Monitoring and logging
- Upgrade network to better support home working



## 2022-2026

Over the following four years there should be a clearer path to the future ways of working for MDC. The addition of Dynamics as a central point for all software and separately to this the migration of our datacentre into an offsite shared location will assist in enabling greater flexible working and cost savings

The planned project work will be:

### Projects

- Set up the disaster recovery and testing in parks
- Move the entire data centre off site
- The backup tapes to be removed completely
- Veeam Upgrade and setup for remote Backup solution
- The last 4 physical servers need to be virtualised
- Softphone upgrade to MS Team's integration to Mitel.
- Headset stock increase
- Keyboard and Mouse stock check
- Twice a year upgrade programme for each piece of software.
- Amalgamate the software by removing redundant software.
- Program of introducing new software which will improve council efficiencies such as power apps and MS Forms.
- Dynamics 365 test and project kick off.
- Stability of Always ON VPN
- DR and Testing host setup
- Development of MS InTune



**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

---

to  
**COUNCIL (EXTRAORDINARY)  
30 JUNE 2021**

**MAKING THE WICKHAM BISHOPS NEIGHBOURHOOD PLAN**

**1. PURPOSE OF THE REPORT**

1.1 The Wickham Bishops Neighbourhood Plan has successfully passed its referendum. Following the referendum it automatically became part of the statutory Development Plan for the district. Maldon District Council now needs to formally 'make' the WBNP part of the Development Plan.

**2. RECOMMENDATION**

That Council 'makes' the Wickham Bishops Neighbourhood Plan in accordance with section 38(A)(4) of the Planning and Compulsory Purchase Act 2004.

**3. SUMMARY OF KEY ISSUES**

**3.1 Referendum**

- 3.1.1 On 18 March 2021, the District Council made the decision to accept the Examiner's recommendations and that the Wickham Bishops Neighbourhood Plan (as modified by the Examiner's Report) should proceed to referendum (Minute No. 337 refers).
- 3.1.2 The District Council published its decision statement on 19 March 2021 to confirm that the Wickham Bishops Neighbourhood Plan, as modified, met the Basic Conditions and other legal requirements.
- 3.1.3 The referendum was held on 6 May 2021. The Referendum asked the question "Do you want Maldon District Council to use the neighbourhood plan for Wickham Bishops to help it decide planning applications in the neighbourhood area?"
- 3.1.4 91.6% of those who voted were in favour of the Plan.

**Referendum Results**

YES	708
NO	52
Rejected ballots	13
Total votes cast	773

**3.2 Decision and reasons**

3.2.1 Under section 38A (4)(a) of the Planning & Compulsory Purchase Act 2004 (as amended), the District Council is required to 'make' a Neighbourhood Plan if more

than half of those voting have voted in favour of the Plan. 91.5% of the votes cast were in favour of this Plan.

- 3.2.2 Under section 38A(6), a council is not subject to this duty if the making of the Plan would breach, or would otherwise be incompatible with, any EU obligation (as transposed into UK law) or any of the Convention Rights (within the meaning of the Human Rights Act 1998). Maldon District Council has assessed that the Plan, including its preparation, does not breach, and is not incompatible with these obligations.

### 3.3 **Neighbourhood Development Plan status**

- 3.3.1 Planning applications in the Neighbourhood Area must be considered against the Wickham Bishops Neighbourhood Development Plan, as well as existing planning policy such as the approved Maldon District Local Development Plan (2017) and the National Planning Policy Framework and National Planning Practice Guidance.

## 4. **CONCLUSION**

- 4.1 The Wickham Bishops Neighbourhood Plan was developed by the Parish Council through extensive engagement with the local community, culminating in a Referendum on the Plan on 6 May 2021. The majority of those who voted, voted for the Neighbourhood Plan. Following the referendum, the Plan automatically became part of the development plan for the District. The Council now needs to complete the statutory process and formally 'make' the Neighbourhood Plan part of the development plan for the district.

## 5. **IMPACT ON STRATEGIC THEMES**

- 5.1 The making of the Neighbourhood Plan will have positive impacts on the following corporate outcomes: (1) Promote civic pride and maintain the District's environmental quality; (7) Supporting existing local businesses; (9) Working with our communities and partners to improve the physical health and well-being of our residents; (13) Building on the strengths of our communities and what they can do to support themselves and help each other to thrive. (18) Meaningful engagement - the Neighbourhood Plan has been successful at referendum and will now be used the consideration of planning applications in the Parish.

## 6. **IMPLICATIONS**

- (i) **Impact on Customers** – Neighbourhood Planning gives communities the opportunity to directly plan the future of their area.
- (ii) **Impact on Equalities** – Neighbourhood Planning has the potential to identify and manage local equalities issues and must be prepared taking into account relevant equalities legislation. The Neighbourhood Plan has been independently examined for its compliance with relevant legislative requirements including human rights. An Equality Impact Assessment (EqIA) was completed on the Plan in February 2021 and is available on the Council's website.

- (iii) **Impact on Risk** – Neighbourhood Plans can reduce risk in the development management process by providing support for the Council in determining planning applications and defending planning appeals.
- (iv) **Impact on Resources (financial)** – Maldon District Council is financially responsible for organising the Examination and Referendum for Neighbourhood Plans in their area. The Council can claim a grant from Ministry of Housing, Communities and Local Government (MHCLG) for each Neighbourhood Plan, once the Decision Statement on sending the Plan to Referendum is published. This claim was made in March 2021 and is due to be paid in summer 2021. These payments are made by Central Government to Local Planning Authorities to reflect the additional financial burdens associated with supporting Parish Councils or Neighbourhood Plan Forums to prepare Neighbourhood Plans.
- (v) **Impact on Resources (human)** – The Neighbourhood Plan adds to the development plan documents used in the determination of planning applications, and it further strengthens the planning policies for the parish. Neighbourhood Plans can reduce risk in the development management process by providing support for the Council in determining planning applications and defending planning appeals.
- (vi) **Impact on the Environment** – Neighbourhood Plans have the potential to improve the local environment where plans are being produced. The making of the Neighbourhood Plan will help reduce the impact on the environment from inappropriate development.
- (vii) **Impact on Strengthening Communities** - Neighbourhood planning is intended to strengthen communities by giving them the opportunity to prepare statutory plans that shape the future development of the community.

**Background Papers:**

Information on the Wickham Bishops Neighbourhood Plan is available at:

[https://www.maldon.gov.uk/info/20048/planning\\_policy/8112/community\\_led\\_planning\\_and\\_neighbourhood\\_plans/11](https://www.maldon.gov.uk/info/20048/planning_policy/8112/community_led_planning_and_neighbourhood_plans/11)

**Enquiries to:** Leonie Alpin, Specialist Local Plans.

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# Wickham Bishops Neighbourhood Plan

## Decision Statement

### 1 July 2021



#### Summary

Following an Independent Examination and Referendum, Maldon District Council is publicising its decision to ‘make’ the Wickham Bishops Neighbourhood Plan (“the Plan”) part of the Maldon District Development Plan, in accordance with Regulation 19 of the Neighbourhood Planning (General ) Regulations 2012 (as amended). The policies in the Plan can now be given full weight when assessing planning applications that affect land covered by the Plan.

1. This Decision Statement and the Plan can be viewed on the Maldon District Council website: [https://www.maldon.gov.uk/info/20048/planning\\_policy/8112/community\\_led\\_planning\\_and\\_neighbourhood\\_plans/11](https://www.maldon.gov.uk/info/20048/planning_policy/8112/community_led_planning_and_neighbourhood_plans/11)

#### Background

##### Neighbourhood Area

2. The Wickham Bishops Neighbourhood Area was approved by Maldon District Council on 7 November 2016. The Neighbourhood Area is the same area as the parish area for Wickham Bishops.

##### Submission

3. Wickham Bishops Parish Council submitted the Neighbourhood Plan proposal and supporting documentation to Maldon District Council for Examination in September 2020. Maldon District Council held a 6 week consultation (the Regulation 16 consultation) on the document from October to November 2020.

##### Independent examination

4. The District Council, with the agreement of Wickham Bishops Parish Council, appointed an Independent Examiner, Mr Andrew Ashcroft, to review whether the Plan met the Basic Conditions required by legislation and should proceed to referendum.
5. The Examiner’s Report was received on 10 February 2020. The Report concluded that, subject to making the modifications proposed by the Examiner, the Plan met the Basic Conditions set out in legislation and should proceed to a Neighbourhood Planning referendum. The District Council concurred with this view, subject to some minor modifications to correct errors.
6. The District Council also agreed with the Examiner that the Neighbourhood Area (the parish of Wickham Bishops) would be an appropriate area within which to hold the referendum.

##### Referendum

7. On 18 March 2021 the District Council made the decision to accept the Examiner’s recommendations and that the Wickham Bishops Neighbourhood Plan (as modified by the Examiner’s Report) should proceed to referendum.
8. The District Council published a decision statement on 19 March 2021 to confirm that the Wickham Bishops Neighbourhood Plan, as modified, met the Basic Conditions and other legal requirements.
9. The referendum was held on 6 May 2021. The Referendum asked the question “Do you want Maldon District Council to use the neighbourhood plan for Wickham Bishops to help it decide planning applications in the neighbourhood area?”

10. 91.5% of those who voted were in favour of the Plan.

Referendum results	
Yes	708
No	52
Rejected Ballots	13
Total votes cast	773

#### Decision and reasons

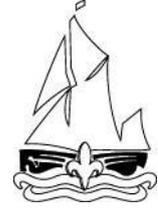
11. Under section 38A (4)(a) of the Planning & Compulsory Purchase Act 2004 (as amended), the District Council is required to make a neighbourhood plan if more than half of those voting have voted in favour of the Plan. 91.5% of the votes cast were in favour of this Plan.
12. Under section 38A(6), a council is not subject to this duty if the making of the Plan would breach, or would otherwise be incompatible with, any EU obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998). Maldon District Council has assessed that the Plan, including its preparation, does not breach, and is not incompatible with these obligations.
13. On 1 July 2021 Maldon District Council made the decision, in accordance with section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended), to 'make' the Wickham Bishops Neighbourhood Plan
14. Any person aggrieved by the Wickham Bishops Neighbourhood Plan may apply to the High Court for permission to apply for judicial review of the decision to make the Plan. Any such application must be made promptly and no later than 6 weeks after the date on which the Plan was made.

#### Neighbourhood Development Plan status

15. Planning applications in the Neighbourhood Area must be considered against the Wickham Bishops Neighbourhood Plan, as well as existing planning policy such as the approved Maldon District Local Development Plan (2017) and the National Planning Policy Framework.

#### Availability of documents

16. This Decision Statement and the Plan can be viewed on line at:  
[https://www.maldon.gov.uk/info/20048/planning\\_policy/8112/community\\_led\\_planning\\_and\\_neighbourhood\\_plans/11](https://www.maldon.gov.uk/info/20048/planning_policy/8112/community_led_planning_and_neighbourhood_plans/11)
17. This information has also been brought to the attention of people who live, work or carry out business in the neighbourhood area.



**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

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**to  
COUNCIL (EXTRAORDINARY)  
30 JUNE 2021**

**ONE MALDON DISTRICT**

**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to seek approval of a new integrated approach to health and wellbeing and community safety in Maldon District.

**2. RECOMMENDATION**

That the Council endorses the approach to the formation of One Maldon District (OMD) and merging the strategic arm of the Livewell Group and Responsible Authorities Group into OMD, enabling a joined-up approach to community safety and health and wellbeing.

**3. SUMMARY OF KEY ISSUES**

**3.1 The case for change**

- 3.1.1 Health and wellbeing and community safety are key elements of the Maldon District Council Corporate Plan 2021 - 23, including:

- working with our communities and partners to improve the physical health and well-being of our residents;
- working with our communities and partners to improve the mental health and well-being of our residents;
- ensuring the safety and wellbeing of our vulnerable children, adults and families;
- working with our communities, schools and partners, to improve our children and young peoples' health and well-being, giving them the best start in life;
- building on the strengths of our communities and what they can do to support themselves and help each other to thrive.

- 3.1.2 The need for a systems management approach to health and wellbeing and community safety is long-established and is a principle that underpins the partnership approach to these issues. The Covid pandemic has shone a light on the need for cooperation and coordination of the whole Essex system to maximise health benefits, and the need to involve partners across the whole system. One Maldon District would provide a forum to bring together all key partners and stakeholders in the Maldon District.

3.1.3 The approach is further underpinned by research as demonstrated by The Robert Woods Johnson model of Health Determinants set out below, which highlights the links between health behaviours, socio-economic factors, clinical care and built environment, as the key determinants of a healthy population:



SOURCE: Robert Wood Johnson Foundation and University of Wisconsin Population Health Institute in US to rank countries by health status

3.1.4 The function of the Maldon District Livewell Group (strategic function) is to improve health and wellbeing in the Maldon District and the function of the Responsible Authorities Group is to address crime and disorder, substance misuse and the reduction of re-offending in Maldon District. Combining the functions of both boards is a logical step as many crime and disorder issues have strong links with health and wellbeing. It would therefore improve coordination, efficiency and effectiveness of any work done by those boards.

3.1.5 There are wider changes occurring within the health landscape with the proposed introduction of dissolution of Clinical Care Groups in the NHS and the establishment of Integrated Care Systems promoting closer working between the NHS and public and voluntary sector partnerships, to be delivered through a place-based approach. The Model of One Maldon District would enhance the partnership working in the District and enable a joined-up approach to working with all partners and particularly the Mid Essex Alliance – the place-based forum through which the NHS will work with the partners of Mid-Essex.

### 3.2 What is the proposed One Maldon District (OMD)?

3.2.1 OMD is proposed as a senior level partnership, working together to ensure a healthier and prosperous Maldon District in relation to themes of Place, Prosperity, Community and Safety. OMD seeks to maximise collaboration to ensure there is an abundance of opportunities for enhanced health, wellbeing, community safety and feeling of safety within communities across the District. A proposed Terms of Reference are presented in **APPENDIX 1**.

### **3.3 What is the purpose of OMD?**

- 3.3.1 OMD would bring together senior representatives from the local statutory, voluntary and private sectors to enhance local quality of life, jointly bid and draw down funding and discuss and link strategies. OMD would hold the statutory function of Responsible Authorities Group.

### **3.4 What would the membership and structure of One Maldon District look like?**

- 3.4.1 A range of partners would be invited to represent their organisation at a senior level. This will include: Local Authority (Maldon District Council and Essex County Council), Voluntary Sector, Safety (Police, Fire and Probation), Local business representation, Political representation (Appointed Members and Local Members of Parliament (MPs)), Cultural sector, Education (Schools, Higher Education and Further Education), Faith representation, Health (Clinical Commissioning Group). Representation of Maldon will be at the Elected Member level, likely to be through the Leader of the Council, with additional Member representation to be agreed. The Main Board will be supported by sub-groups to ensure it maintains the engagement of all partners and provides the appropriate forums for discussion and joint working.

### **3.5 How has it worked in other local authorities?**

- 3.5.1 The concept of this Board is well established and working efficiently and effectively in both Colchester Borough Council and Chelmsford City Council. Having the Board in place enables external funding to be brought in which can then be disseminated as required.

### **3.6 Next Steps**

- 3.6.1 The next steps will be to determine the final structure of OMD and finalise the Terms of Reference and proposed representation, including the Member representation from Maldon District Council, which is initially proposed to be the Leader of the Council plus the Chairman of the Strategy and Resources Committee on OMD Board, with further Member representation on sub-groups, recognising the existing level of Member engagement through the Livewell Partnership.

## **4. CONCLUSION**

- 4.1 OMD will improve communication and partnership working that is undertaken at a senior level between the statutory, voluntary and private sector. The OMD board will support Maldon District Council (MDC) to work more efficiently and effectively in relation to community safety health and wellbeing whilst supporting work which will achieve delivery of our corporate outcomes. A follow-on report will be brought to the Council to finalise the structure and Member appointments.

## **5. IMPACT ON STRATEGIC THEMES**

- 5.1 The introduction of One Maldon District will have a contribution to all of the Strategic Themes of Place, Prosperity and Community and the organisational focus of Performance and Value and assist in the delivery of the Corporate Plan outcomes through improved systems management enabling a more responsive and joined up approach to the issues facing the District.

## 6. IMPLICATIONS

- (i) **Impact on Customers** – The OMD Board will provide senior level coordination between statutory, private and voluntary organisations within the District. This will mean more joined up ways of working and support MDC in our delivery of the corporate outcomes: customers' expectations exceeded, continuing to work sustainably, effective engagement to support strong resilient communities, partnership working to safeguard vulnerable adults, children and families and working with communities and partners to support our health and wellbeing priorities.
- (ii) **Impact on Equalities** – The Council is committed to providing equal opportunities with no discrimination. There are no identifiable impacts currently based upon the work to date.
- (iii) **Impact on Risk:**
- Operational risk – None.
  - Organisational risks – None.
  - Partnerships - The OMD Board is likely to strengthen the following partnerships: voluntary sector, Police, Fire, Probation, Business, Cultural Sector, Education, Faith Representation and Clinical Commissioning Group.
- (iv) **Impact on Resources (financial)** – None.
- (iv) **Impact on Resources (human)** – None.
- (v) **Impact on the Environment** – None.
- (vi) **Impact on Strengthening Communities** - The importance of strengthening communities is fully recognised in the One Maldon Approach; with the update seeking that the Council's resources be coordinated with partners to help communities thrive with support where it is necessary.

Background Papers: None.

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



**DRAFT Terms of Reference**  
**16/6/2019**

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## **1. What is One Maldon District?**

- 1.1 One Maldon District is a senior level partnership, working together to ensure a healthier and prosperous Maldon District in relation to Place, Prosperity, Community and Safety. One Maldon seeks to maximise collaboration to ensure there is an abundance of opportunities for enhanced health, wellbeing, community safety and feeling of safety within communities across the District.

## **2. One Maldon District purpose**

- 2.1 One Maldon District has been established to bring together senior representatives from the local statutory, voluntary and private sectors to enhance local quality of life, jointly bid and draw down funding, discuss and link strategies and initiatives. The main purpose of One Maldon is to:
- Focus on three key themes, namely Community, Place and Prosperity;
  - Provide a systems leadership approach to the focus themes; and
  - Aspiring to be an example of best strategic partnership working
  - **PERFORMANCE MONITORING ASPECT**

## **3. One Maldon District aims**

- 3.1 The One Maldon vehicle is integral for system wide strategic leaders to collaborate and work together to drive and lead change, our key aims will include:
- Focus on high level strategic issues which affect the District of Maldon.
  - Providing a vehicle which meets relevant statutory requirements to form a Responsible Authorities Group.
  - Discuss and resolve issues when they arise. With resolution following an Asset Based Community Development model where appropriate.
  - Minimising duplication of work and meetings to ensure better utilisation of resources.

One Maldon District DRAFT Terms of Reference

- Empowering and encouraging social action to support communities to tackle issues which are important to them and effect their life.
- Maximising and sharing funding opportunities to strengthen and provide expert support of bid submission and grant distribution.
- Act as a vehicle which provides a united voice from and into Maldon District at both a regional and national level.
- To provide strategic guidance to the livewell operational sub-groups.

4. One Maldon Membership

- This is a strategic level board which unites organisations from the community, business, public and voluntary sector
- The level of membership (Figure 1.) required is so a member is able to represent whole organisations or sectors, devise and confirm joint strategic plan, make high level decisions, commit resources and seek to break down any operational barriers.
- One Maldon will assess existing boards and groups (Figure 2.) which should/ can support One Maldon. The operational and strategic groups which function in the District will be an integral relationship to ensure One Maldon can deliver on its' strategic plan.

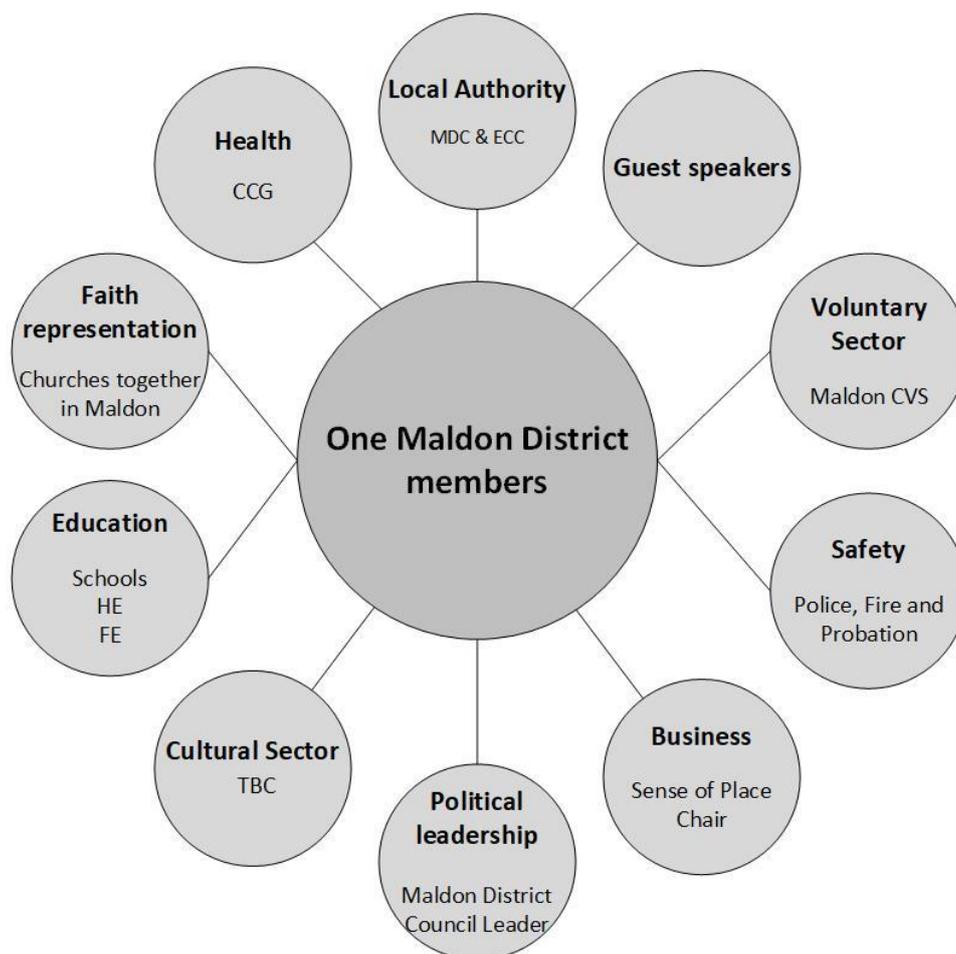
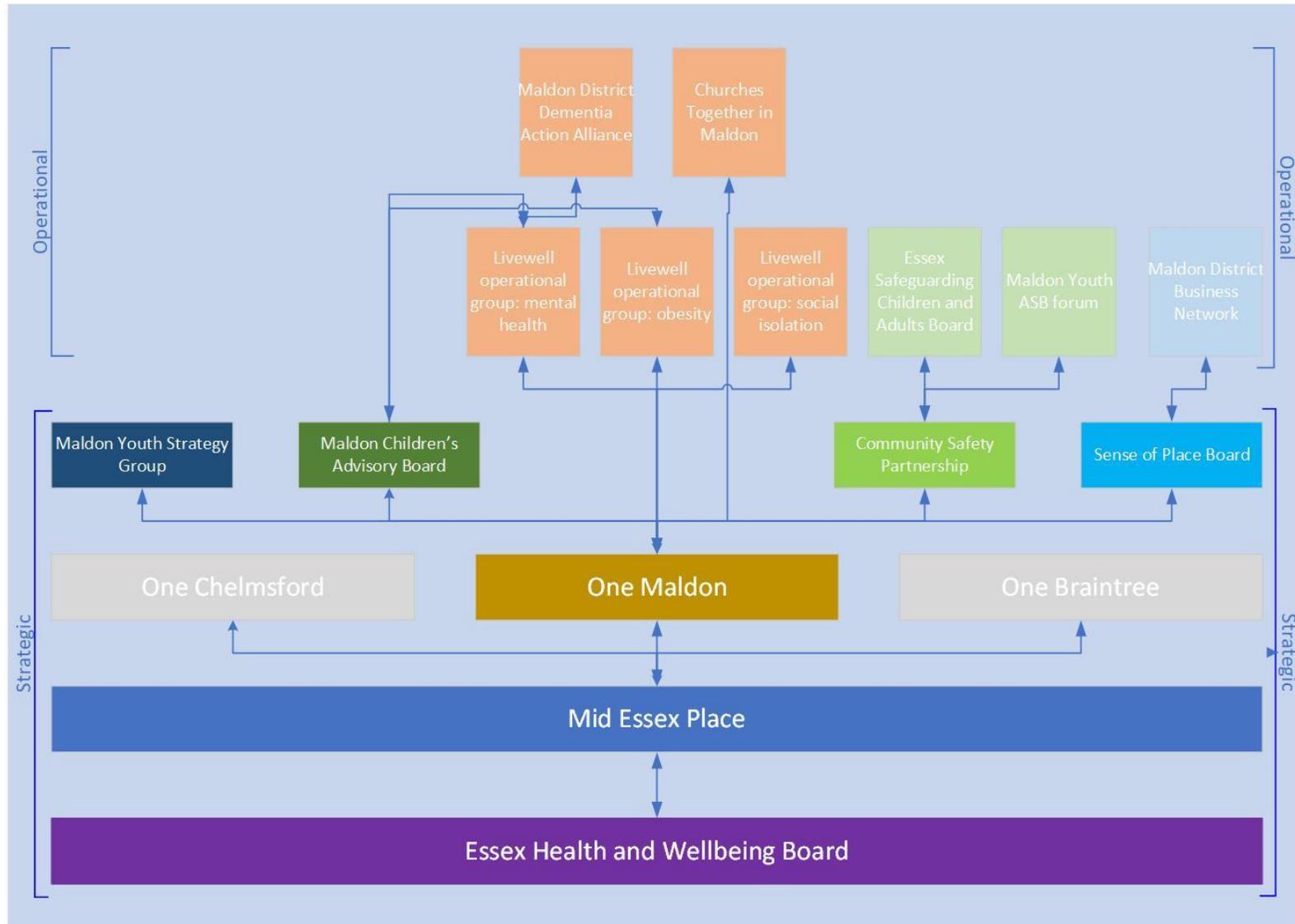


Figure 1. One Maldon District suggested membership diagram



**Figure 2.** Existing strategic boards and groups that will support and be supported by One Maldon

## One Maldon District DRAFT Terms of Reference

**5. Nature and frequency of meetings**

- 5.1 The One Maldon board shall meet quarterly (MINIMUM OF THREE MEETING PER YEAR) to develop its strategic plan and to review progress towards achieving the priorities within the plan.
- 5.2 The board will have the ability to meet more often if required and instruct the \_\_\_\_\_ operational groups for time specific agenda items.

**6. Chair and Vice-Chair**

- 6.1 The One Maldon Chair shall be elected annually and shall Chair for no more than 2 consecutive years. The Chair shall also be supported by a Vice Chair. Characteristics of the Chair suggested are:
- Integrity;
  - Clear vision and passion for One Maldon District.
  - Emotional intelligence;
  - Decisiveness;
  - Ability to chair meetings;
  - Personal strength and courage.

**7. Quorum**

- 7.1 The minimum number of partners who must be present at any meeting must include 5 partners. If there are less than 5 partners present, it can be recommended to seek ratification through e-mail of decisions to keep processes fluid and action focused.
- Min no. of Maldon District Council (MDC) reps = 2

**8. Reporting and communication**

- 8.1 The Chair of this board will agree and distribute an agenda at least 7 working days in advance of the meeting along with any reports or updates.
- 8.2 Any reports or agenda items for presentation to the group must be lodged with the Chair for agreement with a minimum of 10 days prior to the meeting date.
- 8.3 Meeting summary and action points will be provided to the membership within 10 working days of the meeting.
- 8.4 It is to be agreed by the board that a minute taker is supplied by one organisation (for consistency) and that the board reimburses the designated organisation for minute taker time. It would be preferred if the minute taker was sourced from the same organisation as the Chair to improve fluidity and speed of issuing minutes.

One Maldon District DRAFT Terms of Reference

8.5 Minutes which are produced by the One Maldon District partnership are to be disseminated to the livewell operational groups Chairs.

**9. Accountability**

9.1 The One Maldon District Strategic Partnership is accountable to the people of the Maldon District, this accountability is through the existing accountability structures of the participant partner organisations. This can include direct accountability to voters for some public sector agencies, accountability to communities and members for third sector organisations, and to local customers and to shareholders for businesses.

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**REPORT of  
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

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to  
**COUNCIL (EXTRAORDINARY)  
30 JUNE 2021**

**MID-ESSEX ALLIANCE – MEMORANDUM OF UNDERSTANDING**

**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to seek Council approval of the Mid Essex Alliance Memorandum of Understanding (MOU).

**2. RECOMMENDATION**

That the Council agrees to be a signatory to the Mid-Essex Alliance Memorandum of Understanding.

**3. SUMMARY OF KEY ISSUES**

- 3.1 In the changing landscape of the NHS, with the dissolution of Clinical Commissioning Groups (CCGs) from April 2022 and the formation of Integrated Care Systems (ICSs), there is a mounting need to have localism for mid Essex within the 1.2m population of Mid and South Essex ICS. The Mid Essex Alliance will co-ordinate a place-based approach to health priorities to ensure the localism needed. The Group is operational in its approach and is primarily based on co-ordination of activities, and bringing together approaches around joint activity to deliver shared objectives of the member organisations. This would effectively be a mechanism through which some of the key outcomes of Maldon District Council (MDC), as agreed by Members, through our Corporate plan could be delivered.
- 3.2 Health and wellbeing and community safety are key elements of the Maldon District Council Corporate Plan 2021 - 23, including:
- working with our communities and partners to improve the physical health and well-being of our residents.
  - working with our communities and partners to improve the mental health and well-being of our residents.
  - ensuring the safety and wellbeing of our vulnerable children, adults and families.
  - working with our communities, schools and partners, to improve our children and young peoples' health and well-being, giving them the best start in life.
  - building on the strengths of our communities and what they can do to support themselves and help each other to thrive.
- 3.3 The need for a systems management approach to health and wellbeing is long-established and is a principle that underpins the partnership approach to these

issues. The Covid pandemic has demonstrated need for cooperation and coordination of the whole Essex system to maximise health benefits, and the need to involve partners across the whole system. The Mid-Essex Alliance enhances our ability as a District Council to deliver the priorities set out above, through working with partners.

3.4 The Key Aims of the Mid Essex Alliance are set out in section 4 of the MOU (presented in **APPENDIX 1**), and they include:

- Work towards a shared vision for creating opportunities with people to live well in mid Essex utilising Asset Based Community Development principles.
- Establish, and operate within, the collaborative governance apparatus designed to support open and transparent decision making across the Mid Essex Alliance.
- Embed Social Value in all that we do.
- Act as Anchor Organisations to support the Live Well ethos, both for our own staff and by Making Every Contact Count. Demonstrating how we are leading our workforce in terms of health, wellbeing, training and support.

3.5 Partners in the Alliance are being asked to sign off the MOU, and whilst this is not a legally binding document it does set out the proposals and commitment to work together. It also highlights that this is not a decision-making body, and that each member own governance would be unaffected.

#### **4. CONCLUSION**

4.1 Membership of Mid-Essex Alliance will enhance the systems management approach for the District and support work which will achieve delivery of our corporate outcomes and will be further strengthened by all partners signing the Memorandum of Understanding.

#### **5. IMPACT ON STRATEGIC THEMES**

5.1 Mid- Essex Alliance and its delivery plans will have a contribution to all of the Strategic Themes of Community and the organisational focus of Performance and Value and assist in the delivery of the Corporate Plan outcomes through improved systems management enabling a more responsive and joined up approach to the issues facing the District.

#### **6. IMPLICATIONS**

- (i) **Impact on Customers** – Mid Essex Alliance will enable provide senior level coordination between statutory, private and voluntary organisations within the area to co-ordinate resources and approaches to deliver better services for residents. This will mean more joined up ways of working and support MDC in our delivery of corporate outcomes.
- (ii) **Impact on Equalities** – The Council is committed to providing equal opportunities with no discrimination. There are no identifiable impacts currently based upon the work to date.

(iii) **Impact on Risk:**

- Operational risk – None.
- Organisational risks – None.
- Partnerships – Mid Essex Alliance is a systems management approach to place-based delivery, co-ordinating partner resources to deliver the needs of Maldon residents and to enhance delivery of the Corporate Plan.

(iv) **Impact on Resources (financial)** – None.

(iv) **Impact on Resources (human)** – None.

(v) **Impact on the Environment** – None.

(vi) **Impact on Strengthening Communities** - The importance of strengthening communities is fully recognised in the Mid Essex Alliance and the approach is underpinned by and Asset Based Community Development Approach.

Background Papers: None.

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

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## 1. Introduction and context

This Memorandum of Understanding (the 'MoU') signals a desire by the partners identified in Section 5 (the 'Partners') to explore and pursue collective opportunities to support the population of mid Essex to 'Live Well'. This will be done in part, by establishing and being active members of the Mid Essex Alliance (MEA). In this instance the term 'partnership' does not constitute a contractual partnership.

There is an ambition by all Partners that the population of mid Essex 'Live Well'. The Live Well ethos and principles have been widely adopted by public sector funded organisations and the voluntary sector across Essex. Nationally the strain on public sector services due to demand and constrained resources is widely publicised. There is recognition by the Partners that only by working together will they be able to tackle some of the mounting pressures all public sector and public sector funded organisations face.

Historically public & voluntary sector organisations across mid Essex have worked well together albeit in a less formalised way. The formation of a mid-Essex Alliance aims to formalise that commitment and develop a 5-year plan to deliver their vision of **creating opportunities for people to live well**. This plan will be congruent with and support Essex and local Health and Wellbeing Plans and Mid & South Essex Health & Care Plans.

Whilst health services form a significant part of the public sector in mid Essex, it is the social determinants of health which have the greatest impact on the health and wellbeing of its residents.

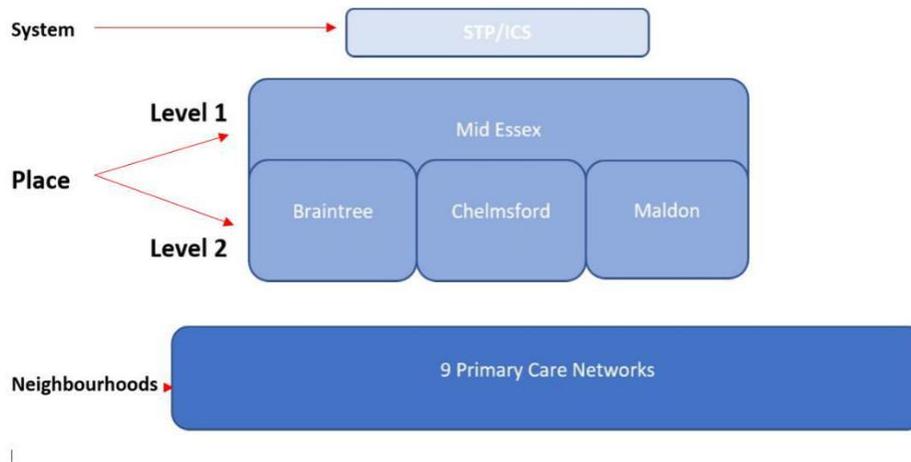
For some partners this means working on areas that they may never have viewed as their issues previously. The partnership recognises that unless everyone views these issues as their own, they will never break the cycle from being reactive to being proactive. This collaboration and development of integrated responses is key to sustainable opportunities and solutions to enable the population of mid Essex to Live Well.

In the changing landscape of the NHS, with the dissolution of Clinical Commissioning Groups (CCGs) from April 2022 and the formation of Integrated Care Systems (ICSs), there is a mounting need to have localism for mid Essex within the 1.2m population of Mid & South Essex ICS. The Mid Essex Alliance will co-ordinate a place-based approach and priorities to ensure the localism needed.

The Mid Essex CCG Board will devolve some of its delegated decision-making powers to the Mid Essex Alliance to support the Live Well agenda. It is hoped that other Partners will also commit to devolving appropriate decision-making powers to the partnership in due course. The CCG recognises that it has a significant amount of information that supports decision making, this will be made available as appropriate to the Partnership when needed. As the ICS develops and the ask of Integrated Care Providers (ICPs) becomes more transparent, appropriate resource will be required to match the ask. In the short term the development of the Partnership will be a priority and funding sought to support that.

Nationally ‘place-based’ support and care is viewed as being appropriate at a population of 250,000 to 500,000. Within mid Essex our Partners have agreed that our district levels are key to a better understanding of our population and the delivery of our ‘place’ plans. Therefore, within mid Essex, we have agreed to recognise ‘place’ at two levels:

- Level 1 – Mid Essex wide elements
- Level 2 – District Locality elements



The governance of the Mid Essex Alliance will reflect these levels.

## 2. An evolutionary approach

All Partners recognise they are embarking on a journey. It is expected that Integrated Care Systems, via their ‘place-based’ partnerships play a key role in making decisions on how to use resources, to design services and to improve the health of their population.

## 3. Duration and Scope of this MoU

Whilst it is useful to bear in mind future changes, this MoU is designed to oversee and regulate the MEA priorities in advance of any changes needed to respond to a fully operable ICS arrangement for Mid & South Essex. Those priorities as determined by the Partners will include looking forward to understand and prepare for any possible changes. The Partners will need to consider whether those changes impact this MoU.

### 3.1 Duration of arrangements set out in this MoU

This MoU is expected to remain in place whilst the NHS landscape is changing. With the advent of ICSs from April 2021 it is possible that there may be more prescriptive requirements for place-based partnerships.

The Partners through the Mid Essex Alliance will undertake the necessary work to look forward to impending changes so that they can adapt and be prepared.

### **3.2 Scope of activities covered by this MoU**

The activities covered by the MoU include:

#### *Owning and championing the vision*

- Championing the Live Well vision within the mid Essex system and population.
- Advising and Influencing the Live Well agenda

#### *Joining up the strategy*

- Oversee the Partners' and others' contributions to the implementation of all aspects of Live Well.
- Supporting the prevention agenda and addressing inequalities.
- Ensuring the social determinants of health are understood and plans developed where it makes sense for an integrated approach to be taken.
- Understand the data available to help inform joint priorities.
- Development and Agreement by partners of shared objectives, outcomes and place-based priorities. Where appropriate these will be co-produced with the communities concerned.
- Translate the Health & Care Partnership and Health & Wellbeing Board strategies and priorities for local implementation.
- Drive the desire for more outcomes based integrated commissioning from local commissioners.
- Influence local commissioners of support and services, such that any commissioning decisions support and align with the Live Well strategy.
- Ensuring that the opportunities for collaboration and integrated working are pursued at both a strategic level and through the relevant workstreams.
- Reviewing, challenging and approving plans prior to sign off by the relevant governance Boards for each Partner (if not covered by delegated powers) to ensure alignment with joint priorities.
- Understand each other's organisational objectives, issues and red lines.
- Understand each other's estates strategies and where possible create opportunities to maximise estates efficiencies, partner opportunities or direction of travel.
- Advise local vision, objectives and priorities up to the Health & Care Partnership.
- Watching brief on Health & Care Partnership projects
- Ensuring MEA can respond to any national policy changes.
- Undertake Impact and Quality Assessments where appropriate.

#### *Enabling the change*

- Ensure jointly agreed plans and timeframes are developed for the MEA vision and priorities, which are congruent with Health & Care Partnership, Health & Wellbeing Boards and partner organisation strategies and plans

- Support the development of a joint team to provide the infrastructure and skills needed to enable delivery against those plans for joint workstreams and projects.
- Collaborate on Information Technology, Information Governance and Information Sharing where appropriate to enable change or improvement across partner organisations.
- Provide oversight against delivery and helping to unblock barriers that may present.
- Tracking benefits realisation to demonstrate achievement of vision and desired outcomes.
- Agree funding priorities when funding available
- Development of partner relationships and maturity towards future ICS requirements.

#### *Joining up the delivery*

- 'Do once' where makes sense to undertake work at a mid-Essex level
- Develop frameworks and outcomes for local implementation where it makes sense to undertake work at more local level.
- Make 'asks' of Health & Care Partnership where there is a need to find solutions that require 'benefits of scale' larger than Mid Essex.
- Drive the desire to integrate delivery of services across local providers, in response to provision of integrated outcomes-based commissioning decisions or national direction such as PCNs.
- Supporting local Partner teams to build up relationships which support joint place-based objectives.
- Recognition of other 'place based' partners who will not necessarily form part of the MoU list of partners, but who are critical in the delivery of the MEA vision.

## **4. Guiding Principles**

The Partners are seeking to collaborate in the achievement of these activities by becoming members of the Mid Essex Alliance and agree that they will behave in accordance with the following guiding principles when complying with, and carrying out activities covered by this MoU:

- Work towards a shared vision for creating opportunities with people to live well in mid Essex utilising Asset Based Community Development principles.
- Establish, and operate within, the collaborative governance apparatus designed to support open and transparent decision making across the Mid Essex Alliance as set out in Section 9.
- Embed Social Value in all that we do.
- Act as Anchor Organisations to support the Live Well ethos, both for our own staff and by Making Every Contact Count. Demonstrating how we are leading our workforce in terms of health, wellbeing, training and support.

- Embrace the values of the Compact agreement, so that our voluntary sector is enabled to support the growing need in our communities.
- Demonstrate the citizen's, service users' and patients' best interests and safety are at the heart of planning, development, oversight and accountability activities.
- Commit to make decisions in respect of planning and developing integrated support and services on a "Best for Service/Place" basis, evidencing a strong focus on citizen/service user/patient and system outcomes.
- Take on, manage and account to each other for performance of respective roles and responsibilities in respect of the work programme governed by this MoU. Any such activities taking into account the capacity of those partners.
- Be open and communicate as early as possible about major concerns, issues or opportunities relating to the work being progressed under this MoU and if appropriate produce communication plan if impact significant.
- Be transparent and share information, experience, materials and skills to maximise the quality of integrated service solutions, including their administration, governance and accountability, to be developed under this MoU.
- Establish an integrated, collaborative team environment and encourage open, honest and efficient sharing of information amongst Partners.
- Encourage co-production with others in respect of activities and tasks governed by this MoU, especially other Partners, citizens, service users, families and carers, and community assets in the broadest sense, in designing and delivering integrated services.
- Adopt a positive outlook and behave in a positive, proactive and collaborative manner, including no fault, no blame and no disputes where practically possible, in respect of work governed under this MoU.
- Act in a timely manner, recognising the time-critical nature of the collective endeavour envisaged under this MoU, and respond positively and constructively to requests for support.
- Collectively manage relevant stakeholders effectively.
- Act in good faith to support the achievement of the key objectives of this MoU.
- Conduct timely and efficient organisational decision-making to support the work programme envisaged under this MoU.
- Adhere to statutory requirements and best practice by complying with applicable laws and standards, including EU procurement rules, EU and UK competition rules, data protection and freedom of information legislation.
- Work together on a transparent basis (for example, open book accounting where possible) subject to compliance with all applicable laws, particularly competition law, and agreed information sharing protocols and ethical walls.

- Over the life of this MoU, the provision of services may alter on the basis of the most effective utilisation of staff, premises and other resources (in terms of cost and quality) and, whilst there will be co-operation as to service design, this will not:
  - preclude competition between Partners in respect of service provision as is needed to achieve the MoU Objectives; or
  - restrict Partners that commission services from discharging their statutory obligations including obligations under procurement law to contract with provider(s) most capable of meeting their requirements, and obligations under legislation (for example, the Public Contract Regulations 2015 and the National Health Service (Procurement, Patient Choice and Competition) (No 2) Regulations 2013).

## **5. Partners to the MoU**

The Mid Essex Alliance brings together Partners:

- For whom improving the health and wellbeing of the population of mid Essex is critical to them delivering either their own statutory responsibilities and/or their own social and/or institutional missions; and
- Foresee themselves playing a significant role, in the medium to long term, in commissioning, designing or delivering integrated care or support services and/or activities linked to health promotion and illness prevention in mid Essex, and, as a result, are willing to contribute significant time, effort and resources to leading and completing the work programme envisaged under this MoU; and
- Are entering into this MoU and are content to act in accordance with the guiding principles set out in Section 4 and be bound by the governance arrangements set out in Section 6.

The Partners to this MoU are:

Mid Essex CCG	Braintree District Council
PCN Clinical Director/CCG Chair	Chelmsford City Council
Provide CIC	Maldon District Council
	Chelmsford CVS

Essex Partnership University NHSFT (Mental Health Servs)	Maldon CVS
Essex County Council (ASC, Children, Education, Public Health & Place)	Community 360
	Essex Child & Family Wellbeing Service, Virgin Care in partnership with Barnardo's
MSB Group (MEHT)	Healthwatch Essex
Farleigh Hospice	North East London NHSFT (EWMH Servs)
Anglia Ruskin University	

The Partners recognise the importance of working together to achieve success in delivering the remit of this MoU. Where appropriate the Partners may agree to add to the list of Partners e.g. Faith Groups, Minority Groups etc.

## 6. Governance and Accountability

All Partners acknowledge that any arrangements introduced to oversee the MoU need to strike the right balance between, on the one hand, subsidiarity to individual organisational interests (so that influence, and associated decision-making, can be made at the level closest to the service user), and, on the other hand, collective purpose, pace and inter-organisational buy-in.

### 6.1 Governance

The Mid Essex Alliance is responsible for overseeing and discharging the scope of activities listed in this MoU.

The Mid Essex Alliance will be constituted as detailed in Section 5 and operate in accordance with its Terms of Reference.

In the first instance the Mid Essex CCG will delegate some of its place based Live Well responsibilities to the Mid Essex Alliance. It is hoped that the partnership will become part of each of the individual Partner's own governance structures with delegated responsibility over time.

It is acknowledged by the Partners that the transformation of the Mid and South Essex Health & Care Partnership into the Mid and South Essex Integrated Care System (ICS) may require the Mid Essex Alliance to take on a different form or responsibilities. Any changes will be done in accordance with Section 8 of this MoU.

Whilst the Mid Essex Alliance may comprise more than one attendee from each Partner, in the event that a vote is required to make a decision that falls within its remit, each Partner will exercise one vote.

The Mid Essex Alliance is expected to make decisions by agreement of all Partners. Voting as a way of making decisions is expected to be exceptional. However, where this is required, a simple majority of the Partners present at the Mid Essex Alliance Committee meeting when the vote is taken is all that is required to make a decision that is binding on all Partners, save in the event that the matter being decided is a 'reserved matter' (see Section 10 below).

Processes for examining and settling disagreements, either after, or in advance of, any vote, are set out in the Terms of Reference and Section 10 below.

Repercussive and/or material breach of the guiding principle of this MoU can lead to expulsion from the Mid Essex Alliance by any one Partner.

The Mid Essex Alliance will set up sub-groups as necessary to discharge the requirements of this MoU and its Terms of Reference. Any sub-groups will report into the Mid Essex Alliance.

It is acknowledged by the Partners that where possible, existing groups will be utilised so as not to create any duplication in the system. Where groups exist that support the work of the Mid Essex Alliance and have governance arrangements that sit alongside that of the Mid Essex Alliance, the Mid Essex Alliance Committee will maintain a 'watching brief' and input as appropriate. It is likely that any such groups will have attendance from one or more of the Partners who can make that input, where this is not the case the Chair of Mid Essex Alliance will determine the most appropriate route for the input.

The Mid Essex Alliance will select a Chair and Vice-Chair.

Mid Essex CCG will provide the secretarial support to the Mid Essex Alliance to administer the meetings. Meeting venues will be rotated where facilities enable this.

## **6.2 Accountability**

The Mid Essex Alliance will be accountable to the governing Boards (or equivalent) of the Partners to this MoU.

The Mid Essex Alliance will produce and submit periodic reports on the progress it is making in discharging its mandate to the governing Boards (or equivalent) of the Partners.

Partners will be required to disseminate minutes within their own organisations and to the relevant and agreed sub-groups to ensure open and transparent communication.

## **7. Development & Resources**

The Partners recognise that the Mid Essex Alliance work programme will require resourcing. This will be both in terms of Partners time and funding. At present there is a small amount of non-recurrent funding from the CCG to support some initiatives, and it is hoped that in time other Partners will also be able to provide funding for initiatives.

## **8. Variation & Termination**

This MoU is intended to oversee and regulate the Mid Essex Alliance's collaborative activities done in advance of any prescribed changes for the introduction of the Mid & South Essex ICS. The terms of this MoU can be varied only by agreement of all Partners.

Any Partner can terminate its involvement in this MoU, giving reasonable notice (in this case, no less than 30 days). During this notice period, the terminating Partner will be expected to settle any amounts due in respect of the MoU work programme completed up to the date of termination, and to work cooperatively with remaining Partners to effect a well-managed handover of those elements of the work programme in which the terminating Partner has been involved.

The termination of a single Partner's involvement in the MoU would not, in itself, lead to the termination of the MoU. However, such termination would require the Mid Essex Alliance to reflect on the significance of any gap created by that termination and, in the light of this, to advise all remaining Partners on the feasibility of maintaining the Mid Essex Alliance work programme in the absence of the terminating Partner.

## **9. Relationship of Partners and Duty to Co-operate**

Nothing in this MoU is intended to, or shall operate, to create a partnership or joint venture entity of any kind between the Partners, or to authorise any Partner to act as agent of the other Partners, and no Partner shall have authority to act in the name or on behalf of or otherwise to bind any other Partner in any way (including but not limited to the making of any representation or warranty, the assumption of any obligation or liability and the exercise of any right or power).

The Partners agree to act in good faith towards each other and to co-operate with each other with the intention of developing their collaborative or integrated activities.

The Partners agree to commit sufficient resources and their relevant expertise and shall use all reasonable skill, care and endeavours to collaborate constructively and to establish that unified capability and capacity.

## 10. Failure to Agree

Failure to agree amongst the Partners could cause significant delay or halt progress with the Mid Essex Alliance.

### ***Reserved matters***

A small number of matters are judged by the Partners to be “reserved matters” on which unanimity of all Partners must be achieved. These matters are set out in the Terms of Reference of the Mid Essex Alliance, but include, inter alia:

- Requirements to contribute/pool specific resources/funding;
- Requirements to provide information that is outside the terms, and protections, of the Data Sharing Agreement to be established and agreed by the Partners pursuant to this MoU and/or which a Partner judges either to contain personally identifiable information or information that is of a commercial in confidence nature

### ***Matters within the Mid Essex Alliance competence***

Where, in respect of a matter that is not a reserved matter, and which falls within the competence of the Mid Essex Alliance to determine, a Partner (or Partners) who fail to agree with a proposal that is either to be determined, or has been determined, by the Mid Essex Alliance, the following provisions will apply:

- i. The Partner (or Partners) failing to agree will register the matter on which it is failing to agree with the Chair of the Mid Essex Alliance at the earliest practical opportunity, summarising the nature of the failure to agree.
- ii. The Chair will convene a meeting of the Mid Essex Alliance, including the Partner (or Partners) to the failure to agree, to resolve proactively and timeously any failure to agree on a Best for Service basis in accordance with this MoU.
- iii. If, after this first meeting of the Mid Essex Alliance, the failure to agree remains, then a second meeting of the Mid Essex Alliance will take place (which can follow immediately after the first), but which will exclude the Partner, or Partners, failing to agree. This second meeting will resolve the failure to agree on a Best for Service basis in accordance with this MoU.
- iv. Once the failure to agree has been resolved by the Mid Essex Alliance (by way, if necessary, of simple majority vote), it will advise the Partner or Partners failing to agree of its decision in writing. Any decision of the Mid Essex Alliance will be final and binding on the Partner or Partners failing to agree.
- v. If the Partner (or Partners) involved in the failure to agree do not accept the decision of the Mid Essex Alliance, then the Partner (or Partners) not accepting that decision may either conclude that the failure to agree need not be resolved, or that Partner (or Partners) will exit the Mid Essex Alliance, such exit to be governed by Clause 8 of the MoU.

## **11. Confidentiality and Conflicts of Interest**

The nature of emerging findings from work programme associated with this MoU will be confidential. In addition, the Partners acknowledge that discussions could unavoidably involve the disclosure of their commercially valuable proprietary information.

The Partners will provide to each other all information that is reasonably required in order to achieve the objectives of this MoU.

The Partners will have responsibilities to comply with competition laws and each acknowledges that it will comply with those obligations. The Partners will therefore make sure that they share information, and, in particular, Competition Sensitive Information, in such a way that is compliant with competition law. Accordingly, the Mid Essex Alliance will ensure that the exchange of Competition Sensitive Information will be restricted to circumstances where:

- It is essential;
- It is not exchanged more widely than necessary;
- It is subject to suitable non-disclosure or confidentiality agreements which include a requirement for the recipient to destroy or return it on request, or on the termination or expiry of this MoU; and
- It may not be used other than to achieve the aims of this MoU

The Partners have entered into a separate confidentiality agreement dated on or around the date of this MoU (the “Confidentiality Agreement” – TBD) and the contents of this MoU and all discussions and communications relating to it, are subject to the Confidentiality Agreement. For the avoidance of doubt, nothing in this MoU is intended to replace, alter or supersede any provision of the Confidentiality Agreement.

The Mid Essex Alliance shall maintain a Conflict of Interest Register and actively manage conflicts of interest by all Partners

## **12. Costs and Liabilities**

Unless included as part of the Mid Essex Alliance development budget, all costs incurred by all Partners in supporting the aims and associated work programme of this MoU are to be borne by the Partner incurring them. No liability for costs will fall to other Partners, unless the subject of an explicit agreement in writing.

## **13. Limits and Freedoms on Partners**

This MoU is not designed to be restrictive. Accordingly, save for the provisions of the Confidentiality Agreements entered into by the Partners, this MoU has no legal status, and confers no rights or obligations on any Partners.

For the avoidance of doubt, the MoU therefore, places no formal obligations on Partners that might act to fetter their ability to deliver existing services, to promote and pioneer new services or to work with other NHS or non-NHS bodies.

## 14. Intellectual Property

Nothing in this MoU shall be construed to grant any Partner any right, title, licence or interest in any other Partner's Pre-Existing Intellectual Property Rights, save that where a Partner consents in writing to any of its Pre-Existing Intellectual Rights being used as part of the exploitation of an opportunity identified and agreed by all Partners. Such licence shall cease upon the termination of a Partner's involvement in this MoU or the expiry of this MoU, whichever is the earlier.

In the event that a Partner gives its consent (whether expressly or impliedly) for any of its Pre-Existing Intellectual Rights to be used, it warrants that:

- it has the legal right to do so;
- such use or inclusion will not and will not be likely to infringe any third-Partner Intellectual Property Rights;
- such use or inclusion is not likely to constitute any breach of confidence, passing off or actionable act of unfair competition.

To the extent that any Partner creates any Intellectual Property, after the date of this MoU in relation to, or in connection with, any opportunity agreed between the Partners, including training, marketing, promotional or publicity materials, it shall retain ownership of such Intellectual Property and provide copies of all such material to the other Partners and grant to the other Partners a royalty free, non-exclusive licence for the term of this MoU as it shall reasonably require for carrying out its obligations under this MoU.

### Executed by the Partners to the MoU:

Signed by:  
For and on behalf of  
**Mid Essex CCG**

Signed by:  
For and on behalf of  
**Essex County Council**

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
**Braintree District Council**

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
**Chelmsford City Council**

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
**Maldon District Council**

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
**Chelmsford CVS**

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
**Maldon CVS**

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
**Community 360**

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
Provide Community Interest Company

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
Essex Partnership University NHS  
Foundation Trust

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
Farleigh Hospice

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
Mid Essex, Southend, &  
Basildon Hospital Group

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
Essex Child & Family  
Wellbeing Service, Virgin  
Care in partnership with  
Barnado's

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
Healthwatch Essex

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
North East London NHS  
Foundation Trust (EWMH  
Service)

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Signed by:  
For and on behalf of  
Anglia Ruskin University

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Name  
\_\_\_\_\_  
Position  
\_\_\_\_\_  
Date

Version History:

MEA MOU – version 1 developed 08.03.21

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