



MALDON DISTRICT
COUNCIL

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

DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE
Paul Dodson

**PLEASE NOTE START TIME
OF THE MEETING**

26 October 2022

Dear Councillor

You are summoned to attend the meeting of the;

COUNCIL

on **THURSDAY 3 NOVEMBER 2022** at **7.00 pm**

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

Please Note: All meetings will continue to be live streamed on the [Council's YouTube channel](#) for those wishing to observe remotely. Public participants wishing to speak remotely at a meeting can continue to do so via Microsoft Teams.

To submit a question in writing please complete a [Public Access form](#) (to be received no later than 12noon two clear working days before the Council meeting). All requests will be considered on a first-come, first-served basis.

A copy of the agenda is attached.

Yours faithfully

Director of Strategy, Performance and Governance



Please note: Electronic copies of this agenda and its related papers are available via the Council's website www.maldon.gov.uk.





AGENDA COUNCIL

THURSDAY 3 NOVEMBER 2022

1. **Chairman's notices**

2. **Apologies for Absence**

3. **Minutes - 8 September 2022** (Pages 7 - 8)

To confirm the Minutes of the council meeting held on 8 September 2022 (copy enclosed).

4. **Minutes- 21 September 2022** (Pages 9 - 22)

To confirm the Minutes of the council meeting held on 21 September 2022 (copy enclosed).

5. **Declaration of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, Other Registrable interests and Non-Registrable Interests relating to items of business on the agenda having regard to paragraph 9 and Appendix B 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).

6. **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.

7. **Chairman's Announcements**

8. **Minute Book**

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

a) **Strategy and Resources Committee - 6 October 2022** (Pages 23 - 40)

a) **Agenda Item 8 – Fees and Charges Policy 2023 / 24**

RECOMMENDED that the 2023 / 24 Fees and Charges Policies attached at **APPENDIX A** be approved, subject to the provision of further information regarding wharfage and car parking charges.

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For further information please see [the Council's website](#).

b) **Agenda Item 10 – Street Naming and Numbering Policy**

RECOMMENDED:

- (i) That the Street Naming and Numbering Policy (**APPENDIX B**) is approved.
- (ii) That a comprehensive, accessible policy for use by Residents, Developers, Officers and Council, Town and Parish Councillors is agreed which demonstrates and clarifies the criteria applied to current Street Naming and Numbering decisions.
- (iii) That the Council agree on the local policy for the use (or not) of peoples' names, including a due diligence stage undertaken via Ward Members on the suitable use of any names submitted by Residents, Officers or Councillors (Ward or Parish) prior to them being submitted for wider consultation when naming new Streets.
- (iv) That the consultation period be extended to 28 days to allow for wider consultation with Pariah and Town Councils (See amended Policy at Appendix B taking into account this additional recommendation from the Strategy and Resources Committee).

b) **Performance, Governance and Audit Committee - 29 September 2022**

Agenda Item 15 - Council Constitution and Scheme of Delegation General Powers Update

RECOMMENDED that the proposed addition be made to Part 3 3 – Responsibility for Functions - Scheme of Delegation (General Provisions) as detailed below:

In order to be seen as a form of authorisation, and for added clarification and status, that the proposed be added for clarification:

- 12. **Financial Management** – Directors, and service managers, have responsibility for the management of the financial aspects of service provision, which includes authority to incur expenditure considered to be reasonably required to carry out the policies of the Council at any time provided that such expenditure is in accordance with the budget, is fit for purpose, and there is sufficient money existing within the budget or otherwise vired.

9. **Minutes of Meetings of the Council**

To note that since the last Council, up until Wednesday 26 October 2022 (Council agenda dispatch) the following Committees have met, and to receive any questions in accordance with Council and Committee Procedure Rule 6 (2).

North Western Area Planning Committee	7 September 2022
District Planning Committee	22 September
Performance, Governance and Audit Committee	29 September
North Western Area Planning Committee	5 October
Strategy and Resources Committee	6 October
South Eastern Area Planning Committee	12 October
Central Area Planning Committee	19 October
Overview and Scrutiny Committee (acting as the Overview and Scrutiny Committee)	20 October

10. **Notice of Motions**

In accordance with notice duly given under Procedure Rule 4, Councillor A S Fluker to move the following Motions, duly seconded by Councillor M W Helm.

a) **Motion One**

Submitted by Councillor A S Fluker on 24 October 2022:

Preamble

In relation to the letters of Holmes and Hill and the response of the Council, dated 12/3/2021 and 15/3/2021 respectively.

The existence of this correspondence has been raised in Council previously but to date has still not been considered.

For Clarity the Joint Standards Committee meeting of 16th June only dealt with the relevant decision notice and not the correspondence mentioned above which had only recently come into the proposer's possession.

The Monitoring Office has suggested that the matter of the correspondence could be dealt with as part of a piece of work currently being carried out by a Working Group of the Overview and Scrutiny Committee, however that Working Group chaired by Cllr Bell has met recently and declined to do so on the basis that the motion to Council they were considering did not refer to this correspondence.

Given public interest and the ongoing intent of the Council to operate in an open and transparent way the Council must consider the facts raised in the correspondence to establish whether the complaints raised by Holmes and Hill LLP were dealt with properly in accordance with the Code of Conduct and why given the seriousness of the allegation the matter was not referred to the Joint Standards Committee by the Monitoring Officer.

Motion

That Council considers the implications of the correspondence of Holmes and Hill dated 12th March and the Council's response dated 26th March in relation to the determination of the planning application and the appeal costs decision notice APP/X1545/W/21/3281036 at Land South of Charwood Burnham on Crouch CM0 8QA which resulted in substantial costs being awarded against the Council. And that in doing so Council considers whether the Council acted properly, openly and correctly when dealing with the complaints raised.

b) **Motion Two**

Submitted by Councillor A S Fluker on 25 October 2022:

“Preamble

In May I proposed that given the inevitable global financial crisis and the inflationary pressures the Council would face as a result, along with other extraordinary costs including for costs awarded against the council of £250,000 the council should in the best interests of council tax payers agree a revised budget in the Autumn. Council refused the proposal.

Since May the annual budget deficit has grown from £280,000 to £780,000 the equivalent of £15,000 per week. The funding gap will have to be met from local council tax payers funds.

Rather than agreeing to an Autumn budget the council is now proposing a piecemeal approach to closing the budget gap which includes increasing car parking charges and wharfage fees for Thames Barges. Given the financial position of the Council it is in my mind imperative that the Council agrees the 2023/24 budget and a fully costed 2023/27 Corporate Plan together, at the same time and in advance of the start of the 2023 municipal year. This would be contrary to the Officers proposal that on political grounds the plan should be agreed after the elections in 2023.

Motion

That Council brings forward the 2023/24 Budget and a fully costed 2023/27 Corporate Plan at the same time and in advance of the 2023 municipal year.”

11. **Questions in accordance with Procedure Rule 6(3) of which notice has been given**
12. **Council Tax Base 2023 / 24** (Pages 41 - 48)

To consider the report of the Director of Resources (copy enclosed).
13. **Chelmsford City Council Local Plan Review - Issues and Options Consultation Response** (Pages 49 - 56)

To consider the report of the Director of Strategy, Performance and Governance, (copy enclosed).
14. **Delegation of Power to give Dispensations to Code of Conduct Interests** (Pages 57 - 58)

To consider the report of the Monitoring Officer, (copy enclosed).
15. **Questions to the Leader of the Council in accordance with Procedure Rule 1 (3)(m)**
16. **Business by reason of special circumstances considered by the Chairman to be urgent**

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.

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