

APOLOGIES Committee Services  
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DIRECTOR OF STRATEGY AND  
RESOURCES  
Paul Dodson

29 November 2023

Dear Councillor

You are summoned to attend the meeting of the;

**OVERVIEW AND SCRUTINY COMMITTEE**

on **THURSDAY 7 DECEMBER 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 register your request to speak / attend in person please complete 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 and Resources

**COMMITTEE MEMBERSHIP:**

CHAIRPERSON	Councillor S J N Morgan
VICE-CHAIRPERSON	Councillor P L Spenceley
COUNCILLORS	L J Haywood J C Hughes C P Morley M G Neall U C G Siddall-Norman E L Stephens N J Swindle L L Wiffen





## **AGENDA OVERVIEW AND SCRUTINY COMMITTEE**

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**THURSDAY 7 DECEMBER 2023**

1. **Chairperson'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 1 August 2023, (copy enclosed).

4. **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).

5. **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 working day the day before the Committee 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. **Scrutiny Workplan Item- Planning Decision-Making** (Pages 9 - 14)

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

7. **Scrutiny Workplan Item - Planning Enforcement** (Pages 15 - 16)

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

8. **Member Scrutiny Request - Maldon Citizens' Advice (MCA)** (Pages 17 - 22)

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

9. **Future Health Provision in Maldon/Proposed New Maldon Health Hub**

At the request of the Chairperson/Vice-Chairperson of the Committee, to explore ways of seeking further information and to establish clarity as to progress on implementation of the above facility.

10. **Scrutiny Workplan Item- Cyber Security Update** (Pages 23 - 24)  
To consider the report of the Director of Strategy and Resources (copy enclosed).
  11. **Scrutiny Workplan Item - Safeguarding of Children and Vulnerable Adults - Corporate Risk Update**  
To receive a verbal update on this item.
  12. **Any other items of business that the Chairperson 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.

#### **Closed-Circuit Televisions (CCTV)**

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

#### **Lift**

Please be aware, there is not currently lift access to the Council Chamber.

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**MINUTES of  
OVERVIEW AND SCRUTINY COMMITTEE  
1 AUGUST 2023**

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**PRESENT**

Chairperson	Councillor S J N Morgan
Vice-Chairperson	Councillor P L Spenceley
Councillors	L J Haywood, C P Morley, M G Neall, E L Stephens, N J Swindle and L L Wiffen
In attendance	Councillor K M H Lagan

**195. CHAIRPERSON'S NOTICES**

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

**196. APOLOGIES FOR ABSENCE**

An Apology for absence was received from Councillor J C Hughes.

**197. MINUTES OF THE LAST MEETING**

**RESOLVED** that the Minutes of the meeting of the Committee held on 28 March 2023 be approved and confirmed.

**198. DISCLOSURE OF INTEREST**

There were none.

**199. SCRUTINY WORKPLAN UPDATE**

The Committee considered the report of the Director of Strategy and Resources that provided the new Committee at its first meeting with an update on the existing scrutiny workplan for review. The Chairperson introduced the report and deferred to the Corporate Governance Project Officer to give further detail on some of the items that would be before the Committee and the Working Group at their next meetings, particularly Planning Decision Making and Planning Enforcement.

The Head of Service - Planning Policy and Implementation, gave Members an update on performance and resources. In reply to a question, she added that work on the review of the Planning Enforcement Policy would depend on service priorities and how the new structure and resourcing is established and suggested it would be helpful to include input from members.

The Chairperson then moved the recommendation set out in the report and this was agreed by assent.

**RESOLVED** that the Committee endorses the existing scrutiny workplan, together with the updates, as a basis for the planning of its future meetings.

## **200. WORKING GROUP OF THE OVERVIEW AND SCRUTINY COMMITTEE**

The Committee considered the report of the Director of Strategy and Resources that reviewed the process of establishing a Working Group of the Committee. The Chairperson introduced the report and deferred to the Vice Chairperson who suggested that the Working Group should perhaps consist of all members of the Committee. This would enable all Members to become more fully engaged in the work of the Committee and reduce the need to rehearse the proceedings of the Working Group at meetings of the Committee.

The Chairperson then moved the proposal that the Overview and Scrutiny Working Group consists of all members of the Committee, and this was agreed by assent.

**RESOLVED** that the Overview and Scrutiny Working Group consists of all members of the Committee for the ensuing municipal year.

## **201. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES**

The Committee considered the report of the Director of Strategy and Resources that sought appointment of one Member of the Overview and Scrutiny Committee to an Outside Body for the ensuing Municipal year 23/24.

The Chairperson then called for nominations to the below outside body.

**RESOLVED** that the Committee appoints one representative to the Outside Body as detailed below, for the ensuing municipal year.

<b>Outside Body</b>	<b>APPOINTED 2023/24</b>
Essex County Council (ECC) Health Overview Policy and Scrutiny Committee (District Representative)	Councillor P L Spenceley

## **202. PROCESS IMPROVEMENT FRAMEWORK.**

The Committee considered the request to appoint two Member representatives to support the work on the Process Improvement Framework.

The Chairperson introduced the item and Councillor E L Stephens nominated herself to be a representative so she could continue her role as a Member Champion. The Chairperson then asked Councillor Stephens to give some background to allow Members to understand the role.

The Chairperson then nominated Councillors S J N Morgan and E L Stephens and these were agreed by assent.

**RESOLVED** that Councillors S J N Morgan and E L Stephens be appointed as the two Member representatives to support the work of the Process Improvement Framework.

**203. REFERENCE FROM THE PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE**

The Committee received a reference from the Performance, Governance and Audit Committee (PGA) to review the management processes associated with the Splash Park at Promenade Park, Maldon.

The Corporate Governance Project Officer gave some brief background to this and pointed out that the PGA had also asked for a separate report to be made to the Strategy and Resources Committee to consider the wider business model and commercial aspects of the operation of this facility.

Councillor K M H Lagan, an in-attendance Member, gave further information regarding the referral which related to the separate issue of the maintenance of the Splash Park, and why it had not been open earlier in the season as agreed. He expressed his keenness for this matter to be reviewed pending the separate issue of the operation of a District asset.

The Chairperson then proposed that the Committee accepts the reference from the PG&A Committee, which would then be picked up for consideration as to whether it should be added to the scrutiny workplan or a watching brief kept, and this was agreed

**RESOLVED** that the Committee accepts the reference from the Performance, Governance and Audit Committee.

There being no other items of business the Chairperson closed the meeting at 8.30 pm.

S J N MORGAN  
CHAIRPERSON

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**REPORT of  
DIRECTOR OF STRATEGY AND RESOURCES**

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**to  
OVERVIEW AND SCRUTINY COMMITTEE  
7 DECEMBER 2023**

**SCRUTINY WORKPLAN ITEM - PLANNING DECISION-MAKING**

**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to consider concluding two further aspects of this scrutiny workplan item for reference to another Committee or Council.

**2. RECOMMENDATION**

That the Committee endorses the proposals for a 'constitutional intervention or brake' by way of a deferment, and also for technical briefings/presentations, both as set out in this report for reference to the Council via the Performance, Governance and Audit Committee to enable consideration of the constitutional implications.

**3. SUMMARY OF KEY ISSUES**

- 3.1 The Committee earlier this year made recommendations to the Council on certain aspects of this scrutiny workplan item. The Committee's Working Group has subsequently picked up the two outstanding issues, namely the concept of a 'constitutional intervention/brake' where Members are minded to overturn a Planning Officer's recommendation, and also the proposed introduction of technical briefings/presentations.

**Constitutional intervention or brake upon overturning the Officer's recommendation**

- 3.2 This concept arose from consideration of potential mechanisms for improving decision-making, particularly where Members wish to overturn the Planning Officer's recommendation. The perceived need for this stemmed from the upholding of planning appeals and the award of costs against the Council where the appeal Inspector concluded that the Council's action in refusing the application and defending its position on appeal was wrong and amounted to unreasonable behaviour.
- 3.3 Although the overriding objective is to improve the quality of decision-making, the context will continue to be the need to strike a balance between the speed of determination and quality of decisions. Should the overturning of an Officer's professional recommendation be involved, it is important that this can be substantiated having understood the implications.
- 3.4 Depending on the approach taken, the position of being 'minded to approve/refuse' comes into play, in other words the determining Committee's inclination to take a particular decision and the reasons for it, alongside a clearly stated reason for actually overturning the Officer's recommendation.

- 3.5 There is much advice/guidance on best practice around ensuring that planning committees are advised of the potential risks on appeal and of a costs award. Equally there are several legal cases from which some important messages have emerged –
- the importance of planning authorities not allowing the potential consequences of a decision for their own resources to influence the exercise of planning judgement;
  - while it was appropriate for officers to advise members on the potential cost and reputational implications of refusing permission, this should not be confused with or taken into account as material considerations in the planning analysis or in the exercise of planning judgement. Any such advice should be provided distinct from the planning assessment.
- 3.6 Planning Policy Guidance states that the aim of the costs regime is in part to encourage local planning authorities to properly exercise their development management responsibilities, to rely only on reasons for refusal which will stand up to scrutiny on the planning merits of the case (supported by robust evidence), not to add to development costs through avoidable delay.
- 3.7 This Council's own adopted Planning Guidance included in the Constitution reflects much of the key messages set out above, and states that *"Depending on the circumstances and complexity of the case it may be that Officers will need to consider those implications in greater detail and report back. Any proposal for deferment must be disposed of ahead of any conclusion being reached on the decision itself."*
- 3.8 Of the potential options for providing an intervention or brake the Working Group favours deferment which will enable a review to be undertaken and reported back to the original Committee. Provided that the application is presented and considered afresh at the meeting following the deferment there would be no constitutional or probity implications in terms of Member participation and voting. Any change to the Constitution to accommodate this proposal should make it clear that the intervention or brake should only occur once as part of an individual application decision process.

#### **Officer reports and presentations on planning applications**

- 3.9 The Council receives some very complex applications that can have some very technical challenges for the decision maker to wrestle with when coming to the determination of the planning application. It is accepted that the traditional approach to presenting items at a Planning Committee, supported by a presentation and an Officer's report, at times might not be the best method to assist Members in their ability meaningfully and effectively to engage in the decision-making process.
- 3.10 The Working Group has explored the potential to allow for a 'technical' presentation to Members prior to the Committee meeting that may be able to deal with some of the more pertinent and salient questions on technical matters. This would provide Members with an opportunity to raise and understand some of the technical complexities (as opposed to controversies) of an application, and also the Officer's recommendation, outside of the formality of the Committee meeting. It is envisaged that this could, when used, improve the working of the Committees and in certain cases reduce the potential for deferments and consequent delays. This would however need to be balanced against the need to have an effective and transparent debate at the Committee meeting itself – there being no debate as such at the briefings.

- 3.11 The Working Group while supportive of the general idea accepted that this might need to be backed by an agreed procedure/protocol. It was anxious that the views of the Monitoring Officer should be sought, particularly in terms of probity and whether there were any constitutional implications.
- 3.12 Provided that prior briefings/presentations are not used for imparting information that will not otherwise be repeated or made available at the Committee meeting the Monitoring Officer accepts the good intent of the idea. Clearly if such briefings were used to impart different information to promote a deeper understanding of the application, then it would be essential that Members attended both the briefing and the Committee meeting in order to be able to vote on the matter. The intention of Officers would be that nothing less than is presented to the briefing will be presented to the Committee meeting. Beyond that the Monitoring Officer is satisfied that there are no other constitutional implications.
- 3.13 It is therefore proposed that such briefings will not be a regular feature but held only by exception to deal with issues as identified by Officers following publication of the Committee agenda and once the Officer recommendation is known. It is thought that they could be conducted remotely with attendance only by those Members of the relevant decision-making Planning Committee. It is proposed that the workings of such briefings/presentations be covered in the Operating Protocol for the Planning Committees and also in the Council's own Planning Guidance included in the Constitution. A draft set of guidelines has been prepared and is at **APPENDIX A** to this report. Officers should also be asked to ensure that there is consistency of approach to their presentations to the Area Planning Committees.

#### **4. CONCLUSION**

- 4.1 It is concluded that the introduction of a 'constitutional brake' in the form of a deferment option as described above be commended to the Council via reference to the Performance, Governance and Audit Committee to consider and recommend on the necessary constitutional implications.
- 4.2 It is further concluded that that the proposed introduction of technical briefings/presentations be commended to the Council via reference to the Performance, Governance and Audit Committee to consider ensuring that the operation of such briefings is suitably covered in relevant Constitutional documentation.

#### **5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027**

##### **5.1 Provide good quality services.**

- 5.1.1 Thorough scrutiny processes support improved performance and efficiency which in turn will contribute to the quality of services provided, and functions undertaken by the Council.

#### **6. IMPLICATIONS**

- (i) **Impact on Customers** – None directly, but individual scrutiny reviews will enable the impact on customers to be assessed.
- (ii) **Impact on Equalities** – Equalities are considered as part of the reporting on review work undertaken by Officers.

- (iii) **Impact on Risk** – Scrutiny reviews enable potential Corporate Risks to the organisation and their mitigation to be identified.
- (iv) **Impact on Resources (financial)** – Scrutiny reviews offer the potential for an assessment of financial impact to the organisation.
- (v) **Impact on Resources (human)** – Scrutiny reviews offer the potential for an assessment of any resource impact to the organisation.

**Background Papers:**

None

**Enquiries to:**

Stuart Jennings, Corporate Governance Project Officer ([stuart.jennings@maldon.gov.uk](mailto:stuart.jennings@maldon.gov.uk))

## **INFORMAL TECHNICAL BRIEFINGS/PRESENTATIONS ON PLANNING APPLICATIONS**

### **Operating Guidelines**

For certain complex and/or major applications, where there are difficult or technical issues such as to consider, it may be appropriate to hold informal briefings for members before an application comes before a committee for formal consideration and determination.

Following publication of the agenda containing the report and Officer recommendation on the particular application, the Director of Service Delivery will decide whether an informal briefing is required to be held, provided the following guidelines are adhered to:-

- Members should understand that an informal briefing is distinct from the committee meeting and therefore no decisions will be taken at the briefing
- The informal briefing is to provide an opportunity for Members to receive information and ask questions to help them understand more about the proposal before formal consideration of the applications at the Committee meeting.
- The informal briefing is not a forum for debate or for stating opinions about the development and certainly not for Members to indicate how they will vote at the Committee meeting.
- Whilst Members can begin to form views about the proposed, it is important that they seek to avoid reaching a firm view or decide how they will vote in advance of the Committee meeting since this will mean that they have pre-determined the application. In that event, they will have compromised their involvement in the subsequent Committee meeting. It is essential that an open mind is kept in order to hear all the information presented, and discussion held, at the Committee meeting itself
- The informal briefing will not be held in public, and only those Members of the determining Committee and relevant Officers will be present. Although attendance by Members will be encouraged, non-attendance at informal briefings will not prevent their subsequent participation in deciding an application when it comes before the Committee. Nothing less than is presented to the briefing will be presented to the Committee meeting.
- A record will be kept of the fact that the meeting took place and who attended the meeting but formal minutes or notes of the meeting will not be made or published.

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**REPORT of  
DIRECTOR OF STRATEGY AND RESOURCES**

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**to  
OVERVIEW AND SCRUTINY COMMITTEE  
7 DECEMBER 2023**

**SCRUTINY WORKPLAN ITEM – PLANNING ENFORCEMENT**

**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to seek the Committee's agreement to delete this item from its scrutiny workplan.

**2. RECOMMENDATION**

That Planning Enforcement be deleted from the scrutiny workplan but kept on a watching brief for periodic review by the Working Group including initial consideration of the review of the Planning Enforcement Policy.

**3. SUMMARY OF KEY ISSUES**

- 3.1 Planning Enforcement has been included on the scrutiny workplan since March of this year, with a focus on policy review, staffing resource and other ongoing performance review issues. This followed Member scrutiny requests that raised concern around the historic backlog of open enforcement cases and the scope for monitoring compliance with planning conditions.
- 3.2 The Committee and the Working Group has continued to receive regular updates and briefings from Officers that have shown that with an improved and more focused resource, a significant reduction in the backlog of open cases has been achieved and continues to receive attention. Added to this, the availability to Members of information on enforcement matters has been improved through the introduction of a mapping application, and the importance of good communication with the public and Parish/Town Councils has been recognised. Further training particularly to help the newer Members gain a greater understanding of enforcement within the context of the wider Planning function will be considered.
- 3.3 Looking ahead, a review of the Planning Enforcement Policy will be undertaken, with a need to reflect realistic expectations and priorities based on what the Authority is able to do given the resources available to support this area of work. It is acknowledged that Members wish to work closely with Officers on this review. In addition, improved process mapping of the various enforcement actions will be pursued to ensure greater clarity and efficiency within the Service Directorate.

**4. CONCLUSION**

- 4.1 Given the significant information provided over a period, Members of the Working Group now have greater assurance that the management and resourcing of this function has improved and is on the right path. That being the case, and no specific

area for detailed scrutiny having been identified, the Working Group recommends to the Committee that this item is no longer included in the scrutiny workplan. It feels however that the item should remain on a watching brief for periodic review by the Working Group to include initial consideration of the review of the Planning Enforcement Policy.

## **5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027**

### **5.1 Provide good quality services.**

- 5.1.1 Thorough scrutiny processes support improved performance and efficiency which in turn will contribute to the quality of services provided, and functions undertaken by the Council.

## **6. IMPLICATIONS**

- (i) **Impact on Customers** – None directly, but individual scrutiny reviews will enable the impact on customers to be assessed.
- (ii) **Impact on Equalities** – Equalities are considered as part of the reporting on review work undertaken by Officers.
- (iii) **Impact on Risk** – Scrutiny reviews enable potential Corporate Risks to the organisation and their mitigation to be identified.
- (iv) **Impact on Resources (financial)** – Scrutiny reviews offer the potential for an assessment of financial impact to the organisation.
- (v) **Impact on Resources (human)** – Scrutiny reviews offer the potential for an assessment of any resource impact to the organisation.

Background Papers:

None

Enquiries to:

Stuart Jennings, Corporate Project Officer (stuart.jennings@maldon.gov.uk).





## **REPORT of DIRECTOR OF STRATEGY AND RESOURCES**

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**to  
OVERVIEW AND SCRUTINY COMMITTEE  
7 DECEMBER 2023**

### **MEMBER SCRUTINY REQUEST – MALDON CITIZENS' ADVICE (MCA)**

#### **1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to consider the outcome of the Committee's Working Group's examination of the background to this request and the scoping of potential scrutiny.

#### **2. RECOMMENDATION**

- (i) That the Committee endorses the conclusions of its Working Group and refers to the Council the findings of this scrutiny as detailed in the briefing paper at **APPENDIX A** to this report;
- (ii) That Members' attention is drawn to the financial implications of the contractual arrangement with MCA and the excellent value for money delivered by way of supporting a wide range of Council services, so that this is borne in mind when the contract is reviewed next year.

#### **3. SUMMARY OF KEY ISSUES**

- 3.1 A scrutiny request was submitted by Councillor S J N Morgan and in line with the agreed procedure an Officer response was prepared for consideration by the Committee's Working Group. At the October meeting of the Working Group a paper addressing the points of concern raised by Councillor Morgan was submitted by the Assistant Director, Service Delivery. This paper is attached at **APPENDIX A** to this report by way of background information.
- 3.2 The concerns raised followed a visit to the MCA earlier in the year by Councillors when concerns had been expressed for those residents seeking help because they do not have access to computer facilities, or where difficulty is experienced in accessing and dealing with the requisite forms due to their limited IT skills. Reference was also made to the specific forms that either had to be downloaded or were complicated to use.
- 3.3 The Working Group was reassured by much of the information received particularly on the Digital First approach and on hearing the arrangements in place to support those customers unable to access on-line services, and the opportunities being taken to improve the working relationship with MCA and the services it provides. In addition, work was under way to address the concerns expressed around the complexities of certain specific forms and explanatory letters.
- 3.4 The Working Group was mindful that Members generally might be unaware of the various financial implications and other issues affecting the services offered by MCA

under an existing contract which was due for review/extension in the spring next year. In order to appreciate fully the excellent value for money delivered by MCA in supporting a wide range of Council services, it was felt important that the Council should be made aware of the findings of this scrutiny and ensure that this is incorporated in the review and presentation of its Customer Strategy and through other forms of communication.

- 3.5 It was further noted that three Members of the Council together with Officers meet with MCA on a six-monthly basis to review performance and contractual arrangements.

#### **4. CONCLUSION**

- 4.1 The Working Group concluded that the Committee should be recommended to formulate a proposal for reference to the Council highlighting the value of MCA in supporting delivery of a wide range of Council services.

#### **5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027**

##### **5.1 Provide good quality services.**

- 5.1.1 Thorough scrutiny processes support improved performance and efficiency which in turn will contribute to the quality of services provided, and functions undertaken by the Council.

#### **6. IMPLICATIONS**

- (i) **Impact on Customers** – None directly, but individual scrutiny reviews will enable the impact on customers to be assessed.
- (ii) **Impact on Equalities** – Equalities are considered as part of the reporting on review work undertaken by Officers.
- (iii) **Impact on Risk** – Scrutiny reviews enable potential Corporate Risks to the organisation and their mitigation to be identified.
- (iv) **Impact on Resources (financial)** – Scrutiny reviews offer the potential for an assessment of financial impact to the organisation.
- (v) **Impact on Resources (human)** – Scrutiny reviews offer the potential for an assessment of any resource impact to the organisation.

Background Papers:  
None

Enquiries to:  
Stuart Jennings, Corporate Project Officer (stuart.jennings@maldon.gov.uk).

## Briefing Paper : Overview and Scrutiny Member Working Group 19<sup>th</sup> October 2023

**Item: Customer access and Support to Online Services and Role and Value of Maldon Citizens Advice**

**Author: Sue Green Assistant Director Service Delivery**

### 1. Introduction

Following a referral from Cllr Morgan Officers agreed to report back to the working group with more information, including information around customer processes and what customers with digital access can / can't do off-line.

### 2. Referral From Councillor Morgan:

The following is a summary of the referral and officers response is at 3. which it hoped will provide information to reassure Members.

“Following a visit to the CAB in June, concerns had been raised about residents who are unable to access computer facilities to complete online forms when applying for services such as housing benefit and council tax. Members are concerned that reports don't give a true picture of the work the CAB does in helping with this and collecting council tax. Members are keen to understand what is the financial impact of the CAB to the Council and how much income do they bring in that might otherwise be lost? If the Council couldn't support them any more, what would the potential loss be for the Council? “

### 3. Officer Response

#### **Customer access to online support**

3.1. Our Digital First approach ensures that wherever possible customers are supported to access line services. We know that being able be online provides many benefits for our customers, enabling them to stay in touch with family and friends, saving money as shopping online is often cheaper, being able to access services including health advice.

3.2. We provide support to our customers in a number of ways:

3.2.1. **Provision of a computer in the Council Offices-** There a computer available for any of our customers to use. This is in a screened area to ensure privacy. This is a great resource for customers that can use digital services but don't have access to a computer or smart phone

3.2.2. **Free Wi-Fi –** Customers who have a Smart Phone but do not have data can use free wifi to access our services online

3.2.3. **In person support-** Our Customer Service staff are able to support customers to use the computer in reception , or to navigate services on a smartphone including completing applications for joining the Housing Register, applying for Council Tax discounts and reductions, or claiming benefits. The computer can also be used by customers visiting our partners such as the Citizens Advice, Job Centre and CVS. Our contractual arrangement with Maldon Citizens Advice (MCA) also requires it to promote, encourage and enable Digital Inclusion as part of contract delivery.

3.2.4. **Supported access via telephone** – Our customer Service team can support customers over the telephone to help them complete online forms or use the Councils Website.

3.2.5. **Signposting** – we are working with to a range of partners who can support digital skills/ assist with access to online services –including the CVS, Essex County Council, Moat and Clairion Housing Associations, Fullbridge Church and Maldon Pioneers. Details are promoted on our website and our customers team promote these support groups

3.2.6. **Mediated access and additional support**– We recognise that there will be situations where a customer cannot use or access digital services, or where this is not the most appropriate method. These will often be our most vulnerable customers. In these situations the customers team are able to submit information on behalf of customers, to arrange for the customer to be called back to deal with the issue, or where appropriate to make an appointment to be seen in person.

3.2.7. **Providing paper copies of forms** – There will be exceptional situations where providing a paper version of a form is the only, or most appropriate solution. Our customer Team are able to send out paper forms where this is the case.

### **Maldon Citizens Advice**

3.3. For many year the Council has provided financial support to the MCA to deliver an advice and support service for our residents on a range of issues. This is a highly valued service and supports some of the most vulnerable in the community.

3.4. Since 2016 the Council has provided its financial support through a contractual arrangement. For 2023/24 the total direct funding to the MCA was £79,771.99.

3.5. In addition to the direct financial support the Council has also provided indirect support through provision of free accommodation both for the MCA staff as well as a dedicated customer waiting area and purpose built interview rooms and access to meeting rooms. In addition the Council also provides a telephone system to MCA at no cost as well as free parking

3.6. MCA delivers a range of valuable and support and advice to residents, and as stated at 3.2.3 it is also required to Promote, encourage and enable Digital Inclusion. Some of the advice services that it provides are:

- Debt and Budgeting
- Income maximisation
- Benefits including support for appeals,
- Consumer issues
- Employment
- Housing

- 3.6. The MCA is a registered charity and as such has a significant number of volunteers who help to deliver the service. In the report to the Strategy and Resources Committee on 7 January 2021 Officers recognised the value of that volunteering. At that time the MCA volunteering model had the equivalent of 12 full time staff (which had increased to 14.6 FTE staff during 2023) , however the same level of funding would only have enabled the Council to employ 2 full time staff, thereby providing significant value for money
- 3.7. The report also acknowledged that the MCA  
“supplements a number of our core statutory services, including debt advice and money management to our Council Tax Payers, and Housing and Homeless Advice”
- 3.8. There is no data available to establish the financial impact of the support that the MCA provide to our residents who are struggling with Council Tax and housing issues, as it would be extremely difficult to measure . However we are able to establish the value of the additional benefits that the MCA have been able to secure for our residents which is annually in excess of £1,000,000.
- 3.9. Whilst it would extremely difficult to quantify the level of income that the MCA directly brings to the Council, we are able to establish the high value of the additional income that is secured for our residents, and the significant number of residents that receive debt advice. This in turn is more likely to result in Council Tax being paid, and housing issues supported. We also know that it would not be possible for the Council to deliver an equivalent service for that level of funding.
- 3.10 On balance the MCA is delivering significant VFM, and this is tested and reported to Members as part of the process to seek approval for the contract to be reprocured each time.

#### **4. Opportunities for improvements to our Services**

- 4.3 We are constantly looking at how we can improve our services, and this commitment to delivering accessible services and improving Digital Inclusion are key aims set out in our emerging Customer Strategy which is due to be presented as a Member Briefing on 20 October 2023.
- 4.4 We have Officer working groups that are focused on improvements to our website, as well as improvements to our online forms and end to end customer processes.
- 4.5 Through valuable feedback from Members, customers and partners such as MCA we are able to identify areas for further improvement and development which are taken forward through these workstreams.

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**REPORT of  
DIRECTOR OF STRATEGY AND RESOURCES**

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**to  
OVERVIEW AND SCRUTINY COMMITTEE  
7 DECEMBER 2023**

**SCRUTINY WORKPLAN ITEM – CYBER SECURITY UPDATE**

**1. PURPOSE OF THE REPORT**

- 1.1 The purpose of this report is to provide the Committee with an update and to seek agreement to delete this item from its scrutiny workplan.

**2. RECOMMENDATION**

That Cyber Security be deleted from the scrutiny workplan.

**3. SUMMARY OF KEY ISSUES**

- 3.1 This matter was originally referred from the Performance, Governance and Audit Committee (PGA) in September last year with a request that the audit and technical reports available at that time be reviewed. This Committee subsequently agreed to add the item to its scrutiny workplan and at its March 2023 meeting further agreed to accept by way of reassurance the update on the various actions undertaken and to further review the item in light of the pending Internal Audit report.
- 3.2 The Internal Audit report was considered by PGA on 16 November 2023.  
<https://democracy.malden.gov.uk/documents/s33332/9c%20-%20MDC%20-%202022-23%20-%20Cyber%20Security%20-%20Internal%20Audit%20-%20Final%20Report.pdf>
- 3.3 The audit rated the Council as having substantial assurance on cyber security, with robust measures in place. There were only two recommendations which were to complete a Disaster Recovery test and to improve monitoring of regular staff training on this subject. An action was to better monitor that both Staff and Members had undertaken cyber training regularly. Officers advised that both these actions have been implemented. The PGA received the Auditor's presentation on this and noted that it amounted to a positive opinion. Review of Corporate Risk continues to be reported to PGA on a quarterly basis.

**4. CONCLUSION**

- 4.1 Given the progress made and the substantial level of assurance provided, and the fact that Corporate Risk was reviewed by PGA, there would appear to be little further for this Committee to review on this subject in terms of the original reference to it. It is therefore recommended that this item is deleted from the scrutiny workplan.

## **5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2023 - 2027**

### **5.1 Provide good quality services.**

- 5.1.1 Thorough scrutiny processes support improved performance and efficiency which in turn will contribute to the quality of services provided, and functions undertaken by the Council.

## **6. IMPLICATIONS**

- (i) **Impact on Customers** – None directly, but individual scrutiny reviews will enable the impact on customers to be assessed.
- (ii) **Impact on Equalities** – Equalities are considered as part of the reporting on review work undertaken by Officers.
- (iii) **Impact on Risk** – Scrutiny reviews enable potential Corporate Risks to the organisation and their mitigation to be identified.
- (iv) **Impact on Resources (financial)** – Scrutiny reviews offer the potential for an assessment of financial impact to the organisation.
- (v) **Impact on Resources (human)** – Scrutiny reviews offer the potential for an assessment of any resource impact to the organisation.

### Background Papers:

None

### Enquiries to:

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