

MINUTES of STATUTORY ANNUAL COUNCIL 10 MAY 2018

PRESENT

Chairman (presiding) Councillor H M Bass

Councillors Mrs B F Acevedo, J P F Archer, E L Bamford,

B S Beale MBE, R G Boyce MBE, Mrs P A Channer, CC,

R P F Dewick, I E Dobson, M F L Durham, CC,

Mrs H E Elliott, P G L Elliott, A S Fluker, Mrs B D Harker,

B E Harker, M S Heard, M W Helm, J V Keyes, Miss M R Lewis, R Pratt, CC, S J Savage,

Mrs N G F Shaughnessy, Rev. A E J Shrimpton, D M Sismey, A K M St. Joseph, Mrs M E Thompson and Miss S White

7. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

8. ELECTION OF CHAIRMAN

It was proposed by Councillor P G L Elliott and seconded by Councillor R G Boyce that Councillor H M Bass be re-elected as Chairman of the Maldon District Council for the ensuing Municipal Year.

There being no further nominations it was:

RESOLVED that Councillor H M Bass be re-elected Chairman of the Maldon District Council for the ensuing Municipal Year.

9. CHAIRMAN'S STATUTORY DECLARATION OF ACCEPTANCE OF OFFICE

Councillor H M Bass made the Statutory Declaration of Acceptance of the Office of Chairman of the Council.

IN THE CHAIR: COUNCILLOR H M BASS

10. ELECTION OF VICE-CHAIRMAN

It was proposed by Councillor H M Bass, and seconded by Councillor Mrs P A Channer that Councillor N R Pudney be re-elected as Vice-Chairman of the Maldon District Council for the ensuing Municipal Year.

There being no further nominations it was:

RESOLVED that Councillor N R Pudney be re-elected as Vice-Chairman of the Maldon District Council for the ensuing Municipal Year.

11. THE VICE-CHAIRMAN'S STATUTORY DECLARATION OF ACCEPTANCE OF OFFICE.

Councillor N R Pudney made the Statutory Declaration of Acceptance of the Office of Vice-Chairman of the Council.

12. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Miss A M Beale, A T Cain and M R Pearlman.

13. DECLARATIONS OF INTEREST

Councillor Mrs P A Channer declared a non-pecuniary interest as a Member of Essex County Council advising that a number of the Minutes had ramifications for the County Council.

14. MINUTES - 22 MARCH 2018

RESOLVED that the Minutes of the extraordinary meeting of the Council held on 22 March 2018 be approved and confirmed.

15. PUBLIC QUESTIONS

There were none.

16. CHAIRMAN'S ANNOUNCEMENTS

The Chairman advised that he had attended a number of events, detailed below, and thanked the Vice-Chairman for attending some events on his behalf.

23/03/2018	Southend Civic Dinner
29/03/2018	Visit to Dengie hundred sports Centre
29/03/2018	Visit to Blackwater Leisure Centre
29/03/2018	Visit to Metal Matters
05/04/2018	Maldon Multi Agency Centre – Maldon District Council
09/04/2018	Declaration Ceremony of the new High Sheriff

10/04/2018	Visiting Little Braxted Hall
11/04/2018	Royal Visit Mackmurdo Place
13/04/2018	Pride of Maldon Awards (Vice-Chairman)
14/04/2018	Harbour 10th Birthday Celebrations
15/04/2018	All Saints Church Civic Service, Little Totham
16/04/2018	Visit to St Peter's Canteen
17/04/2018	Essex Millennium Fund Awards (Vice-Chairman)
18/04/2018	Greens Recycling
19/04/2018	Visit to the Blue House Farm and North Fambridge Yacht Harbour
19/04/2018	Royal National Lifeboat Institute (RNLI) Annual General Meeting
25/04/2018	Burnham-on-Crouch (BOC) RNLI Station - Cheque presentation
25/04/2018	New Hall Vineyard
27/04/2018	BOC Town Council Annual Civic Reception
29/04/2018	Witham Civic Service
01/05/2018	Heyward and Barratt, Terra Therma
01/05/2018	Wentworth Primary School - Launch of the 3PR School Parking Initiative
02/05/2018	Maldon Primary School Visit - Council Meeting in Chamber
04/05/2018	Goldhanger - Wilkins and Sons
05/05/2018	STO-kers - Stow Maries Great War Aerodrome - Kids workshop, cadets also attending
08/05/2018	Woodham Mortimer with Hazeleigh Parish Council Annual Council
09/05/2018	Visit to Rural Discovery Church, St Lawrence
09/05/2018	Visit to Beeleigh Mill Project

The Chairman read a short statement and thanked Members for reappointing him into the role of Chairman of the Council. The Chairman thanked the Public Relations Manager and his team for their support over the last year.

The Chairman then presented a long service award to Russell Dawes who was shortly due to complete 20 years with the Council.

17. MINUTE BOOK

(a) MINUTES OF OVERVIEW AND SCRUTINY COMMITTEE – 14 MARCH 2018

RESOLVED that the Minutes of the meeting of the Overview and Scrutiny Committee held on 14 March 2018 be adopted.

(b) MINUTES OF AUDIT COMMITTEE – 26 MARCH 2018

RESOLVED

(i) That the Minutes of the Audit Committee held on 26 March 2018 be received.

The Council received the Committee's recommendations on the following matter:

Minute 930 – Review of Risk Management Policy

RESOLVED

(ii) that the Risk Management Policy attached at Appendix 1 to the Minutes of the Audit Committee, be adopted.

RESOLVED

(iii) that subject to the above decision, the Minutes of the Audit Committee held on 26 March 2018 be adopted.

(c) MINUTES OF COMMUNITY SERVICES COMMITTEE – 27 MARCH 2018

RESOLVED that the Minutes of the meeting of the Community Services Committee held on 27 March 2018 be adopted.

(d) MINUTES OF OVERVIEW AND SCRUTINY COMMITTEE – 28 MARCH 2018

RESOLVED that the Minutes of the meeting of the Overview and Scrutiny Committee held on 28 March 2018 be adopted.

(e) MINUTES OF PLANNING AND LICENSING COMMITTEE – 17 APRIL 2018

RESOLVED

(i) That the Minutes of the Planning and Licensing Committee held on 17 April 2018 be received.

The Council received the Committee's recommendations on the following matters:

<u>Minute 1008 – Renewable and Low Carbon Technology Supplementary</u> Planning Document

RESOLVED

(i) that subject to amendment, the Maldon District Renewable and Low Carbon Technologies Supplementary Planning Document (attached as Appendix 1 to the Minutes of the Planning and Licensing Committee) be adopted.

Minute 1012 – River Blackwater Task and Finish Working Group Update

RESOLVED

(ii) that a Member Task and Finish Working Group or alternative body with two or three Members from each of the three programme Committees be set up to look at other work relating to the Rivers Blackwater and Crouch.

RESOLVED

(iii) that subject to the above decisions, the Minutes of the Planning and Licensing Committee held on 17 April 2018 be adopted.

(f) MINUTES OF FINANCE AND CORPORATE SERVICES COMMITTEE – 19 APRIL 2018

RESOLVED

(i) That the Minutes of the Finance and Corporate Services Committee held on 19 April 2018 be received.

The Council received the Committee's recommendations on the following matter:

RESOLVED

Minute 1035 – Human Resources Policies and Procedures

RESOLVED

(ii) That the Equality and Diversity Policy (attached as Appendix 1 to the Minutes of the Finance and Corporate Services Committee) and Equality Act 2010 Guidance (attached as Appendix 2 to the Minutes of the Finance and Corporate Services Committee) be approved.

RESOLVED

(iii) that subject to the above decision, the Minutes of the Finance and Corporate Services Committee held on 19 April 2018 be adopted.

18. MINUTES OF MEETINGS

The Council noted the list of Committees that had met before and since the last meeting of the Council, up until Tuesday 1 May 2018 for which Minutes had been produced.

19. QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 6 (2) OF WHICH NOTICE HAS BEEN GIVEN

There were none.

20. LEADERS AND COMPOSITION OF POLITICAL GROUPS

The Council considered the report of the Chief Executive. As required by the Local Government and Housing Act 1989, the Chief Executive had been notified that the composition of the political Groups on the Council were as follows:

Political Group	Number of Members	Leader
Conservative	27	Councillor M F L Durham
Independent	3	Councillor B S Beale MBE

It was noted that there was one single Member, Councillor Mrs B E Acevedo (non-aligned) who although not part of a political Group constituted part of the political make-up of the Council.

In accordance with the Council's Constitution, Councillor M F L Durham was therefore recognised as Leader-designate. There being no further nominations it was:

RESOLVED

(i) that the Leader-designate, Councillor M F L Durham, be ratified as Leader of the Council;

Councillor M F L Durham then proposed that Councillor A S Fluker be elected as Deputy Leader of the Council and this was seconded by Councillor Miss S White. There being no further nominations it was:

RESOLVED

(ii) that Councillor A S Fluker be elected as Deputy Leader of the Council for the ensuing Municipal Year.

21. APPOINTMENT OF MEMBERSHIP OF COMMITTEES OF THE COUNCIL

The Council considered the report of the Chief Executive, circulated prior to the meeting.

Councillor R G Boyce raised a point of order in relation to Procedure Rule 1 (7(j)), (8) and (9). He referred to understanding that it was to be proposed that appointment of the Chairman and Vice-Chairman of the Joint Standards Committee would not take place at this meeting. Having spoken to the Chairman of the Council nd the Monitoring Officer, Councillor Boyce felt that the Council, in not making these appointments, would be in conflict of its standing orders. Councillor Boyce felt that the current Membership should remain in place until the next Statutory Annual meeting of the Council.

In response the Interim Monitoring Officer advised that the Local Government Act 1972 overrode the Council's constitution and an error when issuing the summons letter for this meeting meant that the appointment could not take place. Members agreed that in accordance with the advice from the Monitoring Officer, appointment of the Chairman and Vice-Chairman of the Joint Standards Committee would take place at its first meeting.

RESOLVED

- (i) that the nominations of the Leader of the Council and the Opposition Leader to the places allocated to their respective Groups and the proposed allocations made for Councillor Mrs B E Acevedo, be noted;
- (ii) that appointment of the Chairman and Vice-Chairman of the Joint Standards Committee takes place at its first meeting;
- (iii) that the membership of the Committees of the Council as set out below, be agreed:

Finance and Corporate Services	Councillors:	Mrs B F Acevedo
Committee		J P F Archer
		I E Dobson
		P G L Elliott
		A S Fluker
		B E Harker
		M S Heard
		Rev. A E J Shrimpton
		D M Sismey
	Plus ex-officion Leader of the Leader of the	

Community Services Committee	Leader of the	E L Bamford H M Bass Miss A M Beale R G Boyce MBE A T Cain Mrs H E Elliott Mrs B D Harker J V Keyes Miss M R Lewis Mrs N G F Shaughnessy onon-voting Members: Council er of the Council
	Leader of the	Opposition
Planning and Licensing Committee	Councillors:	B S Beale MBE R G Boyce MBE Mrs P A Channer, CC M F L Durham, CC A S Fluker M R Pearlman R Pratt, CC S J Savage A K M St. Joseph Mrs M E Thompson
	Plus ex-officie None	o non-voting Members:
Overview and Scrutiny Committee (including the Overview and Scrutiny Committee (meeting as the Crime and Disorder Committee))	Councillors:	R P F Dewick I E Dobson P G L Elliott M S Heard M W Helm N R Pudney S J Savage Miss S White
Audit Committee	Councillors:	E L Bamford P G L Elliott A S Fluker B E Harker M S Heard Miss M R Lewis A K M St. Joseph Mrs M E Thompson

Joint Standards Committee	Councillors: Mrs B F Acevedo E L Bamford I E Dobson Rev. A E J Shrimpton Mrs M E Thompson Parish Councillors: Councillor J Anderson Councillor S Nunn
Investigating and Disciplinary Committee	Councillors: Mrs B F Acevedo E L Bamford I E Dobson Rev. A E J Shrimpton Mrs M E Thompson
Appointments Committee Procedure Rule 16 (6) provides for the Committee to consider five Members drawn from those listed, politically balanced where possible.	Leader of the Council Chairman of the Council Leader of the Opposition Chairman or Vice-Chairman of the relevant service Committee where a Director appointment is to be made. Councillors A S Fluker Mrs B D Harker

In accordance with the Local Government (Committees and Political Groups) Regulations 1990 Part IV, Paragraph 16(a), the membership of the Area Committees is confirmed as follows:

Central Area Planning Committee	Councillors: Miss A M Beale
	A T Cain
	I E Dobson
	Mrs B D Harker
	B E Harker
	M S Heard
	Miss M R Lewis
	M R Pearlman
	S J Savage
	Mrs N G F Shaughnessy
	Rev. A E J Shrimpton
	Plus ex-officio non-voting Member: Chairman of Planning and Licensing Committee

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North Western Area Planning	Councillors J P F Archer
Committee	E L Bamford
	H M Bass
	M F L Durham, CC
	J V Keyes
	A K M St. Joseph
	D M Sismey
	Mrs M E Thompson
	Miss S White
	Plus ex-officio non-voting Member:
	Chairman of Planning and Licensing
	Committee
	Commutee
South Eastern Area Planning	Councillors Mrs B F Acevedo
Committee	B S Beale MBE
	R G Boyce MBE
	Mrs P A Channer, CC
	R P F Dewick
	Mrs H E Elliott
	P G L Elliott
	A S Fluker
	M W Helm
	R Pratt, CC
	N R Pudney
	Plus ex-officio non-voting Member:
	None

22. ADJOURNMENT OF MEETING

RESOLVED that the meeting be adjourned at 8:14pm to allow special meetings to be held to appoint a Chairman and Vice-Chairman as follows:

Finance and Corporate Services Committee, Community Services Committee, Planning and Licensing Committee, Overview and Scrutiny Committee, Audit Committee, Investigating and Disciplinary Committee, Central Area Planning Committee, North Western Area Planning Committee and South Eastern Area Planning Committee.

23. RESUMPTION OF BUSINESS

RESOLVED that the business of the Annual Meeting of the Council be resumed at 8:18pm.

24. APPOINTMENT OF REPRESENTATIVES TO LOCAL GOVERNMENT AND OUTSIDE BODIES

The Council considered the report of the Chief Executive listing the nominations of the Leader of the Council, circulated prior to the meeting.

RESOLVED

- (i) that the changes to the Local Government and Outside Bodies as set out in paragraph 3.2 of the report be noted; and
- (ii) that the appointment of representatives to Local Government and Outside Bodies, as detailed in **APPENDIX 1** to these Minutes, for the ensuing Municipal Year, be agreed.

25. APPOINTMENT OF MEMBERS TO SERVE ON WORKING GROUPS OF THE COUNCIL

The Council considered the report of the Chief Executive seeking Members' agreement to appoint Members to serve on Working Groups of the Council for the municipal year, circulated prior to the meeting.

RESOLVED that the appointments to the Working Group of the Council for the municipal year, as set out in **APPENDIX 2** to these Minutes, be agreed.

26. CHIEF EXECUTIVES' PAY AGREEMENT 2018 - 20

The Chief Executive left the meeting prior to consideration of this item of business.

The Council considered the report of the Director of Resources, seeking Members' approval for the Chief Executive salary to be revised in line with the final agreement, once reached, by the Joint Negotiating Committee for Chief Executives and Local Authorities (JNC) and Employers.

The report provided background information regarding a claim from the JNC and an offer from the Employers for a pay award for Chief Executives. It was noted that these were not in agreement and would therefore be negotiated before final pay award settlement was made. The Director of Resources reported that to date no agreement had been reached but was expected over the forthcoming months.

Members were reminded that the Council's agreement of this revision was required as the Chief Executive had separate terms and conditions to all other staff.

Councillor M F L Durham proposed that the recommendation as set out in the report be agreed. This was duly seconded and agreed.

RESOLVED that the Chief Executive's pay (SCP 57-60) be revised following confirmation of the final agreement between the Joint Negotiating Committee for Chief Executives of Local Authorities and the Employers, up to a maximum of 2% increase for 2018 / 19 and 2019 / 20, with effect from 1 April 2018.

27. SCHEDULE OF MEETINGS 2018 / 19

The Council considered the proposed changes to the schedule of meetings for 2018 / 19. It was noted that the additional meeting of the Audit Committee was proposed for 21 *June* 2018 and not as detailed on the agenda.

RESOLVED that the following revisions to the Schedule of Meetings 2018 / 19, be agreed.

- Audit Committee Additional meeting on Thursday 21 June 2018.
- <u>Finance and Corporate Services Committee</u> Additional meeting on Tuesday 16 April 2019.

There being no further items of business the Chairman closed the meeting at 8.26 pm.

H M BASS CHAIRMAN



<u>APPOINTMENT OF REPRESENTATIVES ON LOCAL GOVERNMENT AND</u> OUTSIDE BODIES 2018 / 19

LOCAL GOVERNMENT BODIES	2018 / 19 REPRESENTATIVE
East of England Local Government Association	Leader of the Council
Essex Local Government Association	Leader of the Council
Local Government Association	Leader of the Council

The list of Outside Bodies seeking a Member(s) representative has been split into three. The first section covers Outside Bodies with a wide remit covering the whole of the Council's services. The second and third sections of the list cover Outside Bodies with particular remits that are closely aligned with the Community Services Committee and Planning and Licensing Committee respectively. In these instances, the Council may feel it is more appropriate to nominate Members who sit on those Service Committees.

OUTSIDE BODIES	2018 / 19 REPRESENTATIVE(S)
Bradwell Local Community Liaison Council	Councillors B S Beale MBE, A S Fluker and Rev. A E J Shrimpton
British Red Cross Society – Essex County Branch	Chairman of the Council
Essex Countywide Traveller Unit Committee	Councillor M F L Durham, CC
Essex Flood Partnership Board	Councillor A K M St. Joseph Substitute: Councillor Mrs P A Channer CC
Haven Gateway Partnership	Leader of the Council and Chairman of the Planning and Licensing Committee
(Previously Heart of Essex and Haven Gateway Local Enterprise Partnerships)	Substitute: Deputy Leader of the Council and / or Vice-Chairman of the Planning and Licensing Committee, as appropriate
Maldon Locality Board	Leader of the Council Deputy Leader of the Council Leader of the Opposition (or representative) Chairmen (or Vice-Chairmen) of the Community Services, Planning and Licensing and Finance and Corporate
Maldon Harbour Improvement Commissioners This position is an appointment as a Commissioner for a minimum period of three years (appointment will continue even if Member leaves the Council)	Services Committees Councillor A S Fluker (until June 2021)
Maldon and District Youth Strategy Group	Councillor Miss S White

OUTSIDE BODIES	2018 / 19 REPRESENTATIVE(S)
Mid Essex Hospital Services NHS Foundation Trust - Council of Governors	Councillor N R Pudney
Police and Crime Panel	Councillor Mrs P A Channer, CC Substitute Councillor M F L Durham, CC
Plume Educational Trust	Councillor A T Cain (to June 2019)
(Four yearly appointment)	Councillor P G L Elliott (to June 2021)
The Thomas Plume Library Charitable	Leader of the Council
Incorporated Organisation	Substitute: Deputy Leader of the Council

Outside Bodies aligned with the Community Services Committee's responsibilities.

OUTSIDE BODIES	2018 / 19 REPRESENTATIVE(S)
Drapers Farm Sports Club Committee	Councillor Miss M R Lewis
Essex Waste Inter Authority Agreement Member Working Group	Chairman of Community Services Substitute: Vice Chairman of Community Services
Essex Waste Member Partnership Board	Chairman of Community Services Substitute: Vice Chairman of Community Services
Community 360 Liaison Group (formally Maldon and District Community Transport Liaison Group)	Councillors B E Harker and Rev. A E J Shrimpton
Maldon Sure Start	Councillor N R Pudney Substitute: Councillor Rev. A E J Shrimpton
Parking and Traffic Regulations outside London Adjudication Joint Committee (PATROL)	Councillor R Pratt, CC Substitute: Councillor Rev. A E J Shrimpton
Responsible Authorities Group (RAG) (Community Safety)	Councillor Miss S White Substitute: Councillor Mrs B D Harker
South Essex Parking Partnership – Joint Committee (NB representative to be member of Community Services Committee)	Councillor R Pratt, CC Substitute: From Community Services Committee (If use of substitute, must notify the Committee 30 minutes prior to the start of a meeting)
West Maldon Community Association Management Committee	Councillor M S Heard

Outside Bodies aligned with the Planning and Licensing Committee's responsibilities

OUTSIDE BODIES	2018 / 19 REPRESENTATIVE(S)
Bradwell Legacy Partnership	Chairman of the Planning and Licensing Committee (Substitute: Vice-Chairman of the Planning and Licensing Committee)
(Membership amended by the Council 07/04/16)	Representing the Dengie Peninsular Councillor R G Boyce MBE (Substitute: Councillor E L Bamford)

OUTSIDE BODIES	2018 / 19 REPRESENTATIVE(S)
Blackwater Estuary Siltation Steering Group	Councillor A K M St. Joseph
"Dawn" Sailing Barge Trust Limited	Councillor R G Boyce MBE
Essex Coastal Forum	Councillor M F L Durham CC Substitute: Councillor A S Fluker
Essex Planning Policy Portfolio and Chairman's Group	Chairman of the Planning and Licensing Committee Substitute: Vice-Chairman of the Planning and Licensing Committee
Local Government Association Coastal	Councillor A K M St. Joseph
Issues Special Interest Group	Substitute: Councillor Miss S White
Local Government Flood Forum	Councillor Miss M R Lewis Substitute: Councillor A K M St. Joseph
Local Area Highways Panel	Councillors Mrs B F Acevedo, H M Bass and M S Heard
Sense of Place Board	Chairman of the Planning and Licensing Committee Substitute: Vice-Chairman of the Planning and Licensing Committee
Southend Airport Consultative Committee	Councillor P G L Elliott
Southminster Heritage Economic Regeneration Scheme Steering Group	Councillor A S Fluker

The following body is not appointed by Maldon District Council but involves Members of the Council:

Essex Partnership Board (Mid Essex	Leader of the Council
representative)	(appointed 4 April 2013)



APPOINTMENT OF CORPORATE WORKING GROUPS

Body	2018 / 19 Representatives
	From the Community Services Committee:
	Councillor R G Boyce MBE
	Councillor E L Bamford
	From the Finance and Corporate Services
	Committee:
	Councillor I E Dobson
Asset Management Working Group	Councillor D M Sismey
	From the Planning and Licensing
	Committee:
	Councillor Mrs P A Channer CC
	Councillor A K M St. Joseph
	Leader of the Council
	Deputy Leader of the Council
	From the Community Services Committee:
	Councillor Mrs B D Harker Councillor Mrs B D Harker
	Vacancy (to be confirmed)
Corporate Projects Member Task and Finish	From the Finance and Corporate Services
Working Group	Committee:
	Councillor I E Dobson
(Appointed by the Council on 8 September 2016)	Councillor A S Fluker
	From the Planning and Licensing
	Committee:
	Councillor A K M St. Joseph
	Councillor S J Savage
	Councillor M F L Durham, CC (Leader of the Council)
Corporate Governance Working Group	Councillors D. C. Doolo MDE
	Councillors B S Beale MBE, R G Boyce MBE, H M Bass, P G L Elliott,
	A S Fluker, and Mrs M E Thompson
	Councillors E L Bamford, B S Beale MBE,
	R G Boyce MBE, Mrs P A Channer CC,
Investigating and Disciplinary Panel	P G L Elliott, Mrs B D Harker, M W Helm,
involugating and Disciplinary Lanci	N R Pudney, D M Sismey and
(Council 21 December 2016 – Minute No.	A K M St. Joseph
698)	Independent Persons:
	Mr N Hodson and Mr S Anthony
	Reserve – Ms C Gosling
Maldon Health Hub	Councillors Mrs P A Channer CC and
	Mrs B D Harker

APPENDIX 2

Body	2018 / 19 Representatives
	From the Community Services Committee: Councillors B S Beale MBE and Mrs B D Harker
Strategic Housing Board (Council 16 February 2017 – Minute No, 991)	From the Finance and Corporate Services Committee: Councillors A S Fluker and Rev. A E J Shrimpton
	From the Planning and Licensing Committee: Councillors R G Boyce MBE and one Vacancy (to be confirmed)
Transformation Programme Board (Council (19/12/14) Min No. 675 refers)	Councillors M F L Durham CC and A S Fluker