



**MINUTES of
STRATEGY AND RESOURCES COMMITTEE
21 SEPTEMBER 2023**

PRESENT

| | |
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| Chairperson | Councillor M F L Durham, CC |
| Vice-Chairperson | Councillor A Fittock |
| Councillors | J Driver, A S Fluker, A M Lay, R H Siddall, W Stamp, CC, M E Thompson and S J N Morgan (Substitute for D O Bown) |

264. CHAIRPERSON'S NOTICES

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

265. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

Apologies for absence were received from Councillors D O Bown and S White. In accordance with notice duly given Councillor S J N Morgan was attending as a substitute for Councillor Bown. It was noted that Councillor A M Lay would be arriving late.

266. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 20 July 2023 be approved and confirmed.

267. DISCLOSURE OF INTEREST

There were none.

268. PUBLIC PARTICIPATION

No requests had been received.

At this point Councillor J Driver joined the meeting.

269. DELIVERY OF SECTION 106 CAPITAL PROJECTS 2024 / 25

The Committee considered the report of the Director of Service Delivery updating Members on the current position with Section 106 (S106) contributions and seeking approval to recruit a new fixed term resource to deliver the Council's S106 programme of works.

It was noted that the Council received S106 contributions as part of the Planning Approval process for large applications. Table 1 in the report set out the S106 financial contributions held by the Council and potential projects to be delivered subject to community engagement.

The report advised that the South Essex Parking Partnership (SEPP) had recently confirmed the Council would receive £137,000 for 2023 / 24 to delivery capital projects within car parks. As the Council had already identified a capital sum to deliver such projects from existing budgets it was suggested that the surplus capital funding be used to fund a new fixed term Project Manager position to deliver the S106 Programme of Work. The report provided further information on this post and the proposed use of the capital monies.

In response to a lengthy debate that ensued, and questions raised by Members, further information was provided by Officers which included:

- Confirmation that the projects detailed were historic.
- Members were advised that the SEPP monies had been approved and received by the Council.
- In respect of the proposed timeline, Officers noted it was ambitious and subject to various dependencies but believed it was deliverable and confirmed that Members (both Ward and others) would be engaged with regarding the projects, as would other stakeholders.
- Officers confirmed that they had recently met with the Youth Strategy Group to discuss the work they had carried out in relation to skateparks. Some Member referred to the importance of involving potential users of skateparks etc. at the design stage, this was noted.
- It was explained when S106 contributions were due the Council worked out the indexation using the section industry figures and this was then added to invoices. The contributions in relation to the projects outlined in the report had been received and the date for the first pay back (should the monies not be used) was October 2026. It was noted that having received the monies the Council was now subject to inflationary pressure and hence the need to progress these projects.
- There were no restrictions on the use of the capital which became available through use of the SEPP funding to fund projects previously identified for capital spend.
- The priority of the proposed S106 Project Manager would be to deliver the S106 Programme of Work, and if they had capacity they would then support / help with the Council's capital projects.
- It was noted that there could be potential revenue savings once existing assets were replaced with new, however any additional new asset would require a revenue budget for ongoing maintenance.

Councillor A S Fluker raised concern regarding the proposed new S106 Officer post and the need for possible further consultation, the annual costs related to such projects, what other projects the post would be required to deliver and the importance of statutory play areas including the possibility of discussions with the Royal Horticultural Service and Writtle College in respect of these areas. He questioned if Officers had explored options for an external design delivery package which would deliver consultations and negate the need for a new in-house post. Councillor Fluker then proposed that either this report be deferred until more information was received,

or that the Council didn't appoint a person or take the monies related to the post from funds but explore the opportunity of going to a design and build company who would look at this as a whole project and potentially save the Council some money. This proposal was not seconded.

Councillor M F L Durham declared an interest that he was an Essex County Council Cabinet Member for Country Parks.

In response to a question, it was confirmed that the Council had not consulted with a design and build company as the preference was to have a project manager within the team who knew the Council processes, area, priorities and could work with local people and Members to bring the scheme forward. Members were advised that if the Council went to a design and build company there would still be an internal resource requirement to manage the project.

The Chairperson commented that there had been a lot of previous work carried out in respect of the design for the skatepark in Maldon. This had involved consulting with the young users of the existing facility and also with some specialist design and built contractors. He stated that this preliminary work should not be discarded as some of the work envisaged for the new Officer has already been done and should not be duplicated.

Councillor M E Thompson clarified that her earlier reference to deferral was not a proposition.

The Interim Chief Finance Officer explained that the money proposed from the Capital Programme had come from capital reserves and if not spent would have to be returned to the capital programme for other projects. The monies could not be returned to the general fund.

At this point Councillor Fluker proposed that the report be deferred to allow the Head of Service – Assets, Coasts and Countryside to speak to Skateboard GB and Maverick Clark and Kent and come up with an alternative to the £140k spend. This proposal was duly seconded.

Councillor R S Siddall spoke in favour of the recommendations and commented that there was an immediate need for these projects to be delivered as soon as possible. He then made a political statement at which the Chairperson intervened and informed Councillor Siddall that this debate was not an opportunity to make party political comments.

In response to a question, the Officer advised that if Councillor Fluker's proposal was agreed he would need to speak to colleagues about the Council's capital programme but believed it would fall further behind.

Following further discussion, Councillor Fluker clarified his proposal was that the decision on this item of business be deferred for four weeks in order for the Head of Service – Assets, Coasts and Countryside to answer some of the questions raised so that the Council could either go down the turnkey solution or not, due to the sum of monies involved. He also requested that his vote be recorded. The proposal was seconded.

The Chairperson then put the proposal in the name of Councillor Fluker to the Committee. Upon a vote being taken this was declared lost. In response to his earlier request, it was noted that Councillor Fluker had voted in favor of the proposal.

The Chairperson then put the recommendations as set out in the report and upon a vote being taken this was agreed. In response to his earlier request, it was noted that Councillor Fluker had voted against the recommendations.

At this point Councillor R H Siddall withdrew some of his earlier comments and apologised for any offence caused.

RESOLVED

- (i) That the list of Section 106 contributions and potential youth projects, the 'Programme of Works' (as of June 2023) as set out in Table 1 within the report be noted;
- (ii) That a Project Manager post be recruited (fixed term) to deliver the Section 106 Programme of Works, funded from capital reserves utilising an identified surplus;
- (iii) That subject to (i) and (ii) above that project progress be reported to the Strategy and Resources Committee a quarterly basis.

270. SUPPLEMENTARY ESTIMATES, VIREMENTS, PROCUREMENT EXEMPTIONS AND USE OF RESERVES - QUARTER ONE: 1 APRIL - 30 JUNE 2023

The Committee considered the report of the Interim Chief Finance Officer reporting Virements, Supplementary Estimates and Procurement Exemptions agreed under delegated powers where they were below the levels requiring approval by the Committee.

It was noted that there were no supplementary estimates agreed during this period. Sections 3.3.1 and 3.5.1 set out the virements and procurement exemption agreed during this period. The report also advised that there was one drawdown from Reserves proposed during this period.

In response to questions raised, Officers provided Members with the following additional information:

- There had been pressure across both the cemeteries and parks teams and as an interim measure salary savings had been used to bring in some agency support. The Head of Service was working with the teams to bring forward a service review which would be reported to a future meeting of this Committee.
- In relation the requested drawn down from the Community Housing Reserve this related to a gap in funding for an employment support coach position where there was delayed receipt of funding from the Department for Work and Pensions. Members were advised that Officer would look to claw the monies back through potential housing service underspend at the end of the year.

The Chairperson put the recommendations as set out the report and these were duly agreed.

RESOLVED

- (i) That the virements as detailed in paragraph 3.3.1 of the report be noted;
- (ii) That the procurement exemptions as detailed in paragraph 3.5.1 of the report be noted;

(iii) That the following drawdown from Reserves be agreed:

| Reserve | Drawdown amount | Reason for Drawdown |
|---------------------------|------------------------|---------------------------------------------------------------------------|
| Community Housing Reserve | £12,500 | To cover a three month contract extension for an employment support coach |

Councillor A M Lay joined the meeting during this item of business.

271. BUDGETARY CONTROL (AS AT 30 JUNE 2023)

The Committee considered the report of the Interim Chief Finance Officer providing financial performance information for the period 1 April – 30 June 2023. The report provided an update on a number of areas including the following:

- Gross Service Income and Expenditure;
- Top Expenditure Areas and Variance Analysis;
- Top Income Areas and Variance Analysis;
- Salary Monitoring as at 30 September 2023;
- Inflationary impact;
- Impact on the General Fund Balance;
- Capital Projects Monitor as at 30 September 2020 (Appendix 1)

It was noted that budgets had improved since the pandemic, but the enduring cost-of-living crisis could yet create pressure on local tax collection rates. In addition, it was noted that National pay awards were yet to be agreed and salary inflation could also place a pressure on the Council's budgets if higher than estimated.

During his presentation of the report the Lead Specialist Finance advised that the largest individual variance being forecast was an underspend in household waste due to reductions in waste collected following the pandemic ending.

During the debate that ensued Member raised a number of questions regarding car parking income and the following information was provided:

- The variation was due to an additional £130k added to the projected income for car parking as part of the Council restructure in 2019. Overall the income was not significantly different to pre-covid but was showing an underspend because of the addition of £130k added into the budget. It was noted that there was no policy behind this additional income, how it would be generated or assumption that car parking charges would be significantly increased.
- One of the pressures around car parking income related to the number of people now paying by card and the increased transaction fees in relation to that. Although an element of this had been built into the budget the volume was higher than expected. A budget adjustment would be made to ensure that going forward it reflected the transactions the Council was experiencing. It was reported that going forward the majority of additional fees for payment by phone were included within the transaction fee paid by the customer. Following further discussion and in response to questions raised, the Chairperson advised the Committee that a response regarding costs relating to the collection of car parking revenue, including car payments would be provided.

The Chairperson put the recommendation as set out in the report and this was duly agreed.

RESOLVED that the forecasted 2023 / 24 financial position as at 30 June 2023 be noted.

272. FEES AND CHARGES POLICY 2024 / 25

The Committee considered the report of the Interim Chief Finance Officer presenting the 2024 / 25 Fees and Charges Policy and updated Medium Term Financial Strategy (MTFS) for approval.

Appendix 1 to the report set out the current position for each fees and charges policy including any concessions being given, further financial information and comments. The report summarised proposed changes to the Fees and Charges Policy and it was noted that one new Fees and Charges policy had been added – Non-Statutory Enquiries.

It was noted that the detailed schedule of Fees and Charges would be reviewed based on policy decisions and this Committee would recommend to the Council the 2024 / 25 Fees and Charges during the next cycle of meetings. The 2024 / 25 income budget would be based on the recommended policy.

The Chairperson reminded the Committee that it was not debating the individual fees and charges, just the policy.

Members raised a number of questions and in response Officers provided the following information:

- Reference to a non-statutory enquiry related to land charges fees and were not general customer enquiries.
- Appendix 1 to the report referred to Section 106 (S106) payments and the monitoring fee that the Council charged based on S106 cases. There were no changes proposed to this existing policy. It was agreed that Officers would provide a breakdown of monies collected through this policy and also a benchmark of the monitoring fees charged against neighbouring authorities.
- A Member provided the Committee with details of the current arrangements in place for the collection of clinical waste and queried the efficiency of these. Officers understood that the changes made to clinical waste collection (a number of years ago) were implemented as a result of cost savings. Officers agreed to review these costs in order to identify if there was a more efficient way of delivering that service.
- In response to a query regarding whether the Council had implemented the recently agreed policy to increase wharfage by inflation the Chairperson confirmed that this information would be provided outside of the meeting.
- Where refuse bins were reported as stolen, it was noted for green waste bins full cost recovery was sought from the customer. However, if a bin was damaged each case and the replacement costs were considered on an individual basis, along with any evidence of damage caused by the refuse crews.

The Chairperson put the recommendation as set out in the report and this was duly agreed. It was noted that this would be a recommendation to the Council.

RECOMMENDED that the 2024 / 25 Fees and Charges Policies at **APPENDIX 1** be approved.

There being no other items of business the Chairperson closed the meeting at 9.02 pm.

M F L DURHAM, CC
CHAIRPERSON

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| Directorate | Policy Area | Current Policy | Existing Concessions | Review of Current Policy | Proposed Policy for 2024/25 | Proposed Concessions for 2024/25 |
|------------------|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-----------------------------|---------------------------------------------------------------------------------------|
| Service Delivery | River Moorings | Charge for moorings (not aligned with any other clubs) | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | River Wharfage | Set fees to compete with alternative berthing facilities on the east coast | Quarterly charges discount daily fee by 50%. Discounts available to charitable trusts. Discount phased out over 3 years. 40% 2023/24, 20% 2024/25. | Retain/Amend Existing Policy/Concessions | No Change | No Change |
| Service Delivery | Off Street Car Parking (Maldon Town) | Maximise income, but take into account the need to support local businesses. No free school drop off permits. | Disabled Badge holders - Free parking. Season Ticket discounts for Public Sector Partners, Residents and Bulk Purchases. | Retain/Amend Existing Policy/Concessions | No Change | Disabled Badge holders - Free parking. Discount for Season Tickets and bulk purchases |
| Service Delivery | Off Street Car Parking (Outside Maldon Town) | Free entry | Not Applicable | Retain/Amend Existing Policy/Concessions | Charges approved by Members | None |
| Service Delivery | Car Parking/Events | Suspend car parking and introduce a set fee for specific events. Charges will be dependent on the event size and entrance fee. To be determined by the Director of Service Delivery. | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Maldon Promenade - Car Parking | Aim for overall maximum cost recovery for Promenade Park - with Car Parking being the key contributor | Maldon District Residents Season Tickets at reduced price. Disabled Badge Holders | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Maldon Promenade - Splash Park | Charge to as far as possible to recover all costs of operation and in line with comparable facilities | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Use of Council Land for events | All Council Land. Use of a minimum events day rate charge on council owned land determined by the scale of event size to maximise income for all events. | Charity Organisations with under 100 people in attendance receive a concession ensuring full cost recovery. | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Council owned Land (inc Prom) | Charges to be for all council owned land as well as Prom Park to maximise income | Prices to be agreed by the Director of Service Delivery | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Maldon Promenade - Beach Huts | Charges based on competitive Market rates, and should aim as a minimum to recover all costs of operation | None | Retain/Amend Existing Policy/Concessions | No Change | No change |

| Directorate | Policy Area | Current Policy | Existing Concessions | Review of Current Policy | Proposed Policy for 2024/25 | Proposed Concessions for 2024/25 |
|------------------|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| Service Delivery | Cemeteries | Charges at levels comparable to facilities provided by other local authorities | Local Residents receive discounted rates. Under 18's Free | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Green Waste Bin Service | Charge for Service | Minimum of full cost recovery, and in line with other authorities. Charge for bin for new subscribers and replacement bins | Retain/Amend Existing Policy/Concessions | Minimum of full cost recovery, and in line with other authorities. Charge for bin for new subscribers and replacement bins | None |
| Service Delivery | Chargeable Household Waste Collection | Charges made for residential homes, with limited collections from villages halls equivalent to domestic property. Charges based on cost recovery for additional collections | Free Clinical waste collection | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Chargeable Bulky Household Waste Collection | Charge subject to annual adjustment to reflect contract costs. Fee is collected by Maldon District Council (MDC) and an agreed sum paid to the contractor for each collection | None | Retain/Amend Existing Policy/Concessions | Minimum of full cost recovery | None |
| Service Delivery | Chargeable Street Cleaning | Charges based on competitive Market rates, and should aim as a minimum to recover all costs of operation. | Concession at discretion of Director of service delivery for charitable/ community events. | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Maldon Promenade - Pop Up Trading | Charges based on competitive Market rates, and should aim as a minimum to recover all costs of operation | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Parks & Open Spaces - Advertising | charges based on competitive Market rates, and should aim as a minimum to recover all costs of operation | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Court Costs - Council Tax and Business Rates | Full cost recovery up to maximum level agreed by Essex Magistrates Courts | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | CCTV footage requested by individuals, insurance companies or any organisations other than the Police (subject to data protection) | Chargeable services | None | Retain/Amend Existing Policy/Concessions | Minimum of Full cost recovery | No Change |
| Service Delivery | Refuse and recycling containers for new build properties | Developers to fund the cost of provision of containers for new properties if the development is more than five properties. | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Parking Permits for Schools | Chargeable Services | Charges made to Schools for parking in MDC owned car parks | Retain/Amend Existing Policy/Concessions | No Change | No change |

| Directorate | Policy Area | Current Policy | Existing Concessions | Review of Current Policy | Proposed Policy for 2024/25 | Proposed Concessions for 2024/25 |
|------------------|---------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| Service Delivery | Road Closures | To reclaim costs plus statutory administration charge. | None | Retain/Amend Existing Policy/Concessions | Minimum of Full cost recovery plus statutory administration charges | None |
| Service Delivery | Promenade Park Concessions | To Charge for concessions on the Prom. Prices set on negotiation with the Director of Service Delivery. | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Grounds Maintenance Contracts | Charges for contracts based on competitive market rates ensuring full cost recovery. | None | Retain/Amend Existing Policy/Concessions | No Change | no change |
| Service Delivery | Commercial team – Commercial Services - Box Office | Box office services commission rate set by officers – Standard 10% commission for all events. Concession Director of Service Delivery in conjunction with the Chairman of Strategy & Resources Committee be granted discretion to vary this rate to support the corporate goals of the Council. | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Commercial team – Commercial Services - Marketing | Commercial team to charge a competitive hourly rate for its marketing and promotional services ensuring full cost recovery | None | Retain/Amend Existing Policy/Concessions | Commercial team to charge a competitive hourly rate for its marketing and promotional services ensuring minimum of full cost recovery | no change |
| Service Delivery | Commercial team – Commercial Services - Sponsorship | charges based on competitive Market rates, and should aim as a minimum to recover all costs of operation | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Land Charges | Self Financing Service subject to regulations | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Enquiries (Non Statutory) | NEW FOR 2024/25 | None | New | New - Minimum of full cost recovery | None |
| Service Delivery | Public Hire Vehicle & Hackney Carriage Licensing | Self financing service | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Building Control - Chargeable Services | Self financing service (by regulation) Break even over a five year period | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Development Control and Conservation - Pre Application Advice | Charge for advice | Not Applicable | Retain/Amend Existing Policy/Concessions | Minimum of Full cost recovery | No change |
| Service Delivery | Development Control - Planning Performance Agreements (PPA) | Charge based on generic officer cost rates to complete the tasks in the PPA. | Not Applicable | Retain/Amend Existing Policy/Concessions | Minimum of full cost recovery | No change |
| Service Delivery | Planning Fees (Development control fees) | No Policy - no powers at present | Not Applicable | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Licensing Act 2003 | Set fees in line with the costs incurred in providing the service | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Gambling Act 2005 | Set fees in line with the costs incurred in providing the service | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Scrap Metal Dealers Act 2013 | Recover reasonable costs of administration in accordance with statutory guidance | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Animal Licensing | Set fees in line with the costs incurred in providing the service | None | Retain/Amend Existing Policy/Concessions | No Change | No change |

| Directorate | Policy Area | Current Policy | Existing Concessions | Review of Current Policy | Proposed Policy for 2024/25 | Proposed Concessions for 2024/25 |
|------------------|----------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|------------------------------------------|--------------------------------------------|----------------------------------|
| Service Delivery | Mobile Homes Act 2013 | Set fees in line with the costs incurred in providing the service | Exempt those sites that have 8 or less units (Band 1) | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Pre Application for Tree Preservation Order advise | Charge to be based full recovery of Officer time | Not Applicable | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Street Naming and numbering | Charges to developers and property owners based on cost recovery | Not Applicable | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Revisit to rescore food hygiene ratings | Set fees in line with the costs incurred in providing the service. | Not Applicable | Retain/Amend Existing Policy/Concessions | No Change | no change |
| Resources | External Printing | To be charged per copy. | Not Applicable | Retain/Amend Existing Policy/Concessions | To be charged per copy. Full cost recovery | No change |
| Resources | Administration of Parish Elections & Neighbourhood Referendums | Levy an administration charge based on recovery of Officer time | Not Applicable | Retain/Amend Existing Policy/Concessions | No Change | No change |
| Service Delivery | Markets | charges based on competitive Market rates, and should aim as a minimum to recover all costs of operation | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| SPG | RAMS | To charge a monitoring fee alongside all Essex Coastal Recreational Avoidance Mitigation Strategy (RAMS) payments | None | Retain/Amend Existing Policy/Concessions | No Change | No change |
| SPG | S106 | To charge a monitoring fee based on individual cases | None | Retain/Amend Existing Policy/Concessions | no Change | No Change |
| Service Delivery | Hythe Quay Parking | None | To charge for parking on Hythe Quay | Retain/Amend Existing Policy/Concessions | No Change | No change |