

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

DIRECTOR OF STRATEGY,
PERFORMANCE AND
GOVERNANCE
Paul Dodson

20 July 2022

Dear Councillor

You are summoned to attend the meeting of the;

OVERVIEW AND SCRUTINY COMMITTEE

on **THURSDAY 28 JULY 2022 at 7.30 pm**

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

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

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

A copy of the agenda is attached.

Yours faithfully



Director of Strategy, Performance and Governance

COMMITTEE MEMBERSHIP:

| | |
|---------------|--------------------------|
| CHAIRMAN | Councillor M W Helm |
| VICE-CHAIRMAN | Councillor P L Spenceley |
| COUNCILLORS | Miss A M Beale |
| | B S Beale MBE |
| | V J Bell |
| | M S Heard |
| | B B Heubner |
| | C Mayes |
| | S J N Morgan |
| | C P Morley |





AGENDA OVERVIEW AND SCRUTINY COMMITTEE

THURSDAY 28 JULY 2022

1. **Chairman's Notices**
2. **Apologies for Absence**
3. **Minutes of the last meeting** (Pages 5 - 8)

To confirm the Minutes of the meeting of the Overview and Scrutiny Committee held on 23 March 2022 (copy enclosed).

4. **Public Participation**

To receive the views of members of the public of which prior notification in writing has been received (no later than noon on the Tuesday prior to the day of the meeting).

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

5. **Disclosure 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. **Notice of Motion**

To consider the following Motion which has been referred to this Committee from the Council for resolution.

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

Preamble:

With reference to the Costs Decision Notice regarding the planning appeal determined on 21st March 2022 Ref/APP/X1545/W/213283478 Land 250M North of 16A Maldon Road, Burnham on Crouch Essex.

Since losing the appeal the Council has agreed to pay the appellants costs of £230,000. The Council's own legal fees are £30,000. These costs will be met by Council Taxpayers.

Motion:

1. That Council considers the Inspectors Notice and in particular paragraph 18 and takes the appropriate action.

For further information please see the Council's website.

2. That Council considers whether the 'unreasonable behaviour' of members in determining the application resulted in the appeal being lost and a costs of £230,000 being paid to the appellant and takes the appropriate action.
 3. That Council considers, bearing in mind members overturned the Planning Officers recommendation to approve the application, why no members attended the appeal to evidence and give weight to their decision.
 4. That Council considers why members went against the Officers decision to approve the application, the advice that Council was unlikely to win any appeal and considers why under those circumstances the appeal was defended at a cost of £30,000.
7. **Scrutiny Workplan Item - Five Year Housing Land Supply (5YHLS)** (Pages 9 - 24)
- To consider the report of the Director of Strategy, Performance and Governance (copy enclosed).
8. **Working Group of Overview and Scrutiny** (Pages 25 - 26)
- To consider the report of the Programmes, Performance and Governance Manager, (copy enclosed).
9. **Appointment of Representatives on Liaison Committees** (Pages 27 - 28)
- To consider the report of the Programmes, Performance and Governance Manager, (copy enclosed).
10. **Any other items of business that the Chairman of the Committee decides are urgent**
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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.

Fire

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

Health and Safety

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

Closed-Circuit Televisions (CCTV)

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

Lift

The lift is currently out of order. Please contact committee.clerk@maldon.gov.uk for any queries.