



MALDON
DISTRICT COUNCIL

07 May 2025

Princes Road
Maldon
Essex CM9 5DL

www.maldon.gov.uk



APOLOGIES: Committee Services
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CHIEF EXECUTIVE
Doug Wilkinson

Dear Councillor

You are summoned to attend the meeting of the fifty third;

STATUTORY ANNUAL COUNCIL

on **THURSDAY 15 MAY 2025 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 or attend in person 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

Chief Executive

Serving Members who are past Chairperson of Maldon District Council are invited to wear their past Chairperson's badges and medals.



AGENDA
STATUTORY ANNUAL COUNCIL
THURSDAY 15 MAY 2025

1. **Chairperson's notices**

2. **Election of Chairperson**

To elect the Chairperson of the Maldon District Council for the ensuing municipal year.

3. **Chairperson's Statutory Declaration of Acceptance of Office**

Chairperson to make the Statutory Declaration of Acceptance of Office.

4. **Appointment of Vice-Chairperson**

To appoint the Vice-Chairperson of the Maldon District Council for the ensuing municipal year.

5. **Vice-Chairperson's Statutory Declaration of Acceptance of Office**

Vice-Chairperson to make the Statutory Declaration of Acceptance of Office.

6. **Apologies for absence**

7. **Minutes - 3 April 2025** (Pages 7 - 22)

To confirm the Minutes of the meeting of the Council held on 3 April 2025 (copy enclosed).

8. **Declarations 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).

9. **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).

10. **Chairperson's Announcements**

11. **Minutes of Meetings of the Council**

To note that since the last meeting of the Council, up until Wednesday 7 May 2025 (Council agenda dispatch) the following Committees have met, and to receive any questions in accordance with Council and Committee Procedure Rule 6 (2).

Joint Standards Committee	27 March 2025
South Eastern Area Planning Committee	8 April

12. **Questions in accordance with Procedure Rule 6 (2) of which notice has been given**

13. **Leaders and Composition of Political Groups** (To Follow)

- (i) To consider the report of the Head of Paid Service on the Leaders and composition of each political group (copy to follow).
- (ii) The Council to consider the ratification of the Leader-designate as Leader or to elect the Leader of the Council.
- (iii) To elect the Deputy Leader of the Council.

14. **Appointment of Membership of Committees of the Council** (To Follow)

To appoint Members to serve on Committees, as required by Procedure Rule 15. (Report of the Chief Executive on the nominations of the Leaders of all Groups to the places allocated to their respective Groups, copy to follow).

15. **Adjournment of meeting**

To adjourn the meeting to allow Committees of the Council and the Area Planning Committees to proceed to elect Chairperson and Vice-Chairperson.

Special Meeting of the Performance, Governance and Audit Committee

- (a) To elect a Chairperson of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairperson of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Strategy and Resources Committee

- (a) To elect a Chairperson of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairperson of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Licensing Committee

- (a) To elect a Chairperson of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairperson of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Overview and Scrutiny Committee

- (a) To elect a Chairperson of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairperson of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Joint Standards Committee

- (a) To elect a Chairperson of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairperson of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Investigating and Disciplinary Committee

- (a) To elect a Chairperson of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairperson of the Committee for the ensuing Municipal Year

**To be followed by:-*

Special Meeting of the District Planning Committee

- (a) To elect a Chairperson of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairperson of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the Central Area Planning Committee

- (a) To elect a Chairperson of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairperson of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the North Western Area Planning Committee

- (a) To elect a Chairperson of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairperson of the Committee for the ensuing Municipal Year

To be followed by:-

Special Meeting of the South Eastern Area Planning Committee

- (a) To elect a Chairperson of the Committee for the ensuing Municipal Year
- (b) To appoint a Vice-Chairperson of the Committee for the ensuing Municipal Year

16. **Resumption of Business**

To continue with the business of the Statutory Annual Meeting of the Council.

17. **Appointment to Membership of Committees of the Council - continued**

To appoint Members to serve on the Appointments Board, as required by Procedure Rule 15. (Please see Agenda Item 14 for report of the Chief Executive on the nominations from the Leaders of all Groups to the places allocated to their respective Groups.)

18. **Appointment of Representatives to Local Government and Outside Bodies** (To Follow)

To consider the report of the Chief Executive (copy to follow).

19. **Appointment of Members to serve on Working Groups of the Council** (To Follow)
To consider the report of the Chief Executive (copy to follow).
20. **Annual Report of the Overview and Scrutiny Committee** (Pages 23 - 28)
To consider the report of the Chief Executive, (copy enclosed).
21. **Business by Reason of Special Circumstances Considered by the Chairperson to be 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

We do not have any fire alarm testing scheduled for this meeting. In the event of a fire, a siren will sound. Please use either of the two marked fire escape routes. Once out of the building please proceed to the designated muster point located on the grass verge by the police station entrance. Please gather there and await further instruction. If you feel you may need assistance to evacuate the building, please make a member of Maldon District Council staff aware.

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
COUNCIL
3 APRIL 2025**

PRESENT

Chairperson	Councillor K M H Lagan
Vice-Chairperson	Councillor R G Pratt
Councillors	M G Bassenger, V J Bell, D O Bown, Burrell-Cook, S J Burwood, J Driver, M F L Durham, CC, A Fittock, A S Fluker, L J Haywood, A M Lay, W J Laybourn, S J N Morgan, M G Neall, R H Siddall, N D Spenceley, P L Spenceley, W Stamp, CC, E L Stephens, J C Stilts, N J Swindle and M E Thompson

1. CHAIRPERSON'S NOTICES

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

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J C Hughes, K Jennings, C P Morley, U G C Siddall-Norman, S White and L L Wiffen.

3. MINUTES - 13 FEBRUARY 2025

RESOLVED

- (i) that the Minutes of the meeting of the Council held on 13 February 2025 be received.

Minute No. 537 – Strategy and Resources Committee – 23 January 2025

In respect of the query raised by Councillor A S Fluker and the written response that Councillor J Driver had advised he would provide, Councillor Fluker advised that he had received a response from Councillor Driver but did not feel this answered all his questions. He requested that the response be sent to all Members and / or amended. In response the Chairperson advised that the Minutes of this meeting would be checked.

RESOLVED

- (ii) that the Minutes of the meeting of the Council held on 13 February 2025 be confirmed.

4. MINUTES - 25 FEBRUARY 2025

RESOLVED

- (iii) that the Minutes of the meeting of the Council held on 25 February 2025 be received.

Minute No. 574 – Questions to the Leader of the Council in accordance with Procedure Rule 1(3)M

In respect of the last question raised by Councillor A S Fluker, Councillor J Driver advised that the meeting of the Committee in question had taken place on 13 February 2025 and on 16 February he had provided as full a response as he could, given that he had not chaired the two meetings in question. Councillor Driver noted that his response had been copied to the Leader of the Council, Chief Executive and Monitoring Officer.

RESOLVED

- (iv) that the Minutes of the meeting of the Council held on 25 February 2025 be confirmed.

5. DECLARATION OF INTEREST

Councillor M F L Durham declared non-pecuniary interests as a Cabinet Member of Essex County Council, advising that he was on the Devolution Cabinet and was responsible for that. Secondly, that part of his portfolio also related to Gypsy and Travellers and he was aware there was a question coming up on the agenda tonight in relation to this.

Councillor A S Fluker declared an interest in Agenda Item 11 – Polling Places Review as he was a Member of Southminster Parish Council and Agenda Item 14 - Adoption of the EV Charging and Low Emissions Strategy 2025-2028 as he owned an EV.

Councillor J R Burrell-Cook declared his work with the Maldon District Tourism Group in relation to items 12 - Public Space Protection Order Review Consultation and 13 - UK Shared Prosperity Fund 2025 / 26 Allocation.

6. PUBLIC QUESTIONS

In accordance with the Council's public speaking protocol, it was noted that the following question had been received from Mr Russell Forde who was in attendance. Before reading out his question Mr Forde advised for clarification that he was not a resident but a chartered town planner.

7. ADJOURNMENT OF THE MEETING

RESOLVED that the meeting be adjourned at 7:37pm due to the fire alarm sounding.

8. RESUMPTION OF BUSINESS IN OPEN SESSION

RESOLVED that the meeting of the Council resumes at 7:55pm in open session.

At this point the Chief Executive thanked all present for their cooperation with regards to the fire drill that had just taken place. He commented that Council meetings didn't normally attract the number of public attendees that were present at the meeting today and reassured the public that the fire drill had been planned well in advance and was something that the Council had to do.

9. PUBLIC QUESTIONS CONTINUED

The Chairperson referred back to Mr Forde and who read out his question:

Question:

"On behalf of the residents of Woodham Mortimer, I am appalled, at the consistent failure of the Council to act reasonably, reliably and effectively in managing issues relating to the threatened gypsy site on land south west of Oak Acres, A414 Maldon Road, WMR. My question is simple, when and how will the Council fulfil its duty with energy, skill and precision to protect the residents of WMR to prevent the ongoing propagation of this gypsy site by underperformance, and error to the detriment of the local environment, to the health and wellbeing of local residents."

In response the Leader of the Council advised how he was aware that professional officers from across the Council's Environmental Health, Community Engagement, Planning Enforcement, Development Management and Legal teams were already involved in activities to evaluate and monitor activities taking place on the site referred to in the parish of Woodham Mortimer and Hazeleigh. He acknowledged that residents were extremely concerned about the scheme approved on appeal by the Planning Inspectorate and activities that have been taking place historically and since, as well as a newer planning application that has yet to be determined by the Council.

Historic issues with this site's planning appeal and the processes followed since were already being considered by the Council's Overview and Scrutiny Committee as part of its workplan and the Leader trusted that they would report on the outcomes of their enquiries in due course, including any lessons or recommended changes to procedures.

The Leader understood senior officers had already been in discussions with Councillor Morgan and had agreed, in principle, to support a multi-agency meeting being held with representatives of the site and interested community parties. He supported this stance and hoped it will enable all parties to discuss each other's concerns and positions in a fair and safe environment.

10. CHAIRPERSON'S ANNOUNCEMENTS

The Chairperson extended a sincere welcome to newly elected Councillor James Burrell-Cook, referring to him as very community minded, well known in the district and congratulated him on his recent by-election victory.

In accordance with Part 4 Rule 8(3) of the Constitution, the Chairperson advised that he would be suspending the need to stand.

The Chairperson referred to a beautiful painting of the promenade park gifted to the Council by the Sibley family in honour of their parents. Once reframed the painting would be displayed in a prominent location so that it could be enjoyed by everyone in the District. The Chairperson extended the Council's thanks to the family for their very kind gift.

11. PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE - 20 FEBRUARY 2025

The Council considered the following recommendation coming forward from the Performance, Governance and Audit Committee for consideration:

Annual Review of Financial Regulations

Councillor N D Spenceley, Vice-Chairperson of the Committee presented the recommendation which was duly agreed.

RESOLVED that the revised Financial Regulations (set out in Appendix 1 to the Council agenda) be approved.

12. STRATEGY AND RESOURCES COMMITTEE - 13 MARCH 2025

At this point, the Chairperson advised that the second recommendation for consideration 'Funding Request – Council Offices, Princes Road' would be considered in private session.

The Council considered the following recommendation coming forward from the Strategy and Resources Committee for consideration.

Pay Policy Statement

Councillor M F L Durham, Chairperson of the Committee presented the recommendation which was duly agreed.

RESOLVED that the Pay Policy Statement (attached as Appendix 2 to the Council agenda) be agreed.

13. JOINT STANDARDS COMMITTEE - 27 MARCH 2025

The Council considered the following recommendation coming forward from the Joint Standards Committee for consideration.

Appointment of Independent and Deputy Independent Person

Councillor M G Bassenger, Chairperson of the Committee presented the recommendations which were duly agreed.

RESOLVED

- (i) that John Mitchell be reappointed as Independent Person for Maldon District Council for a period of four years;
- (ii) that Kathy Payne be reappointed as Deputy Independent Person for Maldon District Council for a period of four years.

14. MINUTES OF MEETINGS OF THE COUNCIL

The Council noted the list of Committees that had met before and since the last meeting of the Council, up until Wednesday 26 March 2025 for which Minutes had been published.

15. QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 6(3) OF WHICH NOTICE HAS BEEN GIVEN

There were none.

16. POLLING PLACES REVIEW

The Council considered the report of the Chief Executive seeking Members' consideration of the outcome of a recent review of all polling districts and polling places within the district and to confirm the designation of polling districts and polling places in the Maldon District. It was noted that this review was compulsory for all Local Authorities in the United Kingdom.

The report set out the timings for compulsory reviews in accordance with the Electoral Registration and Administration Act 2013. The purpose of a review was to ensure that all electors had reasonable facilities for voting and that these were accessible to all electors, including those who were disabled. The report detailed the consultation process undertaken and Appendix 1 set out comments from the Acting Returning Officer based on feedback from electors, members and staff from all elections since 2023.

In her presentation of the report the Lead Elections and Democratic Services Manager outlined the principles underlying the proposals and advised that there were no proposed changes to either polling districts or polling places.

Councillor A S Fluker referred to an error with the polling notices for Southminster in the last election and asked that for future elections the polling station was shown as Community Hall 1, King George V Playing Field and the situation was monitored with the Clerk at Southminster Parish Council, with regards to availability. In response the Officer advised this was duly noted.

The Chairperson moved the recommendations set out in the report. These were duly seconded and agreed.

RESOLVED

- (i) that no changes are made to the Polling Districts or Polling Places as outlined in Appendix 1 to the report;
- (ii) that where the current Polling District, Polling Place or Polling Station is considered or becomes unsuitable, Officers will provide provisional alternative options to Members for consideration. Members are to note, that these will need to be fully assessed for suitability by Officers prior to any changes being made;
- (iii) that Members confirm and approve the Polling Districts and Polling Places as detailed in Appendix 1 to the report.

17. PUBLIC SPACE PROTECTION ORDER REVIEW CONSULTATION

The Council considered the report of the Assistant Director – Customers and Operations seeking approval to proceed with the public consultation to review the existing Public Spaces Protection Order (PSPO) for dog control in publicly owned areas district wide which was due to expire on 18 July 2025.

The report advised that implementation of the Anti-Social Behaviour and Policing Act 2014 by the Government in 2014 had given local authorities and the Police more effective powers to tackle Anti-Social Behaviour (ASB). Amongst these tools were PSPO's which provided Councils with a flexible power to implement local restrictions to address a range of ASB issues in public places in order to prevent future problems. Further details of PSPOs was set out in the report.

Members were advised that a review of the existing PSPO for Dog Control was proposed to assess the appropriateness of extending the current conditions in the District. Appendix 1 to the report detailed the current areas of the District covered by the PSPO for Dog Control and the proposed controls Officers were seeking to continue were set outlined in the report.

The proposed consultation document was attached at Appendix 2 and provided an explanation of the review consultation, maps of the proposed areas and a questionnaire to gain people's view. It was noted that if agreed the consultation document would be published on the Council's website and circulated to requisite people or parties.

The Chairperson moved the recommendation set out in the report and this was duly seconded.

A number of comments were raised during the debate of this item of business and in response the Assistant Director – Customers and Operations advised that:

- consideration could be given to including a larger the area in the PSPO in Burnham-on-Crouch as part of the consultation.
- the Council's Community Engagement Officers were receiving additional training to support the enforcement of PSPOs.
- Officers would be carrying out reactive and proactive work in respect of intelligence received. The Council was looking to reinstate some arrangements to engage with the public to ensure Officers were reactive to information received across the District.

It was commented that the Council should do what it can to control dogs around football pitches from a public health perspective.

The Chairperson moved the recommendation which was duly agreed.

RESOLVED that the Council begins a six-week public consultation starting on 7 April 2025 on the proposal to extend the PSPO for dog control in publicly owned areas district wide.

18. UK SHARED PROSPERITY FUND 2025 / 26 ALLOCATION

The Council considered the report of the Chief Executive informing Members of the projects proposed for delivery under the 2025 / 26 UK Shared Prosperity Fund (UKSPF) allocation from the Ministry of Housing, Communities and Local Government (MHCLG) and the Council's 100% match funding.

The Chairperson drew Members' attention to an Addendum report which had been circulated prior to the meeting and provided details of the 2025 / 26 Rural England Prosperity Fund (REPF) allocation from the Department of Environment, Food and Rural Affairs (DEFRA).

The report provided information regarding the UKSPF allocation for the year 2025 / 26 and how delegation had been granted to the Corporate Leadership Team to identify projects for delivery, in consultation with the Leader of the Council and Chairperson of the Strategy and Resources Committee. Members were reminded that the Council had previously agreed to 100% match fund the UKSPF 2025 / 26 allocation from the Council's Reserves. This meant the total delivery fund was £654,292.

Members were advised of the criteria used to identify suitable projects and Appendix 1 to the report detailed the proposed projects for delivery, which had been approved by One Maldon District Partnership, acting as the Council's Local Partnership Group. Allocations for 2025 / 26 would be paid following submission of a forecast report and agreement of a Memorandum of Understanding (MoU). Members were advised that the MoU had been signed and returned as per the requirement, and to ensure projects were not delayed the Council should commence delivery on 1 April 2025.

During her presentation of the report the Lead Specialist - Prosperity advised that Appendix 1 did not include any projects identified by the Strategic Asset Management Working Group. In response to a question, she explained that development of the application process to the fund would commence once the Council had approved that the proposed projects could be delivered. Members' attention was also drawn to Project 11 an 18-month Fixed Term Contract position which would support delivery of the fund and assist applicants with the process. Officers would also carry out some work to identify where the fund could be targeted in accordance with the Council's priorities.

In response to some concerns raised, the Leader of the Council provided further detail regarding use of the funds and the previous decision to use the Council's reserves to match fund. The funds were open to any Community Group or organisation across the District, where possible Ward Members would be notified of bids and a review of bids allocated to ensure a fair representation across the District would be undertaken.

The Lead Specialist – Prosperity then referred to the Addendum and presented this report which set out the Council's REPF allocation for 2025 / 26. It was noted that the REPF was a rural top up to the UKSPF and provided allocations for eligible Local Authorities to help address the additional needs and challenges facing rural areas.

In response to a number of questions raised, the Officer clarified that the requested draw down from reserves was for the 2026 / 27 financial year. It was felt that for organisations to respond and deliver a capital project within the timescale would be extremely challenging and could result in a claw back of the grant from DEFRA. Officers' proposal was to ensure the Council had a deliverable capital asset and the fund would be replenished as a capital grant fund once the additional resource was in place and established grant schemes were operational. At this stage it was felt the council would be able to offer better support to the community alongside providing support in bid and tender writing.

Councillor W Stamp proposed that recommendation (i) on the Addendum be amended to include Ward Members to identify projects for delivery. This was duly seconded.

The Chairperson then moved recommendations (i) to (iii) from the UKSPF report, and upon a vote being taken this was duly agreed. He then moved recommendations (i) to (iii) from the Addendum paper, subject to the amendment proposed by Councillor Stamp. This was duly agreed.

RESOLVED

UK Shared Prosperity Fund 2025 / 26:

- (i) That the work undertaken to identify projects under the delegation granted to Corporate Leadership Team in consultation with the Leader of the Council and Chairperson of the Strategy and Resources Committee be noted;
- (ii) that the proposed projects for delivery under Appendix 1 of the report be agreed and delegated authority be granted to the Corporate Leadership Team to progress within the funds provided;
- (iii) that the commencement of delivery from 1 April 2025 be approved, in advance of receiving the funding from the Ministry of Housing, Communities, Housing and Local Government (MHCLG). Updates on delivery will be provided to Performance, Governance and Audit Committee for the duration of the fund;

Rural Engagement Prosperity Fund 2025 / 26:

- (iv) That the delay in receiving confirmation of the Council's Rural England Prosperity Fund (REPF) allocation, the impact on delivery this has be noted and delegated authority be granted to the Chief Executive, in consultation with the Leader of the Council, Chairperson of the Strategy and Resources Committee and Ward Members, to identify projects for delivery;
- (v) that the commencement of delivery from 1 April 2025 be approved, in advance of receiving the funding from the Department of Environment, Food and Rural Affairs (DEFRA);
- (vi) that the REPF allocation be replenished from reserves to deliver a public grant scheme in 2026 / 27.

19. ADOPTION OF THE EV CHARGING AND LOW EMISSIONS STRATEGY 2025-2028

The Council considered the report of the Deputy Chief Executive seeking Members' approval of the Electric Vehicle (EV) Charging and Low Emissions Strategy (the Strategy), attached as Appendix 1 to the report.

The Chairperson drew Members' attention to an addendum, circulated prior to the meeting, which advised of an amendment to page 8 of the Strategy (page 149 of the report pack).

The report highlighted background information regarding the Council's commitment to achieve Net Zero emissions from its assets and services and achieving a carbon-neutral District by 2050. It was noted that the District had a limited number of public EV charge points, the projections for increased EV ownership by 2040 and the related expansion of the EV charging infrastructure across the District were set out in the report.

The Strategy provided a clear framework for expanding EV infrastructure and transitioning the Council fleet to support the Net Zero 2050 commitment. The Assistant Director - Place and Community, in her presentation of the report, highlighted the key elements of the Strategy, noting the proposed phased transition for the Council's fleet and the ongoing collaboration with Essex County Council, private sector partners and local stakeholders. It was noted that the Strategy would also improve air quality, enhance transport sustainability, whilst ensuring the District remained resilient, accessible and forward-thinking in its approach to low-emissions mobility.

The Chairperson put the recommendations as set out in the report.

Councillor R H Siddall proposed an amendment to recommendation (ii) to include the Chairperson of the Strategy and Resources Committee and the Chairperson of the Net Zero Working Group. This was duly seconded and the amendment agreed.

In response to a question regarding an attempt by Essex County Council (ECC) to put EV charging points on the Hythe quay which had been rescinded, the Leader advised that he would ensure all Members were informed of any communication to install such points in the future.

Councillor A S Fluker referred to the EV charging points outside of the Council offices which people were not currently charged to use. He proposed an additional recommendation, that Officers consider an upgrade of the EV charging machines to make sure that users had to pay for the electric and that it was fair and reasonable. This proposal was duly seconded and agreed as an amendment to the recommendations.

In response to earlier reference to work the Council was undertaking with ECC in relation to the EV Infrastructure Fund, Councillor M F L Durham advised that initially ECC had identified five rural locations within the Maldon District (Great Totham, Tolleshunt D'Arcy, Tollesbury, Latchingdon and Tillingham) and wanted to ensure there was no duplication of work. Councillor J C Stilts reported that herself along with Councillors A M Lay and S J N Morgan had met with ECC to discuss EV charging, the EV Infrastructure Fund to and the Hythe quay.

In response to a question requesting that Officers speak to ECC regarding focusing on Southminster and Burnham-on-Crouch within the Dengie peninsular, the Technical Lead – Climate Action advised that ECC had confirmed they wished to engage with Parish and Town Councils, look at sites in rural locations and were keen not to leave any part of the District behind. The Council would ensure this was pursued and that Members were kept informed.

The Chairperson moved the amended recommendations, and these were duly agreed. The Chairperson thanked the Technical Officer – Climate Action for her detailed report.

RESOLVED

- (i) that subject to the additional paragraph detailed in the addendum to the report, the Electric Vehicle Charging and Low Emissions Strategy 2025-2028 be approved as a starting point for future action and investment in Electric Vehicle infrastructure and fleet optimisation, enabling transition across the district;
- (ii) that in consultation with the Leader of the Council, Officers are authorised to commence implementation, subject to funding availability and Council priorities;
- (iii) that Officers consider an upgrade to the EV charging machines at the Maldon District Council Officers to make sure that users had to pay for the electric and that it was fair and reasonable.

20. MALDON DISTRICT COUNCIL'S RESPONSE TO THE GREATER ESSEX DEVOLUTION CONSULTATION

The Council considered the report of the Chief Executive seeking Members' approval of the Council's proposed Greater Essex Devolution consultation response (attached as Appendix 1 to the report).

Members were reminded of the consultation led by the Ministry of Housing, Communities and Local Government which sought views on a proposal to form a Mayoral Combined County Authority for the local government areas of Essex County Council, Thurrock Council and Southend-on-Sea City Council.

The Lead Legal Specialist and Monitoring Officer presented the report and took Members through the proposed responses to the consultation.

The Chairperson put the recommendation as set out in the report. This was duly seconded.

During the debate that ensued there were a number of concerns raised in relation to some of the proposed responses to the consultation response (Appendix 1) and whether a different model to that currently being suggested would be better for the District.

The Council thanked the Assistant Director – Strategy, Partnerships and Communications for the report and the work she had done to produce the consultation response.

Councillor A S Fluker proposed that the Council agree the recommendation set out in the report. The Chairperson then put the recommendation which was duly agreed. Councillors V J Bell, M F L Durham and K M H Lagan asked that their dissent be recorded.

RESOLVED that the response to the Greater Essex Devolution consultation (as set out in Appendix 1 to the report) be approved.

21. OVERVIEW AND SCRUTINY COMMITTEE - MEMBER SCRUTINY REQUEST OUTCOME - CORPORATE PROJECT - LAND AT HEYBRIDGE

The Council considered the report of the Chief Executive informing Members of the outcome of the Overview and Scrutiny Committee's work on this matter.

Councillor S J Morgan, Chairperson of the Overview and Scrutiny Committee presented the report and advised that following a referral from Councillor A S Fluker a detailed scrutiny exercise on the corporate project around Land at Heybridge had taken place by the Overview and Scrutiny Committee and the report set out the lessons learned and findings. He noted the importance for the Council to view the lessons learned so that it was clear on project deliverables for future endeavours. Councillor Morgan then put the recommendations as set out in the report. This was duly seconded.

In response to a question regarding the costs, the Lead Legal Specialist and Monitoring Officer clarified that the monies came from S106 funding rather than Council reserves or other positions.

The Chairperson thanked the Overview and Scrutiny Committee for its hard work on this issue. He then moved the recommendations which were duly agreed.

RESOLVED

- (i) That the report on the outcome of the Committee's work on this Member Scrutiny Request item be noted;

- (ii) That the Council identified any actions arising from the Committee's conclusions to inform practice and process in relation to future similar corporate projects.

22. APPOINTMENT OF COUNCILLORS TO STEEPLE PARISH COUNCIL

The Council considered the report of the Monitoring Officer seeking Members' approval to appoint two Councillors to Steeple Parish Council (the Parish Council) under Section 91(1) of the Local Government Act 1972.

It was reported that only two Town Councillors remained on the Parish Council following the resignation of two Parish Councillors resulting in the Parish Council not being quorate as its Standing Orders required a minimum number of three Councillors at any meeting. In order for the Parish Council to perform its statutory duties it must legally be quorate. In accordance with the Law where there were so many vacancies, the District Council may by order appoint persons to fill all or any of the vacancies until other Councillors are elected to take up office.

The Monitoring Officer updated the Council, advising that since publication of the report a further Councillor had resigned leaving one Parish Councillor out of a possible five. She advised that Members may wish to amend the recommendation as the Council needed to appoint a minimum of three Members, but may wish to appoint four.

The Chairperson moved the recommendations set out in the report and these were duly seconded. Following a brief discussion about the number of Councillors the Council wished to appoint the Chairperson withdrew the recommendations. He proposed that the Council appoint four Councillors to the Parish Council. This proposal was duly seconded.

Councillor J C Stilts proposed that Councillors L J Haywood and M G Neall be appointed to the Parish Council. This was duly seconded and both nominated Members confirmed they were happy to sit on the Parish Council.

Councillor W Stamp proposed that Councillor A Fittock be appointed to the Parish Council. This was duly seconded. Councillor S J N Morgan proposed that Councillor R G Pratt be appointed to the Parish Council. This was duly seconded. Both Councillors Fittock and Pratt confirmed they were happy to be nominated to the Parish Council.

The Chairperson then moved recommendation (i) with the four nominated Members, and this was duly seconded and agreed. He then moved recommendation (ii) with an amendment to refer to the appointment of four Councillors. This was duly seconded and agreed.

RESOLVED

- (i) That Councillors A Fittock, L J Haywood and M G Neall and R G Pratt be temporarily appointed to Steeple Parish Council;
- (ii) That the Council authorises the making of an Order pursuant to Section 91 of the Local Government Act 1972 for the temporary appointment of four Councillors to enable the Parish Council to act lawfully on the terms set out in the draft order attached at Appendix 1 to the report.

23. QUESTIONS TO THE LEADER OF THE COUNCIL IN ACCORDANCE WITH PROCEDURE RULE 1 (3)(M)

Councillor M F L Durham referred to a previous decision of the Council to contribute to the development of homeless living units being built by Chess Homeless (Chess) in return for nomination rights for homeless people in the Maldon District, funded from Section 106 (S106) income. He advised that the Council had yet to commit the money to Chess. Councillor Durham asked the Leader of the Council to look into this matter and if necessary, ensure that the balance of funding already agreed by the Council was expedited to protect the Council's position. Requesting that any questions be directed to Rob Sagg from Chess. In response the Leader of the Council advised that the agreement to progress a contract with Chess was subject to available funding and at this time there was not sufficient S106 affordable housing contributions to progress without drawing on Council reserves and the outlined the reason for this. The Leader hoped that housing officers would engage with Chess and if necessary, a paper would need to be brought forward to the next meeting of the Strategy and Resources Committee to consider investment from reserves to move forward. Councillor Durham commented that this would only be a temporary investment until further expected S106 monies were received. He again requested that Rob Sagg be contacted to ensure that the delay did not jeopardise the Council's nomination rights. In reply the Leader advised that the Chief Executive and Assistant Director - Place and Community would take this forward.

Councillor W Stamp asked the Leader of the Council to ensure that when representing the Council he shared correct information and facts, she specifically referenced information shared about the debt of another authority. In response the Leader advised that the figure shared had been given to him by the Chief Executive of the Council in question.

Councillor Stamp referred to Local Government Reorganisation and Devolution and asked the Leader of the Council if he would agree to form a Working Group which could then report to the Council on a regular basis. She expressed concern that Members were not being given information regularly, specifically following meetings of the Essex Chief Executives and Leaders. In response the Leader of the Council confirmed he was happy to have a Working Group, however explained that at this present time he did not have any information to share. Although the Essex Leaders' were meeting its discussions were very high level and the Leader reiterated that when there was information to share this would be given to Members.

Councillor A S Fluker asked the Leader of the Council if he would join him in commending Thurrock Council for reducing its debt from £1.5 billion to £1 billion through disinvestment and the sale of assets. In response the Leader of the Council advised it was not his place to comment on another Local Authority.

At this point the Chairperson reminded Members to ensure that questions to the Leader of the Council were based on District issues.

Councillor P L Spenceley referred to the recent appeal decision on a planning application for 281 homes off Broad Street Green Road in Heybridge, and asked the Leader of the Council if the Council had approached Essex County Council (ECC) Highways with regards to this Council not getting the information it required to obtain monies requested for the S106 Agreement relating to pedestrian and active travel improvements following loss of the appeal. She advised that the Planning Inspector had decided not to award the sum of over £2 million requested by ECC Highways due to insufficient information being provided and Councillor Spenceley felt this was a failure to the residents of the District and particularly those in her Parish. In response, the Leader of the Council advised that this affected his Ward too and understood that

Officers were pursuing the matter. He agreed to provide a written response in terms of the actions the Council is taking / has taken.

24. BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES CONSIDERED BY THE CHAIRPERSON TO BE URGENT

There was none.

25. EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED that under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

26. STRATEGY AND RESOURCES COMMITTEE - 13 MARCH 2025 (CONTINUED)

The Chairperson advised following his earlier announcement the Council would now consider the second recommendation coming forward from the Strategy and Resources Committee.

The Council considered the following recommendations coming forward from the Strategy and Resources Committee for consideration.

Funding Request – Council Offices, Princes Road

Councillor M F L Durham, Chairperson of the Strategy and Resources Committee presented and then put the recommendations set out on the Council agenda. This was duly seconded.

Councillor J Driver, Vice-Chairperson of the Strategy and Resources Committee advised that the sums of money identified were to enable the Council to go out to tender. During the lengthy debate that ensued Members discussed the projects for which monies were sought and some concerns were raised. Reference was made to the Council's current tenants in the Council Offices and the need to carry out repairs and update systems. The Leader of the Council commented that the report was seeking to make sure the building was fit for purpose for the future.

The Chairperson moved the recommendations. In accordance with Procedure Rule No. 13 (3) Councillor A S Fluker requested a recorded vote. This was duly seconded.

The Chairperson moved recommendation (i) as set out below:

That the sum detailed in the report to the Strategy and Resources Committee is approved for drawdown from Council reserves to enable the purchase and installation of replacement Fire, Security and CCTV Systems at the Council Offices, Princes Road;

The voting was as follows:

For the recommendation:

Councillors M G Bassenger, V J Bell, S J Burwood, J Driver, A Fittock, A M Lay, R H Siddall, N D Spenceley, P L Spenceley, E L Stephens and N J Swindle.

Against the recommendation:

Councillors D Bown, J R Burrell-Cook, M F L Durham, A S Fluker, L J Haywood, K M H Lagan, W J Laybourn, S J N Morgan, M G Neall, R G Pratt, W Stamp, J C Stilts and M E Thompson.

Abstention: There were none.

The Chairperson declared that this vote was therefore lost, and the recommendation not agreed.

The Chairperson moved recommendation (ii) as set out in the report. In accordance with Procedure Rule No. 13 (3) Councillor A S Fluker requested a recorded vote. This was duly seconded, and the voting was as follows:

For the recommendation:

Councillors M G Bassenger, V J Bell, S J Burwood, J Driver, A Fittock, L J Haywood, K M H Lagan, A M Lay, M G Neall, R H Siddall, N D Spenceley, P L Spenceley, W Stamp, E L Stephens, J C Stilts and N J Swindle.

Against the recommendation:

Councillors D Bown, J R Burrell-Cook, M F L Durham, A S Fluker, W J Laybourn, S J N Morgan, R G Pratt and M E Thompson.

Abstention: There were none.

The Chairperson declared that this was duly agreed.

RESOLVED that the sum detailed in the report to the Strategy and Resources Committee be approved for the necessary replacement of 26 timber framed windows and doors at the Council Offices, Princes Road.

Councillor E L Stephens left the meeting at this point and did not return.

27. PLANNING OBLIGATION UPDATE

The Council considered the report of the Chief Executive highlighting the Council's concerns in relation to NHS Planning Obligations relating to a Section 106 (S106) Agreement for a site as identified in the report. The report sought Members' agreement to request that the matter be raised with the Secretary of State.

The report provided background information regarding the S106 Agreement provision made for a health care facility at the site, S106 contributions paid and the context around current issues which have caused a temporary stall. The Assistant Director – Planning and Implementation provided Members with an update following a meeting held with the NHS that had taken place that morning. He reminded Members that the Council had no role in the negotiations taking place, however it needed to maintain an interest given the delivery of the facilities was important to local residents.

The Chairperson moved the recommendation set out in the report. This was duly seconded.

At this point, in accordance with Procedure Rule 1(6)(i) the Chairperson advised that it was past 10pm but the meeting would continue. This was duly noted.

Councillor A S Fluker provided the Council with information relating to a similar site and then proposed that the recommendation be amended, and the Council also write to the Health Secretary. This proposal was duly seconded and agreed.

RESOLVED that the Council writes to the following persons to set out the Council's concerns and to facilitate a resolution to the issues in this case:

- the Health Secretary;
- both Members of Parliament (the honourable Priti Patel and Sir John Whittingdale) and request that they raise the matter with the Secretary of State.

There being no other items of business the Chairperson closed the meeting at 10.07 pm.

K M H LAGAN
CHAIRPERSON

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REPORT of CHIEF EXECUTIVE

**to
ANNUAL COUNCIL
15 MAY 2025**

ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to present to the Council an annual update on the work of the Overview and Scrutiny Committee.

2. RECOMMENDATION

That the annual report of the Overview and Scrutiny Committee for 2024 / 25 is approved by the Council.

3. SUMMARY OF KEY ISSUES

- 3.1 The Overview and Scrutiny Committee was set up afresh initially under the Council's new Constitution with effect from October 2019. One of its responsibilities is to report to the Council on an annual basis, and the arrangements for this have been endorsed by the Council. Although the Committee also acts as the Council's Crime and Disorder Committee, its scrutiny remit in that role is quite specific and relates to outside bodies and agencies involved with crime and disorder. The Committee's annual report to the Council is therefore confined to its scrutiny role other than in relation to crime and disorder.
- 3.2 The Operating Protocol for the Committee offers a process for the consideration of potential scrutiny items to ensure efficiency and clear outcomes linked to strategic themes. The Protocol also reflects Government Guidance which needs to be heeded. This refines the role of the Committee as being positive and forward looking, providing more of a 'critical friend' challenge, and generally assisting the Council and its Committees by identifying improvements and making recommendations. The intention is that Committee time will predominantly be spent on the planning and carrying out of actual scrutiny work. It has established a Working Group which can be used to manage items of a 'watching brief' nature or where information has been requested, and to assist with the planning of scrutiny.
- 3.3 In this municipal year, two direct referrals were received from the Member request form. All Members have access to make a referral through the following link <https://forms.office.com/r/zR5yZZFf3>. An additional referral was received from the Corporate Leadership Team.
- 3.4 The Committee also agreed a process for the initial consideration and review of potential items of scrutiny requested by Members. The Working Group has been tasked with this and has regard to the remit of the Committee and also the agreed

operating protocol in identifying actual scrutiny items. It then reports to the next available meeting of the Committee.

- 3.5 The annual report for 2024 / 25 was agreed by the Committee at its last meeting on 6 February 2025 and is now set out at **APPENDIX 1** to this report.

4. CONCLUSION

- 4.1 The Council has established a sound basis for the operation of its Overview and Scrutiny Committee and the annual reporting arrangements are intended to ensure accountability of the Overview and Scrutiny Committee to Council.

5. IMPACT ON PRIORITIES AS SET OUT IN THE CORPORATE PLAN 2025 - 2028

5.1 Delivering 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 (including Fraud implications)** – 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.
- (vi) **Impact on Devolution / Local Government Reorganisation** – None directly.

Background Papers: None.

Enquiries to: Stuart Jennings, Corporate Governance Project Officer.

ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2024 / 25

1.0 Councillor S J N Morgan was elected Chairman of the Committee for the 2024 / 25 municipal year, with Councillor P L Spenceley elected as Vice-Chairman. All members of the Committee were appointed to serve on the Committee's Working Group. Councillor P L Spenceley was appointed as the Council's District Representative on the County Council's Health Overview Policy and Scrutiny Committee.

2.0 Over the past year the Committee has dealt with the following scrutiny items:

Subject	Status / Learning outcomes and actions	Update
Corporate Project – Land acquisition at Heybridge	<p>This originated from a scrutiny request by Councillor A S Fluker.</p> <p>Although this matter was the subject of a report to the Council in November 2023, the request sought a closer look at the circumstances which led to this project being withdrawn, the Council's valuation, and also whether the management of the project was sufficiently robust.</p>	<p>In line with the process for considering scrutiny requests from Members, this matter received initial consideration by the Working Group in January 2024. Further information was requested as to the progression of the financial aspects that led to the project being withdrawn, and this was reviewed at the February and March meetings of the Working Group.</p> <p>An interim report was made to the Committee at its April meeting, where it was decided not only to add the item to the scrutiny workplan but also refer it back to the Working Group to look at further and report in the light of the completion and availability of a 'lessons learned' report compiled by the project team.</p> <p>The Working Group has continued to look at this at subsequent meetings and at its December 2024 meeting endorsed its draft final report back to the Committee for consideration on 6 February 2025. The Committee accepted the Working Group's recommendation broadly to endorse the 'lessons learned' report conclusions and commend them to the Council for wider use and to be borne in mind for future similar projects. This was reported to Council on 3 April 2025.</p>

APPENDIX 1

Subject	Status / Learning outcomes and actions	Update
Non-provision of improved facilities / adventure playground at Sensory Garden, Promenade Park, Maldon	<p>This originated from a scrutiny request from Councillor P L Spenceley.</p> <p>The request sought to establish why there this project had not progressed or been delivered following earlier public consultation. Various learning outcomes potentially applicable to the future similar projects were identified, including the need for improved communication with Members and the public.</p>	<p>At the April 2024 meeting of the Working Group and Officer response was received. In the light of this and the Working Group's recommendation, the Committee at its September 2024 meeting agreed that sufficient information and assurance had been received and that no further scrutiny was required. The item would however be kept on a 'watching brief' for review by the Working Group.</p>
Cemeteries Maintenance	<p>This originated from a scrutiny request by Councillor W Stamp. Concern had been raised over the standards of maintenance at cemeteries in the Maldon District having regard to the operation of the new grounds maintenance contract.</p>	<p>In line with the process for considering scrutiny requests from Members, this matter received initial consideration by the Working Group in June 2024 with a briefing paper from Officers.</p> <p>At its September 2024 meeting the Committee agreed to accept the Working Group's conclusions that this item did not need to be added to the scrutiny workplan but that it be kept on a 'watching brief' with two reports to be made to the Working Group over a period of twelve months, the first to its April 2025 meeting.</p>
Planning Appeal re Land at Woodham Mortimer	<p>This originated from a scrutiny request by Councillor S J N Morgan.</p> <p>Issues raised were based on concerns expressed locally as to the Council's conduct in relation to the appeal and also its failure to secure compliance with a condition attached to the permission granted on appeal which may have affected the status of that permission.</p>	<p>In line with the process for considering scrutiny requests from Members, this matter received initial consideration by the Working Group in July 2024 with initial briefing information from Officers.</p> <p>The Working Group has continued to look at this at subsequent meetings given the on-going development management issues associated with this site. The Working Group's response to the issues raised in the initial scrutiny request was reported to the Committee on 6 February 2025 where it was decided that the matter should be added to the scrutiny workplan for more detailed consideration. This has been looked at by the Working Group for report back to a future meeting of</p>

APPENDIX 1

Subject	Status / Learning outcomes and actions	Update
		the Committee.
Splash Park, Promenade Park, Maldon – opening times	This was a reference from the Corporate Leadership Team on the apparent failure by Officers to interpret and implement the wishes of Members in relation to the opening of this facility earlier in the year.	The Committee at its September 2024 meeting received a report from its Working Group on this. In the knowledge that Officers had put in place robust steps around the recording of Council Minutes of meetings held in private session, and the communication and implementation of decisions arising from such sessions, the Committee was greatly reassured and saw no reason for any further action.

- 3.0 In addition to the above matters dealt with by the Committee, its Working Group has continued to receive updates on Planning Enforcement staffing and performance, a 'watching brief' item, and will be reporting back to a future meeting of the Committee.
- 4.0 While scrutiny of particular decisions and specific areas of work will form the bulk of the activity, the Committee has quite a wide remit which includes the monitoring and review of the performance of external bodies and stakeholders. At its October special meeting a follow-up presentation was received from the Alliance Director of the Mid Essex NHS. The Committee will be looking to receive presentations from other key stakeholders and service providers in the District, including the areas of water, drainage/sewerage, and highways.

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