

26 November 2025



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APOLOGIES: Committee Services
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CHIEF EXECUTIVE
Doug Wilkinson

Dear Councillor

You are summoned to attend the meeting of the;

OVERVIEW AND SCRUTINY COMMITTEE

on **THURSDAY 4 DECEMBER 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 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

Chief Executive

COMMITTEE MEMBERSHIP:

CHAIRPERSON	Councillor S J N Morgan
VICE-CHAIRPERSON	Councillor P L Spenceley
COUNCILLORS	V J Bell J R Burrell-Cook A Fittock L J Haywood A M Lay C P Morley E L Stephens N J Swindle



AGENDA OVERVIEW AND SCRUTINY COMMITTEE

THURSDAY 4 DECEMBER 2025

1. **Chairperson's Notices**

2. **Apologies for Absence**

3. **Minutes of the last meeting** (Pages 5 - 10)

To confirm the Minutes of the meeting of the Overview and Scrutiny Committee held on 4 September 2025 (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 Tuesday prior to the day of the meeting).

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

6. **Member Scrutiny Request - Leisure Contract**

To consider the reports of the Overview and Scrutiny Committee Working Group (copies enclosed) on the following aspects of the Leisure Contract:

- a) **Communications and Messaging (request by Councillor A M Lay)** (Pages 11 - 16)
- b) **Post Implementation Review (request by Councillor E L Stephens)** (Pages 17 - 20)

7. **Member Scrutiny Request - Local Plan Policy H2 Housing Mix** (Pages 21 - 26)

To receive an update on the request by Councillor A Fittock (**APPENDIX A**) and to consider the conclusions from the Overview and Scrutiny Committee Working Group special workshop session held on 13 November 2025 as part of its initial assessment (**APPENDIX B**).

8. **Member Scrutiny Request - Planning Services Performance** (Pages 27 - 28)

To note that the above request by Councillor V J Bell (proforma attached) was reported to the Overview and Scrutiny Committee Working Group in September 2025 but since the matter had not first been raised with Officers of the Council or the relevant Committee the request was contrary to the Committee's operating protocol in terms of being able to be actioned.

The Committee is therefore requested to take no further action in respect of this request.

9. **Any other items of business that the Chairperson of the Committee decides are urgent**

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
OVERVIEW AND SCRUTINY COMMITTEE
4 SEPTEMBER 2025**

PRESENT

Chairperson	Councillor S J N Morgan
Vice-Chairperson	Councillor P L Spenceley
Councillors	V J Bell, J R Burrell-Cook, A Fittock, L J Haywood, A M Lay, C P Morley, E L Stephens and N J Swindle

222. CHAIRPERSON'S NOTICES

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

223. APOLOGIES FOR ABSENCE

There were none.

224. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 19 June 2025 be approved and confirmed.

225. DISCLOSURE OF INTEREST

Councillor S J N Morgan declared a non-pecuniary interest as a Member of Wickham Bishops Parish Council.

226. PUBLIC PARTICIPATION

The Chairperson advised that in accordance with the Council's Public Speaking Protocol two requests to speak had been received in relation to Agenda Item 6 – Member Scrutiny Request – Councillor S J N Morgan – Planning Appeal at Church Road, Wickham Bishops. Mr Henry Bass, wished to address the Committee on behalf of Wickham Bishops Parish Council and Mr Richard Kewish who was speaking on behalf of the Wickham Bishops Action Group.

Mr Bass addressed the Committee, highlighting the Parish Council's concerns and reasons why they felt it was appropriate for the matter to be referred back to the Overview and Scrutiny Committee Working Group for further considerations.

Mr Kewish then addressed the Committee, advising that the Wickham Bishops Action Group had opposed the development, he set out their concerns and requested a full explanation of a number of related areas.

227. MEMBER SCRUTINY REQUEST - COUNCILLOR S J N MORGAN - PLANNING APPEAL AT CHURCH ROAD, WICKHAM BISHOPS

The Committee considered the report of the Overview and Scrutiny Committee Working Group (the Working Group) presenting a Member scrutiny item request and the initial assessment of the Working Group.

It was noted that this scrutiny request had been submitted by Councillor S J N Morgan and reported to the last meeting of this Committee. At the heart of the request were questions (set out in the report) posed to the Assistant Director: Planning and Implementation by Wickham Bishops Parish Council regarding a planning appeal in Church Road, Wickham Bishops.

The report provided information regarding the detailed assessment that had been undertaken by the Working Group. It was noted that a note had been issued to Wickham Bishops Parish Council providing an explanation of the process and rationale behind the response given to the Planning Inspectorate. As there was little scope for further detailed scrutiny, the Working Group endorsed the bringing forward of a strengthened Planning Appeals Protocol to help clarify the involvement of nominated Members in planning appeal matters. It was noted that the revised and strengthened Planning Appeals Protocol was the subject of a separate report due to be considered by the Committee.

In response to the earlier public participation, the Chairperson raised a number of questions and Officers provided the following information:

- The Head of Service: Development Management and Building Control outlined the process undertaken by the Planning Department regarding the Council's response provided to the Planning Inspectorate (PINS) regarding the Planning Appeal. It was noted that there was a very short timescale, and the response was given having taken into consideration reasonable judgement, which was legally supported, and officers' professional opinion. The report set out the chain of events.
- It was confirmed that legal advice had been provided, as to how the response back to PINS should be approved in the time available, by the Council's Solicitor and Deputy Monitoring Officer at the time who had specialist knowledge of the planning system as well as the governance process of the Local Authority.
- Discussions had taken place with Officers and the Council's solicitor as to whether it would be classed as reasonable behaviour for the Local Authority to defend reason for refusal 1.
- It was noted that this was an unprecedented set of events which neither Officers present had seen before.

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

RESOLVED

- (i) That the Committee received and considered the report of the Working Group;

- (ii) That the scrutiny item raised by Councillor S J N Morgan relating to the Planning Appeal at Church Road, Wickham Bishops be concluded;
- (iii) That the recommendations of the Working Group that the proposed revision and strengthening of the Planning Appeals Protocol be endorsed.

228. SCRUTINY WORKPLAN ITEM - PLANNING APPEAL AT WOODHAM MORTIMER

The Committee considered the report of the Overview and Scrutiny Committee Working Group (the Working Group) informing Members of the further findings and conclusions of the work on this scrutiny workplan item.

The scrutiny request had been submitted by Councillor S J N Morgan and previously reported to the Committee where four broad areas for scrutiny were identified. The report provided detailed information regarding the initial request reported to the Committee. It was noted that the Working Group had given further detailed consideration to the areas of scrutiny set by the Committee and its deliberations were set out in Appendix A.

The scrutiny had identified that the Council's position could be better explained to the public and some of the concerns expressed by local residents allayed. The Committee's attention was drawn to the lessons learnt highlighted in the Appendix by way of improvements to processes.

In response to questions raised by Members, the following information was provided by Officers:

- The Assistant Director: Planning and Implementation explained that Planning Officers who were members of the Royal Town Planning Institute (RTPI) were bound by a professional Code of Conduct which included clauses on Independent Professional Judgement and they had to stand by the original assessment of a planning application, even if it conflicted with the decision made by their Local Planning Authority. He explained that this was why Officers could not always act to defend planning appeals where the decision was contrary to professional advice and the potential consequences of doing, were their position to be discussed at an appeal hearing or inquiry.
- The Head of Service – Planning Policy and Implementation provided an update on the status of an approved traveller site within the District.

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

RESOLVED

- (i) That the Committee received and considered the report of the Working Group;
- (ii) That the scrutiny item raised by Councillor S J N Morgan relating to the Planning Appeal at Woodham Mortimer be concluded;
- (iii) That the recommendations of the Working Group that the proposed revision and strengthening of the Planning Appeals Protocol be endorsed.

229. COUNCIL CONSTITUTION - PLANNING APPEALS PROTOCOL

The Committee considered the report of the Overview and Scrutiny Committee Working Group (the Working Group) presenting a revised and strengthened version of the Planning Appeals Protocol (attached at Appendix A to the report) for recommendation to the Performance, Governance and Audit Committee for adoption.

It was noted that the Planning Appeals Protocol (the Protocol) was an appendix to the Planning Guidance document within the Council's Constitution. Following the outcome of two scrutiny reviews and following request from the Working Group, Officers had brought forward a revised version of the Protocol which had been endorsed by the Working Group.

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

RESOLVED

- (i) That the Committee endorses the revised and strengthened version of the Planning Appeals Protocol;
- (ii) That the Performance, Governance and Audit Committee be recommended to adopt the revised Planning Appeals Protocol (Appendix A to the report) for inclusion in the Council's Constitution.

230. SCRUTINY WATCHING BRIEF ITEM - PLANNING ENFORCEMENT

The Committee considered the report of the Overview and Scrutiny Committee Working Group (the Working Group) updating Members on the scrutiny watching brief item relating to Planning Enforcement.

It was noted that the Working Group had continued to receive regular updates from Officers on this watching brief item and wished to bring to the attention of the Committee issues of concern around performance which had been directly affected by on-going staff difficulties. All Members had been sent an email by the Assistant Director – Planning and Implementation in July 2025 briefing them on the present position with regards to the Planning Enforcement Team to ensure they were aware of the challenges. The report provided detailed information on the number of open cases and those assigned to an Officer; current staff and the impact this had on performance and the expanding duties required of the Team.

During the discussion that followed and in response to questions / comments raised, the Head of Service: Planning Policy and Implementation outlined the ongoing problems faced recruiting into staff vacancies within the Enforcement team and the various unsuccessful local and nationwide recruitment campaigns that had been undertaken. Members were informed that a contractor was currently in place for a period of three months and working to get notices that need serving up to date. Following discussions, the Assistant Director provided further detail and advised that whilst agency cover was a last resort due to the cost, this may need to become a more permanent way of resourcing enforcement, if the Council was minded to consider this, in a similar way to the current arrangement in place for the Development Management team. He explained that whilst investigation of a potential breach was a legal requirement, taking action to resolve the breach was not.

Following further discussion, the Chairperson moved the recommendation set out in the report and suggested an additional recommendation to suspend the watching brief

on Planning Enforcement by this Committee, viewing it as a performance issue with the review of performance moving to the Performance, Governance and Audit Committee (PGA). Members discussed this proposal, and the Chairperson then changed his proposal recommending that Officers be asked to prepare a report to the Council regarding Planning Enforcement.

In response to the suggestion that the PGA monitor enforcement, the Assistant Director – Programmes, Performance and Governance advised that the Committee could make a recommendation to the PGA that it continue to review enforcement as part of the performance monitoring suite.

The Committee discussed the suggested report to the Council and its content regarding Planning Enforcement and in response to questions Officers provided further information relating to the current backlog of cases. The Assistant Director – Planning and Implementation suggested that, if agreed, the report detail the challenges faced, what an alternative future could look like along with the policy updates that the team would like to bring forward.

The Chairperson then revised his earlier proposition and moved that the Committee retained a watching briefing on Planning Enforcement; Officers be asked to prepare a report to the Council regarding increasing resources relating to Planning Enforcement, and recommend to the PGA that it start to review performance in relation to the Planning Enforcement team. This was duly seconded and agreed.

RESOLVED

- (i) that the Committee received and considered the Working Group's report;
- (ii) that the Committee continues to have a watching brief in relation to the Planning Enforcement Team;
- (iii) that Officers prepare a report to the Council outlining the operational issues currently experienced by the Planning Enforcement Team and options for future resourcing of the team;
- (iv) that the Performance, Governance and Audit Committee consider reviewing Planning Enforcement as part of its performance monitoring.

231. MEMBER SCRUTINY ITEM REQUESTS

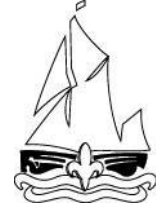
The Committee noted that the following scrutiny requests had been received and in accordance with the agreed procedure this would be referred to the Committee's Working Group for an initial assessment and report back to the Committee.

- Councillor V J BellEfficiency / performance of Planning Services in dealing with planning applications
- Councillor A Fittock.....Use of Policy H2 in assessing housing mix / monitoring and reporting of data
- Councillor E L StephensPost implementation review of new leisure contract

There being no other items of business the Chairperson closed the meeting at 8.38 pm.

S J N MORGAN
CHAIRPERSON

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REPORT of THE OVERVIEW AND SCRUTINY COMMITTEE WORKING GROUP

**to
OVERVIEW AND SCRUTINY COMMITTEE
4 DECEMBER 2025**

MEMBER SCRUTINY REQUEST: COUNCILLOR A M LAY – LEISURE CONTRACT COMMUNICATIONS AND MESSAGING

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to inform the Committee of its initial assessment of this scrutiny request.

2. RECOMMENDATION

That the Committee receives this report of the Overview and Scrutiny Committee Working Group's initial assessment, and by way of an outcome, agrees to include the Working Group's conclusions on this request as part the proposed Leisure Contract post-implementation review.

3. SUMMARY OF KEY ISSUES

- 3.1 A scrutiny item request has been submitted by Councillor A M Lay as reflected in the proforma at **APPENDIX A**. This request focuses on the communications and messaging following the decision by the Council on 14 November 2024 to award a new leisure contract to its preferred bidder Places Leisure. Councillor Lay informed the Overview and Scrutiny Committee Working Group (the Working Group) that despite the commitments given by Officers to that Council meeting in terms of ownership of this process, subsequent events had impacted on Members.
- 3.2 A significant implication of this new contract was the proposal by the contractor to change the facilities offered within the existing sports hall at the Blackwater Leisure Centre, such that certain users/groups would not be able to continue and would need to be found alternative facilities elsewhere. There is no request to review or scrutinise any aspect of the procurement process leading to or the Council's decision in relation to the leisure contract.
- 3.3 The first press release which announced the award of contract was issued on 29 November 2024 and referred to the number of exciting developments and significant investment in the various leisure facilities in the District and stated that over the coming weeks Places Leisure would be engaging with their existing members and centre users to explain what the changes and the new facilities will mean to them.
- 3.4 Details of the significant investment, in particular the proposed upgrading of facilities in the sports hall, were included in the report to Council on 14 November 2024, and at the Council meeting Officers gave an assurance on the need to contact those users affected by the proposed changes. There was however a time gap between the contract award decision and the actual completion / issue of the contract in April

2025 due to the legal work involved. There then followed engagement with the contractors during April and May 2025 to establish whether the proposed work to the sports hall would be deliverable this year or next. This then impacted on the ability to engage meaningfully with existing users until 30 May 2025, and any other forms of communication would have been premature.

- 3.5 A joint statement on behalf of Places Leisure and the Council was issued on 5 June 2025 in which it was explained that the first phase of the new investment was due to begin in August 2025. This would result in the closure of the main sports hall to allow for major work to be completed to turn the current space into a state-of-the-art Gym and Clip & Climb facility. A commitment was made to work closely with and assist users of the sports hall, including regular groups and clubs, to provide temporary and permanent alternative options. Meetings would be arranged with the impacted groups to discuss relocation options.
- 3.6 Members of the Working Group expressed concern at what had happened and dissatisfaction with the information / explanations given in the briefing note. Individual points included a lack of awareness that the sports hall would change, and Members being told that impact on users of the hall was not an issue. The feeling was the situation that arose where the public first saw this in the local newspaper and on social media should have been avoided, and the question was raised whether contact had been made with the users before the press release went out. It was also suggested that the initial press release should have indicated that there would be engagement over the coming months rather than weeks.
- 3.7 Further points included the short period of notice given to users to relocate, whether the proposed changes to the hall could have been deferred or delayed rather than inducing the panic that occurred, and that the Council should have displayed more visible ownership with a more central role in the communications rather than relying on Places Leisure.
- 3.8 Officers maintained that there had been good liaison with the users affected, with offers to help them. Incorrect information had appeared in elements of social media. It was however reported that the relocation of all affected users had now been satisfactorily resolved.
- 3.9 Reference was also made to the Leisure Contract Working Group which it was suggested should have been allowed to continue to oversee this project beyond the procurement stage.

4. CONCLUSION

- 4.1 The Working Group has made an initial assessment of this scrutiny request and has concluded that the Committee should be recommended to add this item to its scrutiny workplan for further detailed review as follows:
- Timeline of decisions and communications
 - Clarification of the nature of the contact with the hall users - whether contact was made prior to the press release and included an offer to meet with and help the users.
 - Undue responsibility put on Places Leisure for communication and engagement – should there have been more visible ownership from within the Council?

- Was the period from April to August 2025 insufficient to notice to users, particularly as it was understood at the time that alternative facilities at The Plume Academy would not be available for a while – why the August 2025 deadline? Was there scope to delay / defer sports hall changes so that there could be meaningful engagement with users?
- Members were given assurance that it would be dealt with sensitively. A Communication void meant social media was relied upon. What learning do we have here?
- Should the Leisure Contract Working Group have continued to meet beyond the procurement stage to oversee implantation issues such as engagement / communications?

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** – Individual scrutiny reviews will enable the impact on customers to be assessed. The subject of this particular scrutiny request directly relates to the experience of customers of leisure facilities provided on behalf of the Council.
- (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 Re-organisation** – None.

Background Papers: None.

Enquiries to: Stuart Jennings, Corporate Governance Project Officer.

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Overview and Scrutiny Committee Working Group – July 2025**Review of scrutiny item requests**

Scrutiny request pro-forma		Request details
No. 24		
1.	Member request	Councillor A M Lay
2.	Area of scrutiny requested and reasons for it	Blackwater Leisure Centre facilities: The messaging to existing users and residents, the scoping of alternative locations and the reputational impact on the Council of the communication process for users and residents of Maldon town and the surrounding district. This includes the assurances given to Members at the meeting of the Council on 14/11/24
3.	Indicate which part of the Committee's remit the request falls within	Review or scrutiny of decisions made or actions taken, also relating to corporate risk and affecting the inhabitants or the area.
4.	If other, give further details	
5.	Has the matter been raised directly with Officers or another Committee?	Yes
6.	If yes to 5, give further details including dates and any response	Have spoken with Officers concerned with the Leisure Contract procurement
7.	Expected outcome of this requested scrutiny item	An understanding of what happened, the timeline, the allocation of responsibilities and management of delivery. How we avoid this going forward and the impact on reputation and what changes can be put in place.

Officer review and comments

1. These matters clearly fall within the remit of the Committee for potential review and scrutiny.
2. A separate briefing note has been prepared for the Working Group to make an initial assessment of this scrutiny request and report to the Committee.

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REPORT of THE OVERVIEW AND SCRUTINY COMMITTEE WORKING GROUP

**to
OVERVIEW AND SCRUTINY COMMITTEE
4 DECEMBER 2025**

MEMBER SCRUTINY REQUEST: COUNCILLOR E L STEPHENS – LEISURE CONTRACT POST-IMPLEMENTATION REVIEW

1. PURPOSE OF THE REPORT

- 1.1 The purpose of this report is to inform the Committee of its initial assessment of this scrutiny request.

2. RECOMMENDATION

That the Committee receives this report of the Working Group's initial assessment and adds this request to its scrutiny workplan to enable further scrutiny to be undertaken in the form of a Post Implementation / Performance Review involving all relevant stakeholders to cover the following points:

- defining the scope
- selecting the Procurement contractor
- decision on whether to go ahead, or re-run the procurement
- communications

3. SUMMARY OF KEY ISSUES

- 3.1 A scrutiny item request has been submitted by Councillor E L Stephens as reflected in the proforma at **APPENDIX A**. This request focuses on the need for a Post-Implementation Review (PIR) of this contract and was assessed by the Overview and Scrutiny Committee Working Group (the Working Group) alongside the separate scrutiny request by Councillor A M Lay regarding communications and messaging associated with the new contract. That aspect is the subject of a separate report to the Committee.
- 3.2 In the Working Group's discussion, it was suggested that there should be a scrutiny PIR possibly being informed by separate reports from at least both Members and Officers. Through this, a clearer understanding of the procurement process would be gained together with an appreciation of the respective positions of Members and Officers and what the Council sought to achieve from the outset. The loss of the sports hall was not foreseen and proved to be contentious with the public, which had impacted on Members.
- 3.3 The Working Group noted the objective of encouraging investment over the lifetime of the contract for the betterment of the condition of the assets. A wider demographic would benefit from enhancement of what had been an under-utilised facility with greater income then being received. It was evident that while there were lessons that

could be learned around communications and messaging around the loss of the sports hall, there was only one affected group that appeared disgruntled with all others having been satisfactorily relocated.

- 3.4 The Working Group gained the clear impression that Members were still of the view that there was at least the perception that something had gone wrong with communication, and that scrutiny could now be used as a critical friend to help similar processes in the future and make them more reactive. While the two scrutiny requests raised separate issues, the communications/messaging element could be concluded quite quickly and the outcomes/conclusions informing the proposed PIR.

4. CONCLUSION

- 4.1 The Working Group has made an initial assessment of this scrutiny request and has concluded that the Committee should be recommended to add this item to its scrutiny workplan for further detailed review in the form of a PIR of the Leisure Contract.

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** – Individual scrutiny reviews will enable the impact on customers to be assessed. The subject of this particular scrutiny request directly relates to the experience of customers of leisure facilities provided on behalf of the Council.
- (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 Re-organisation** – None.

Background Papers: None.

Enquiries to: Stuart Jennings, Corporate Governance Project Officer

Overview and Scrutiny Committee Working Group – September 2025

Review of scrutiny item requests

Scrutiny request pro-forma		Request details
No. 26		
1.	Member request	Councillor E L Stephens
2.	Area of scrutiny requested and reasons for it	<p>The new Leisure Contract procured in 2024 for the management of the Council's leisure centres. As with all major projects, a post implementation review is required, in particular requested by Members because:</p> <p>a) Neither Officers, nor the procurement contractor, nor Members foresaw that the outcome of the tender process could be to lose the sports hall at Blackwater Leisure Centre. Members would like to explore how to minimise the chances of this happening in any future procurement exercise;</p> <p>b) When this was made public, a number of leisure centre customers contacted Members, the press, and even a lawyer, in an effort to prevent it. Members would like to explore how to manage public communications for future high-impact projects.</p>
3.	Indicate which part of the Committee's remit the request falls within	Review or scrutiny of decisions made or actions taken, also relating to corporate risk and affecting the inhabitants or the area.
4.	If other, give further details	
5.	Has the matter been raised directly with Officers or another Committee?	Yes
6.	If yes to 5, give further details including dates and any response	Raised at the Leisure Partnership Board meeting on 31 July 2025. Officers advised that this could be a potential scrutiny review item.
7.	Expected outcome of this requested scrutiny item	A post implementation review with recommendations arising to be actioned by the relevant teams.

Officer review and comments

1. These matters clearly fall within the remit of the Committee for potential review and scrutiny.
2. The subject matter of this request is related to the request by Councillor A M Lay which was considered by the Working Group at its July 2025 meeting, the outcome being due to be reported to the Committee at its September meeting. Whereas the request by Councillor

Lay was focused on the actual messaging and communications as to the implications of the new contract in terms of its impact on the sports hall, this request seeks a wider examination of the significant impact of a key feature of the new contract, and that this was either not known or understood fully at the outset.

3. The procurement process was set up in a way that encouraged bidders to invest and safeguard the long-term commercial viability of the assets and increase participation to a wider demographic for years to come. It is felt that this has been achieved by creating new attractions and expanding the fitness provision at the Blackwater Leisure Centre in place of the under-utilised sports hall (4% of throughput). The procurement process puts its trust in the bidders – they are the experts - hence why the Council outsources this service. It is true that a bid of this quality and significant investment into our assets over a period of 20 years, which also returned the Council with c£500k per annum fixed management fee, had not been foreseen.
4. Information on timeline including Member notifications:
 - May 2024 - initial evaluations concluded
 - June 2024 - Members of the Leisure Contract Working Group informed of the outcome and preferred bidder
 - July 2024 - All Member briefings informing them of the outcome and likely impact
 - July 2024 – Council decision delayed and process reviewed to provide an opportunity to tie in investment and borrowing terms in line with a 20 year contract, bidders were asked to provide a revised bid based on 20 years
 - September 2024 – second evaluation concluded
 - October / November 2024 - Member meetings and engagement were scheduled, supported by the new Chief Executive. A schedule of those Members who did not opt to engage or who were otherwise unavailable during these times is available. At both these briefings and those held in July the proposed change to the use of the Blackwater Leisure Centre sports hall was clearly identified.
5. The Working Group's report on its initial assessment of the scrutiny request by Councillor Lay regarding the Leisure Contract was withdrawn from submission to the last meeting of the Committee and although raising different issues can be linked with this scrutiny request for eventual report back to the Committee. It is therefore now for the Working Group to make an initial assessment of this particular scrutiny request.

Overview and Scrutiny Committee Working Group – September 2025Review of scrutiny item requests

Scrutiny request pro-forma		Request details
No. 27		
1.	Member request	Councillor A Fittock
2.	Area of scrutiny requested and reasons for it	<p>Questions raised as to whether:</p> <p>1. The principal of Policy H2 is being taken into account in determining what is a satisfactory housing mix in the decisions on planning applications</p> <p>2. The monitoring of the extant supply in relation to Housing is being neglected together with a lack of reporting on it to Members.</p> <p>Reference is made to the intent/purpose of Policy H2, and that the Corporate Plan mentioning the Affordability Ratio and the need to address it.</p> <p>Concern at the potential Corporate Risk of market housing becoming increasingly unaffordable, adding pressure to the Housing Register.</p> <p>Previous monitoring of this key element via the Housing Fact Sheet supporting the Annual Monitoring Report appears to have stopped in recent years.</p>
3.	Indicate which part of the Committee's remit the request falls within	Delivery of the Council's Priorities and the review or scrutiny of decisions made or actions taken.
4.	If other, give further details	
5.	Has the matter been raised directly with Officers or another Committee?	Yes – with Officers.
6.	If yes to 5, give further details including dates and any response	Doubt expressed as to whether concerns are clearly understood. There has been a clear lack of reporting on the matter.
7.	Expected outcome of this requested scrutiny item	Effective monitoring to facilitate the reason why a Housing Mix proposal is acceptable together with evidence to support the conclusion.

Officer review and comments

1. These matters clearly fall within the remit of the Committee for potential review and scrutiny.
2. Councillor Fittock has provided a supplementary paper which is appended at **APPENDIX 1** to this pro-forma.
3. The monitoring of bedroom sizes has been undertaken for some time – which shows the housing mix on all new planning applications. Resource limitations mean that only the five-year land supply and affordable housing delivery information is included in the Annual Monitoring Report. Monitoring of types of housing delivered has been started this year at Members' request and information supplied to them. The Local Housing Needs Assessment is in the course of being updated and will cover housing mix and that will be the document to follow when it is agreed as the latest evidence to be used in the determination of planning applications.
4. It will be for the Working Group to make an initial assessment of this scrutiny request and report back to the Committee.

New build analysis 01/10/2022 - 10/08/2025

	Essex	Maldon
Lower Quartile Houseprice	302,500	380,000
Median Houseprice	407,400	435,000
Average Houseprice	427,138	463,239
% under £300k	24.73%	2.70%
% of Flats	34.20%	2.36%
% of Terraced	6.25%	0.00%
% of Semi-detached	18.56%	43.92%
% of detached	40.99%	53.72%

Data Source : <https://www.gov.uk/search-house-prices>

Maldon District Council Homelessness and Housing Strategy 2018 – 2025

Page 10 - The district has a lower than average proportion of social or affordable housing and 50% more of the open market housing stock is larger detached or semi-detached homes compared to national and regional averages.

There are about the same number of four-bedroom homes as two-bedroom homes, roughly 25% of each. Nearly half of all homes are under-occupied (larger than the household requires) and less than 2% of households are over-crowded (in homes too small for their need).

Of those who feel their home is no longer suitable to their need, the largest proportion are homeowners with no mortgage, possibly indicating the issues of an ageing population and the profile of the local housing stock.

The imbalance between the type of homes available to buy or rent and the difference between local incomes and wages also shows how important a better mix of market homes and an adequate supply of affordable homes is for local people.

Page 11 - Of those looking to move within the open market, the main demand from existing households was for three-bedroom houses, for concealed households it was one-bedroom apartments.

For those wanting or needing to move **from** affordable housing, the main need for existing households was for a one- or two-bedroom bungalow, for concealed households the need was for two-bedroom houses

Policy H2

5.14 The SHMA (DCA, 2012) for the District identified that there is a good existing supply of larger (3+ bedroom) dwellings.

To create a better balanced stock to address the impact of the ageing population and the needs of young people entering the market, the Council will need to deliver a higher proportion of smaller (1 or 2 bedroom) units over the life of the Plan

5.15 The Council will seek to ensure that new housing reflects the need and demand of the District's existing and future communities, and provides an improvement to the quality and mix of new market and affordable housing in the District.

5.16 An appropriate mix of housing in new developments will help to enable a better flow of the existing housing stock.

The Council will require new development to incorporate a range of different housing types which contribute towards meeting the identified housing needs for different demographic groups in the District. As recommended by the latest SHMA update, the Council will encourage a greater proportion of one and two bedroom properties to be developed to meet the demand for owner occupied and intermediate housing in the District.

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Conclusions of the Overview and Scrutiny Committee Working Group following its special workshop session on 13 November 2025

The updated Local Housing Needs Assessment has now been published, and Technical Guidance has been prepared as to how Policy H2 will be applied based on the findings of that Assessment. The Guidance will be published shortly.

The Working Group while recognising that the affordability of housing issues and the need for more smaller households to be delivered in the District is an issue for the Council, was satisfied that the proposed approach, which has been backed by Working Group and Officer processes, should be the basis for this matter to be taken forward.

Recommendation to the Overview and Scrutiny Committee:

That this matter should not be added to the scrutiny workplan but that the Committee review implementation of the new approach in six months based on the monitoring year to the end of next March and having regard to the housing mix within the permissions granted.

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Overview and Scrutiny Committee Working Group – September 2025

Review of scrutiny item requests

Scrutiny request pro-forma	Request details
No. 25	
1. Member request	Councillor V J Bell
2. Area of scrutiny requested and reasons for it	Poor performance of Planning Department in dealing with and determining various planning applications. Concerns raised by experienced and qualified professionals on their dealings with the Planning Department on applications and subsequent appeals.
3. Indicate which part of the Committee's remit the request falls within	Matters relating to delivery of the Council's Priorities.
4. If other, give further details	
5. Has the matter been raised directly with Officers or another Committee?	No
6. If yes to 5, give further details including dates and any response	
7. Expected outcome of this requested scrutiny item	Greater efficiency from the Planning Department thus leading to fewer complaints from architects, residents and developers.

Officer review and comments

1. While these matters clearly fall within the remit of the Committee for potential review and scrutiny, the request is widely drawn and needs much greater qualification to enable focused scrutiny.
2. More fundamentally however, at the time of this request the matter had not been raised with Officers. Since the request seems to centre on individual applications / appeals, and complaints received by a Councillor, these are primarily operational issues which at least in the first instance should be pursued with Officers of the Planning Department – essentially at both senior levels of management. This would be in line with the principles set out in the Member / Officer Relations Protocol for a good working relationship including two-way communication. It would be contrary to the Committee's own operating protocol to take on a scrutiny review before this has been done.
3. There may be issues arising from this scrutiny request which may also benefit from a wider discussion in the Planning Chairs' Forum, the next meeting of which is due to be arranged in the near future.

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