



MALDON DISTRICT
COUNCIL

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

DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE
Paul Dodson

14 February 2023

Dear Councillor

You are summoned to attend the meeting of the;

COUNCIL

on **WEDNESDAY 22 FEBRUARY 2023** at 7.30 pm

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

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

WEDNESDAY 22 FEBRUARY 2023

1. **Chairman's notices**

2. **Apologies for Absence**

3. **Minutes of the last meetings**

To confirm the Minutes of the Council meetings held as follows:

- a) 15 December 2022 (Pages 11 - 20)
- b) 12 January 2023 (continuation of 15 December 2023 meeting) (Pages 21 - 28)

4. **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).

Local Government Finance Act 1992 – Section 106

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

5. **Public Questions**

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

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

6. **Chairman's Announcements**

7. **Minute Book**

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

*Please also see Agenda Item 18.

a) Overview and Scrutiny Committee - 25 January 2023

Agenda Item 6 - Review of Scrutiny Workplan Item – Planning Decision Making

RECOMMENDED that the Council adopts and pursues the following initiatives:

Review and refresh of the Planning Appeals Protocol;

Views and conclusions on Member Training – limited to concentrating on bespoke and specialised training (no references to related committee structure/decision making arrangements);

Review and improvement of Officer Reports.

Item 13 – Notice of Motion Referral – Conduct Issue

Please see Agenda Item 18a on this agenda.

b) Strategy and Resources Committee - 26 January 2023 (Pages 29 - 60)

Agenda Item 6 – Notice of Motion

RECOMMENDED that the 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.

Agenda Item 11 – Council Tax Support Scheme 2023 / 24

RECOMMENDED

- (i) That the following changes to the existing schemes are approved:
 - a. a cost of living increase in line with the Department for Work and Pensions schemes be included in the Local Council Tax Support Scheme (LCTS) for 2023 / 24 for Pensioners only;
 - b. that any legislative changes being introduced to the Housing Benefit Scheme, for 2023 / 24 are mirrored in the Council's LCTS to ensure consistency;
 - c. minor technical amendments to ensure that we are able to administer the Scheme reflecting current local and national guidance and that we may disregard anything determined to be a local welfare payment from our calculation;
 - d. provision to award up to a £25 discount to eligible LCTS recipients for 2023 / 24 only.
- (ii) that these decisions have been made following Members careful reading of and regard to the Equality Impact Assessment at **APPENDIX 1**;
- (iii) that Members note the framework for the Hardship Provision at **APPENDIX 2**;
- (iv) that the Policy document at **APPENDIX 3**, be approved.

Agenda Item 12 – Council Tax Discretionary Discount Levels

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

RECOMMENDED

- (i) That the following changes are approved to have effect from 1 April 2024:
 - a. An empty home premium of 100% is levied on properties empty longer than one year;
 - b. The Council Tax for second homes which are no one's sole or main residence is increased by 100% through the application of a premium at the maximum permitted amount.
- (ii) That no changes are made to the Councils Section 13a1C discretionary reduction policy to specifically deal with empty properties which are being marketed for sale;
- (iii) That these decisions are reviewed as part of the budget setting process for 2024 / 25 and annually thereafter.

Agenda Item 13 – Pay Policy Statement

RECOMMENDED that the Pay Policy Statement attached at **APPENDIX 4**, be adopted for 2023.

Agenda Item 14 – Maldon Citizens Advice – Funding Request

RECOMMENDED that Members consider applying an inflationary increase of 6% to the Advice Services Contract, totaling £4,500.

Please note that the following recommendations coming forward from this Committee are not for consideration at this point as they form part of Agenda Item 9 - 2023 / 24 Budget and Medium-Term Financial Strategy, due to be considered at this meeting:

- Capital and Investment Strategies for 2023 / 24 and Minimum Reserve Statement 2023 / 24;
 - Medium-Term Financial Strategy 2023 / 24 – 2025 / 26;
 - Revised 2022 / 23 Estimates, Original 2023 / 24 Budget Estimates and Council Tax 2023 / 24;
 - Treasury Management 2023 / 24.
- c) Strategy and Resources Committee - 9 February 2023 (continuation of the meeting held on 26 January) (Pages 61 - 96)

Agenda Item 16 – Statement of Consultation – Local Development Plan Review: Issues and Options Document

RECOMMENDED that the Statement of Consultation on the Maldon District Local Development Plan Review - Regulation 18 Issues and Options Document attached as **APPENDIX 1** be noted.

8. Minutes of Meetings of the Council

To note that since the last Council, up until Tuesday 14 February 2023 (Council agenda dispatch) the following Committees have met, and to receive any questions in

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

accordance with Council and Committee Procedure Rule 6 (2).

South Eastern Area Planning Committee	7 December 2022
North Western Area Planning Committee	11 January 2023
South Eastern Area Planning Committee	18 January
Central Area Planning Committee	25 January
District Planning Committee	2 February
North Western Area Planning Committee	8 February

9. **2023 / 24 Budget and Medium-Term Financial Strategy**

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

Members' attention is drawn to the following Procedure Rules:

- **Voting** – Procedure Rule 13(5) set outs the requirement for any vote taken at a budget decision meeting (as defined by the Local Government Finance Act 1992) to be recorded in the Minutes.
 - **Budget Speech** – Procedure Rule 1(13)(a) sets out the time limits in relation to the budget speech and (b) details the requirements for making alternative proposal or amendment as part of the Budget and Council Tax setting.
- a) Capital and Investment Strategies for 2022 / 23 and Minimum Revenue Statement 2023 / 24 (Pages 97 - 128)
 - b) Treasury Management Strategy 2023 / 24 (Pages 129 - 178)
 - c) Revised 2022 / 23 and Original 2023 / 24 Budget Estimates and Council Tax 2023 / 24 (Pages 179 - 212)
 - d) Council Tax 2023 / 24 (Pages 213 - 222)
 - e) Medium-Term Financial Strategy 2023 / 24 to 2025 / 26 (Pages 223 - 256)

10. **Notice of Motions**

The following Motions have been submitted in accordance with Procedure Rule 4.

- a) Motions from Councillor K M H Lagan (Motion 01/2023) (Pages 257 - 258)

In accordance with notice duly given under Procedure Rule 4, Councillor K M H Lagan to move the following Motion, duly seconded by Councillor W Stamp.

Motion 1:

Pre-Amble

With regard to the proposed paper that is coming to council on 12th January 2023, and the proposed service delivery amendments contained within, the time is right to undertake a review to consider options of the formation of the CLT and leadership model in operation at MDC to support the internal and external agendas, and that officers are charged with scoping out a prepared brief so that external support can be sourced to provide bench makings and options for review by full council.

Motion:

“Members are requested to endorse the above approach with a report being made to Council on options before or by April 2023.

Motion 2:

“That council removes all restrictions on public access to meetings in the chamber and if there are more members of the public attend and cannot be accommodated in the chamber, that the Northey Room is made available to them to view the meeting on screen. This is to be made in accordance with the requirements of the Equality Act and access requirements and any applicable health and safety requirements.”

Further detail submitted with the above Motions is attached.

b) Motions from Councillor K M H Lagan (Motion 02/2023) (Pages 259 - 260)

In accordance with notice duly given under Procedure Rule 4, Councillor K M H Lagan to move the following Motions, duly seconded by Councillor W Stamp.

Motion 1:

Members review the provision of land supply data and build out rates on a qtlly basis and that the annual land supply statement is reviewed and agreed by council prior to publication.

Motion 2:

That council returns to an open-door policy from 09:00 – 4:00pm daily (Monday to Friday) and has a fully staffed front desk presence that can direct visitors to officers who can assist in resident enquiries.

Further detail submitted with the above Motions is attached.

c) Motions from Councillor A S Fluker (Motion 03/2023) (Pages 261 - 262)

In accordance with notice duly given under Procedure Rule 4, Councillor A S Fluker to move the following Motions, duly seconded by Councillor P L Spenceley.

Motion 1a:

That due to the urgency of the situation, at its meeting on 22nd February 2023 Council resolves to agree that contrary to the Rules of Procedure that motion 1B is put to Council at this time.

Motion 1b:

That at its meeting on 22nd February 2023 Council declares a ‘Homeless Crisis’ and resolves to agree that at the next meeting of Council the Corporate Leadership Team presents an updated strategy to reduce homelessness in the District.

Further detail submitted with the above Motions is attached.

d) Motions from Councillor A S Fluker (Motion 04/2023) (Pages 263 - 266)

In accordance with notice duly given under Procedure Rule 4, Councillor A S Fluker to move the following Motions, duly seconded by Councillors K M H Lagan and W Stamp.

Motion One:

That at its meeting on 22nd February 2023 Council resolves to agree that in the event of the Chairman of the Council refusing to accept any one of Motions One to Eight the reasons why and the subject of the motions are reported by him to Council on 22nd February 23.

Motion Two:

That at its meeting on 22nd February 2023 Council resolves to agree that Part 4 Rules of Procedure Rule 1(m) be annulled and is replaced with the following words "Questions (which may be made without notice) to the Leader of the Council (or in his/her absence the Deputy Leader) for a maximum of 15 minutes.

Motion Three:

That at its meeting on 22nd February 2023 Council resolves to agree that the Head of Paid Service reviews the scheme whereby members of staff are currently allowed to work from home and reports back to Council with his recommendations by 30th March 2023

Motion Four:

That at its meeting on 22nd February 2023 Council resolves to agree that Part 4 Rules of Procedure, Regulation of business and duration of meetings Rule (6) be annulled and is replaced with the following words). "Other than with the agreement of the Council (or where appropriate its committees and Sub-Committees) all business shall cease at 10pm"

Motion Five:

That at its meeting on 22nd February 2023 Council resolves to agree that from the start of the new Administration in May 2023 that during the period of BST (British Summer Time) Council (and its Committee's and Sub-Committees) commence meetings at 7.30pm and that during the period of GMT (Greenwich Mean Time) Council (and its Committee's and Sub-Committees) commence meetings at 7.00pm

Motion Six:

That at its meeting on 22nd February 2023 Council resolves to agree that from the start of the new Administration in May 2023 the Strategy and Resources and Performance Governance and Audit Committees meet subject to business being available to consider eight times per municipal year.

Motion Seven:

That at its meeting on 22nd February 2023 Council resolves to agree that from the start of the next Municipal Year a Committee Service Officer attends all meetings of Council (including its Committees and Sub-Committees) in person.

Motion Eight:

That at its meeting on 22nd February 2023 Council resolves to agree that the Overview and Scrutiny Committee reviews the Procurement Exemption published at Agenda Item 18 paragraph 3.5.1 of the Strategy and Resources Committee Meeting 26th January 2023.

Further detail submitted with the above Motions is attached.

- e) Motion from Councillor P L Spenceley (Motion 05/2023) (Pages 267 - 268)

In accordance with notice duly given under Procedure Rule 4, Councillor P L

Spenceley to move the following Motion, duly seconded by Councillors K M H Lagan, R H Siddall and A S Fluker.

Motion:

That at its meeting on 22nd February 2023 Council resolves to agree to work in a proactive manner to engage with all appropriate authorities to pursue the realisation of a flood alleviation scheme for Heybridge and that, with this in mind, it recognises the need for invitation to involvement of all Heybridge ward members and other members as appropriate through the formation of a Heybridge Flood Alleviation Scheme Working Group.

Further detail submitted with the above Motion is attached.

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

12. **Business Rates Discretionary Rate Relief Scheme** (Pages 269 - 320)

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

13. **District and Parish Council Elections - 4 May 2023 - Polling Stations** (Pages 321 - 322)

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

14. **Approval of Absence Relating to a Member** (Pages 323 - 324)

To consider the report of the Monitoring Officer, (copy enclosed).

15. **Corporate Plan Draft 2023 - 2027** (Pages 325 - 352)

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

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

17. **Exclusion of the Public and Press**

To resolve that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 2 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

18. **Minute Book (Continued)**

To consider the recommendation coming forward from the Committee detailed below. Please note that the Minutes of this meeting are not enclosed as they have not been approved at Committee level.

a) **Overview and Scrutiny Committee - 24 January 2023**

Item 13 – Notice of Motion Referral – Conduct Issue

RECOMMENDED that the Council was informed of this Committee's conclusion that the matters raised in the motion do not require to be added to

the Committee's scrutiny workplan for the reasons as set out in the report.

NOTICES

Recording of Meeting

Please note that the Council will be recording and publishing on the Council's website any part of this meeting held in open session.

Fire

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

Health and Safety

Please be advised of the different levels of flooring within the Council Chamber.

Closed-Circuit Televisions (CCTV)

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