



**MINUTES of
STRATEGY AND RESOURCES COMMITTEE
28 JANUARY 2021**

PRESENT

Chairman	Councillor R H Siddall
Vice-Chairman	Councillor C Swain
Councillors	Mrs P A Channer, CC, M F L Durham, CC, M R Edwards, M W Helm, K M H Lagan, W Stamp, Mrs M E Thompson and Miss S White
Substitutes	Councillor Mrs J Stilts
In attendance	Councillors Mrs J L Fleming, A L Hull and C Morris

210. CHAIRMAN'S NOTICES

The Chairman welcomed everyone to this remote meeting of the Strategy and Resources Committee, held under new regulations which had come into effect in response to the COVID-19 situation. The Chairman then went through some general housekeeping arrangements for the meeting.

A roll call of those Members present was taken.

211. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor N J Skeens and in accordance with notice duly given Councillor Mrs J Stilts was attending as a substitute for Councillor Skeens.

212. MINUTES - 19 NOVEMBER 2020

RESOLVED

- (i) that the Minutes of the Strategy and Resources Committee held on 19 November 2020 be received.

The Chairman advised that Councillor C Morris had been in attendance, but this was not recorded and the Minutes would be amended accordingly.

RESOLVED

- (ii) that subject to the above amendment, the Minutes of the Strategy and Resources Committee held on 19 November 2020 be agreed (by assent).

213. MINUTES - 24 NOVEMBER 2020 (SPECIAL MEETING)

RESOLVED that the Minutes of the special Strategy and Resources Committee held on 24 November 2020 be agreed (by assent).

214. DISCLOSURE OF INTEREST

Councillor Mrs P A Channer disclosed a non-pecuniary interest as a Member of Essex County Council and in particular regarding the Capital Strategy and other document. She declared that she was a member of the Crouch Harbour Advisory Committee which was mentioned and in the papers relating to ~~houseboats~~ the vessel Llys Helig. Councillor Mrs Channer advised that although in the past she had removed herself from the meeting for such items she felt she was able to remain **as things had moved on regarding the vessel but would not comment should the vessel Llys Helig itself be discussed.**

Councillor K M H Lagan declared a non-pecuniary interest in Agenda Item 7 – Discretionary Fees and Charges 2021 / 22 having had conversations with several business owners in the past and was a previous boat owner and operator.

Councillor M F L Durham disclosed a non-pecuniary interest as a Member of Essex County Council and advised that in respect of Agenda Item 21 – Millfields Caravan Park, Burnham-on-Crouch he was Chairman of Visit Essex (non-pecuniary).

Councillor Mrs J Stilts disclosed a non-pecuniary interest in Agenda Item 7 – Discretionary Fees and Charges 2021 / 22 as she knew some of the barge owners and a member of the Maldon Heritage Harbour Association and the Little Ship Club.

Councillor M R Edwards declared a non-pecuniary interest in Agenda Item 7 – Discretionary Fees and Charges 2021 / 22 as a member of a Thames Barge Trust.

215. PUBLIC PARTICIPATION

No requests had been received.

216. DISCRETIONARY FEES AND CHARGES 2021 / 22

The Committee considered the report of the Director of Resources seeking Members' consideration of the fees and charges for 2021 / 22 that generated greater than £2,000. For those fees and charges that generated less than £2,000 delegation to the Director of Resources for their review and setting was sought.

The report advised that the proposed fees and charges for 2021 / 22 (set out in Appendix A to the report) had been based on policy decisions recently updated and agreed by this Committee at its last meeting. A number of new charges were being introduced in place of old ones and a summary of the changes was set out in Appendix B.

The Finance Working Group were proposing changes to the Wharfage fees and section 4 of the report set out the three options put forward for consideration by the Committee. The Chairman referred to the Working Group being newly created, the work it had undertaken and thanked both Members and Officers for their hard work and contributions.

The Chairman put the recommendations as set out in the report and this was duly seconded.

During the debate that ensued support was given by some Members to the proposed 50% reduction for barge owners in respect of Wharfage costs with particular reference being made to the impact of the COVID-19 pandemic, tourism and the importance of maintaining the barges within the District. Some concern was raised regarding setting a precedent and not applying a similar discount to other businesses on the prom, such as kiosks.

In response to a question regarding previous discounts applied to Wharfage fees, the Commercial Manager reported that in December 2019 the Council had agreed to apply a 50% discount to end March 2020 and from April 2020 a new baseline figure was applied which in real terms related to a 40% discount. The Director of Service Delivery, in response to a further question, highlighted that if barge operators met certain criteria there was a grant available in respect of the COVID-19 pandemic.

In accordance with Procedure Rule No. 13 (3) Councillor K M H Lagan requested a recorded vote.

For the recommendation:

Councillors M R Edwards, K M H Lagan, R H Siddall, W Stamp, Mrs J Stilts and C Swain.

Against the recommendation:

None.

Abstention:

Councillors Mrs P A Channer, M F L Durham and M W Helm.

RECOMMENDED

- (i) That subject to recommendation (ii) the detailed Fees and Charges for 2021 / 22 as set out in Appendix A to the report be agreed;
- (ii) That wharfage fees be reduced by 50% in 2021 / 22 to £1,787.50 for annual fees and £164 for monthly fees, excluding VAT.

Councillor Miss S White joined the meeting during this item of business.

217. TREASURY MANAGEMENT STRATEGY 2021 / 22

The Committee considered the report of the Director of Resources presenting the Treasury Management Strategy 2021 / 22 (attached as Appendix 1 to the report) for approval by the Council. The supporting Treasury Management Practices were attached as Appendix 2 to the report.

It was noted that the Treasury Management Strategy had been updated in line with statutory requirements and good practice, having regard to the Council's financial position, links to wider strategies, plans & aims and the advice of the Council's external treasury advisor.

The Chairman put the recommendation as set out in the report, this was duly seconded and agreed by assent.

RECOMMENDED that the Treasury Management Strategy 2021 / 22, attached at Appendix 1 to the report, be approved.

218. CAPITAL AND INVESTMENT STRATEGIES FOR 2021 / 22 AND MINIMUM REVENUE STATEMENT 2021 / 22

The Committee considered the report of the Director of Resources seeking Members' approval of the:

- Capital Strategy 2021 / 22 (attached as Appendix 1 to the report);
- Capital Project Bids (Appendix 2 to the report);
- minimum Revenue Provision (Appendix 3 to the report);
- the Investment Strategy (Appendix 4 to the report).

It was reported that the Capital Strategy had been prepared considering the future plans of the Council, ensuring that they were affordable and prudent. The Annual Investment Strategy had been updated in line with statutory requirements and good practice, having regard to the Council's financial position, wider strategies, plans and aims and the advice of the Council's external treasury advisor.

The Chairman detailed the work that the Finance Working Group had undertaken and thanked them for this. He then put the recommendation as set out in the report and this was duly seconded.

In response to a query the Director of Resources clarified that the Appendices to the report was the documentation that would be presented to the Council for consideration.

The Chairman, in response to a question, advised that Officers were looking at other revenue opportunities in relation to the parks area and the Finance Working Group would review these at the appropriate point.

The Commercial Manager reported that the two vehicles detailed in the Capital Projects bids were essential and advised how Officers had worked closely with the Finance Working Group to review and reduce capital monies being spent.

The Chairman moved the recommendations, and these were duly agreed by assent.

RECOMMENDED

- (i) That the Capital Strategy (attached as Appendix 1 to the report) be approved;
- (ii) That the Capital Project Bids (attached as Appendix 2 to the report) be approved;
- (iii) That the Investment Strategy (attached as Appendix 3 to the report) be approved;
- (iv) That the Minimum Revenue Provision Statement (attached as Appendix 4 to the report) be approved.

219. REVISED 2020 - 21 ESTIMATES, ORIGINAL 2021 / 22 BUDGET ESTIMATES AND COUNCIL TAX 2021 - 22

The Committee considered the report of the Director of Resources presenting:

- for noting, the Provisional Local Government Finance Settlement announced by the Government on 17 December 2020;
- the revised 2020 / 21 and original 2021 / 22 General Fund Revenue Budget estimate (attached as Appendices 1, 2 and 3 to the report);
- the proposed Council Tax increase for 2021 / 22 (attached as Appendix 1);
- the policy for the use of Reserves (attached as Appendix 4).

The report and associated appendices to the report outlined the following:

- the latest information on the provisional Local Government finance settlement 2021 / 22;
- revised General Fund revenue budget estimates 2020 / 21;
- original General Fund revenue budget estimates 2020 / 21;
- budget growth, savings and income generation in 2021 / 22;
- New Homes Bonus (NHB);
- Future Council model;
- Pension Fund deficit recovery;
- funding for work on Bradwell B (BRB) Power Station and Community Infrastructure Levy (CIL);
- Essex region business rates pool;
- an update on interest on investments;
- the Council Tax requirement for 2021 / 22;

- Council Tax £5 increase on 2020 / 21 Band D Basic amount;
- General Fund balance and revenue reserves;
- Medium Term Financial Strategy (MTFS);
- risks to the Council's financial position.

The Director of Resources reported that due to the unknown impact of future changes to Local Government finance, it was proposed that the Council should take the opportunity to increase its financial base by increasing the average band D Council Tax by £5, the maximum allowed for by the government before a referendum is required.

The Chairman put the recommendations as set out in the report. These were duly seconded.

In response to a query the Director of Resources advised that:

- the Essex Region Business Rates Pool was coordinated by Essex County Council and pooling was based on actuals which were not known until the end of each financial year.
- the Government had recently announced a further ~~£1.5m~~ £15m to be allocated in respect of audit fees, although it was not yet known what proportion of this Maldon District Council would receive.

Councillor Mrs P A Channer indicated that she reserved judgement until she had seen all the budget papers at the budget meeting. Prior to assent being agreed Councillors Mrs Channer and Mrs M E Thompson placed a caveat regarding themselves on the basis that further information may come forward.

The Chairman moved the recommendations as set out in the report and these were duly agreed by assent.

RESOLVED

- (i) That the main details of the Provisional Local Government Finance Settlement 2021 / 22 as set out in paragraph 3.4 of the report be noted;

RECOMMENDED

- (ii) that the following be approved:
 - (a) the Revised 2020 / 21 and Original 2021/22 General Fund Revenue Budget Estimates (attached at Appendices 1 2 and 3 to the report);
 - (b) an average Band D council tax of £207.40 (excluding parish precepts) (£5 increase) for 2021/22 (attached at Appendix 1 to the report);
 - (c) policies on the designated use of financial reserves (attached at Appendix 3 to the report);
 - (d) maintain the current policy of a minimum general fund balance of £2,600,000;

- (iii) that the Council gives due regard to the Director of Resources' (Section 151 Officer) statement on the robustness of budgets and adequacy of reserves in attached at Appendix 5 to the report.

220. MEDIUM TERM FINANCIAL STRATEGY 2021 / 22 TO 2023 / 24

The Committee considered the report of the Director of Resources presenting the revised Medium-Term Financial Strategy (MTFS) 2021 / 22 to 2023 / 24 (Appendix 1 to the report) to the Committee for recommendation to the Council.

It was noted how this MTFS built on the MTFS for 2020 / 21 to 2023 / 24 approved in February 2020 by the Council and subsequently updated in relation to the COVID-19 pandemic in July 2020.

Appendix 2 to the report set out the specific details of budget growth items identified as being required to meet service demand and carry out Council policy. Members were advised that these had been scrutinised by the Finance Working Group.

The COVID-19 pandemic had created a number of challenges for financial forecasting and in light of the fact that its impact would continue in future years a number of assumptions had been made and were set out in the report. The impact of this on the General Fund Balance was outlined in the report, however it was noted that there was a high level of uncertainty around these figures and ongoing government support which had not been factored in.

The Chairman put the recommendation as set out in the report, this was duly seconded and agreed by assent.

RECOMMENDED that the updated Medium-Term Financial Strategy for 2021 / 22 to 2023 / 24 (as at 28 January 2021) attached as Appendix 1 to the report.

221. ANNUAL REVIEW OF FINANCIAL REGULATIONS

The Committee considered the report of the Director of Resources presenting the annual review of the Financial Regulations (set out in Appendix 1 to the report) for approval by the Council.

Members noted that the Financial Regulations had been updated to reflect the new Committee structure and give clarification as to various responsibilities and roles.

The Chairman put the recommendation as set out in the report, this was duly seconded and agreed by assent.

RECOMMENDED that the revised Financial Regulations, attached at **APPENDIX 1** to these Minutes, be approved.

222. CONTRACT PROCEDURE RULES REVIEW AND UPDATE

The Committee considered the report of the Director of Resources presenting the revised Contract Procedure Rules (CPR) (attached at Appendix 1 to the report) for

approval by the Council. It was noted that the 2019 / 20 audit had identified recommendations and the revised CPR addressed some of these.

The report set out a number of proposed changes that had been made to the CPR along with the reasons behind them. It was noted that the revised CPR would support the current work being carried out to improve the efficiency and effectiveness of the Council's procurement processes.

The Chairman thanked the COVID-19 Reset and Recovery Working Group for their work and bringing the items forward to the Committee. He then put the recommendation as set out in the report and this was duly seconded.

In response to questions, the following information was provided by the Lead Specialist: Procurement:

- an update on the current procedure for tenders which would have previously required publication through the Official Journal of the European Union and it was noted that the Government were looking to simplify the process. Following Brexit no tenders were being sent to companies outside of the UK.
- a recent procurement policy note issued by the Cabinet Office which sought to put emphasis on Small Medium Enterprises, local businesses and reserving by area was currently being reviewed and discussed.

The Chairman moved the recommendations as set out in the report and these were duly agreed, by assent.

RECOMMENDED

- (i) That the revised Contract Procedure Rules at **APPENDIX 2** to these Minutes are approved.
- (ii) That the Director of Resources is authorised to make minor changes to the Contract Procedure Rules; minor changes are defined as:
 - Changes in statutory framework, such as references to new or updated legislation;
 - Changes in titles, names or terminology;
 - Changes consequential to other constitutional changes already made.

223. COUNCIL TAX SUPPORT SCHEME 2021 / 22

The Committee the report of the Director of Resources seeking Members' consideration of the Local Council Tax Support Scheme (LCTS) for 2021 / 22.

It was noted that the Scheme was significantly unchanged to support the delivery of a largely cost neutral LCTS within the proposed budget for 2021 / 22. Provision had been made to enable changes during the year and an Equality Impact Assessment had been carried out.

The Chairman put the recommendation as set out in the report, this was duly seconded and agreed by assent. The Chairman thanked the Group Manager - Customers and her team for their hard work.

RECOMMENDED that the following changes to the existing Local Council Tax Support Scheme (LCTS) be approved:

- a a cost of living increase in line with the Department for Work and Pensions schemes be included in the Local Council Tax Support Scheme for 2021 / 22 for Pensioners only;
- b that any legislative changes being introduced to the Housing Benefit Scheme, for 2021 / 22 are mirrored in the Councils LCTS scheme to ensure consistency;
- c that amendments to the discretionary provisions of the LCTS to ensure that the Council is able to administer the various schemes to reflect local and national guidance;
- d that the LCTS may reflect any additional changes to government welfare benefit regulations during the year which are intended to:
 - increase the income of benefit recipients; and
 - be introduced during a financial year to;to avoid any unintended consequences to customers.
- e that this decision has been made following Members careful reading of and regard to the Equality Impact Assessment attached at **APPENDIX 3** to the Minutes.

224. PAY POLICY STATEMENT

The Committee considered the report of the Director of Resources presenting the Pay Policy Statement (attached as Appendix 1 to the report) for approval by the Council.

It was noted to meet the requirements of the Localism Act 2011 the Council was required to publish a Pay Policy Statement which had been annually approved by the elected Members of the Council. The Pay Policy Statement had been reviewed and reflected the current arrangements for pay at Maldon District Council.

The Chairman put the recommendation as set out in the report, this was duly seconded and agreed by assent.

RECOMMENDED that the Pay Policy Statement attached at **APPENDIX 4** to the Minutes be adopted for 2021.

225. INSURANCE TENDER

The Committee considered the report of the Director of Resources seeking agreement of the Council to commence the tender process for the Council's insurance tender. It was noted that the current Long-Term Agreement (LTA) was due to end on 30 September 2021 and new contract would need to be in place to start on 1 October 2021.

In order to seek best value for money the Council's insurance tender should be tendered in lots and the details of these were set out in the report along with a draft timetable for the tender process. Members were advised that a broker had been engaged to facilitate the tender process to ensure that the Council could obtain the most competitive premium rates and ensure that cover was in place by 1 October 2021.

The Chairman put the recommendations as set out in the report and this was duly seconded.

Councillor Mrs P A Channer disclosed a non-pecuniary interest in this item of business as she had dealings with the Broker employed by the Council.

The Chairman moved the recommendations, and these were duly agreed, by assent.

RECOMMENDED

- (i) that the tender process to ensure the Council has compliant insurance contracts in place by 1 October 2021 be commenced;
- (ii) that the insurance contract tender process be put in place for five years with an option to extend the process for a further two years Long Term Agreement.

226. CORPORATE PLAN UPDATE 2021 - 2025

The Committee considered the report of the Director of Resources informing Members on the progress made to update the Maldon District Council Corporate Plan.

The report provided detailed information on the work undertaken to update the Council's Corporate plan, include the new proposed external facing outcomes. The importance of engaging with the public, businesses and staff was highlighted and it was therefore suggested that a Member Task and Finish Working Group be established to distil the feedback received and ensure that the Corporate Plan update adequately considered the input made.

The Chairman put the recommendations as set out in the report and this was duly seconded.

In response to questions, the Chairman highlighted how since the last update to the Corporate Plan in 2019 there had been increased engagement and should the Working Group feel more engagement was required this could be introduced. There was some concern that the expertise and skills of Members not part of this Committee could be beneficial to the Working Group.

The Chairman proposed that the Working Group be formed of six Members of the Committee, four Independents and two Conservatives. He nominated Independent Councillors K M H Lagan, R H Siddall, W Stamp and C Swain and Councillor Mrs P A Channer nominated Conservative Councillors M F L Durham and Miss S White. This was duly seconded.

Councillor M W Helm proposed that one Member of the Democratic Alliance Group be added to the Working Group. In response, the Chairman advised that the Committee

would need to vote on the proposal on the table and if it failed then they would consider the proposal of Councillor Helm.

The Committee voted on the recommendations set out in the report and the proposed Working Group Membership. This was duly agreed.

RESOLVED

- (i) that the progress made on developing the update to the Corporate Plan be noted;
- (ii) that a Corporate Plan Task and Finish Working Group be established to review and validate the updated Corporate Plan prior to its referral to the Council in March 2021;
- (iii) that the following Members of the Strategy and Resources Committee be appointed to serve on the Corporate Plan Task and Finish Group.
 - From the Independent Group:
Councillors K M H Lagan, R H Siddall, W Stamp and C Swain.
 - From the Conservative Group:
Councillors M F L Durham and Miss S White.

Councillor C Mayes joined the meeting during this item of business.

227. DONATION OF LAPTOPS FOR ESSEX CHILDREN

Councillor Mrs P A Channer disclosed a non-pecuniary interest in this item of business as a Member of Essex County Council.

The Committee considered the report of the Director of Resources seeking approval for the donation of the Council's obsolete laptops to Essex County Council for use by children in Essex who did not have access to suitable devices for online learning.

The Chairman put the recommendation as set out in the report and this was duly seconded.

Councillor M L F Durham provided further information regarding this initiative set up by Essex County Council and advised that in addition to laptops, they were also accepting desktops which were broken down for spares and the funds raised used to purchase chrome books.

Councillor W Stamp proposed that the recommendation be amended to specify that the laptops / iPads provided by the Council went to benefit children from schools within the Maldon District. Following discussion the Chairman proposed that the recommendation be amended to add "...and the same number of equipment is donated to schools in the Maldon District". This amendment was duly seconded and this was duly agreed by assent.

RESOLVED that the Council's four remaining obsolete laptops and four iPads be donated to Essex County Council's laptop recycling scheme and the same number of equipment is donated to schools in the Maldon District.

228. EXCLUSION OF PUBLIC AND PRESS

RESOLVED 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 it involves 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.

229. ADJOURNMENT OF THE MEETING

RESOLVED by assent, that the meeting be adjourned at 20:08 for a short break.

230. RESUMPTION OF BUSINESS IN PRIVATE SESSION

RESOLVED by assent, that the meeting of the Strategy and Resources Committee resumes at 20:13 in private session.

231. MILLFIELDS CARAVAN PARK, BURNHAM-ON-CROUCH

The Committee considered the report of the Director of Service Delivery providing an update and seeking approval for a revised lease agreement for the Millfields Caravan Park in Burnham-on-Crouch.

The report, along with four appendices, set out background information regarding the development of the Millfields Caravan Park, tendering process completed in 2012, planning conditions applied and a summary of key issues. Detailed legal advice and analysis from the Council's Environmental Health Officer, was also set out in the report along with options for Members' consideration.

The Chairman moved the recommendations as set out in the report and this was duly seconded.

During the debate that ensued, some concerns were raised relating to the lease, its technical details and in response the Commercial Manager advised that further assessments could be carried out but this could impact the current lease agreement.

Councillor Miss S White proposed that the lease agreement not be revised, that deferment be considered pending an Environmental Impact Assessment (EIA). In response the Commercial Manager advised that an EIA had been carried out as part of planning conditions and discharged by the Council's Environmental Health Officers.

Further debate ensued and in response to questions, the Commercial Manager provided additional information to the Committee. During the debate it was suggested that the decision should be made by the Council. The Commercial Manager advised that the Committee had previously approved the award of a lease in respect of the Caravan Park.

The Chairman moved the recommendations to the Council. In accordance with Procedure Rule No. 13 (3) Councillor K M H Lagan requested a recorded vote.

In response to a request to amend the recommendation the Chairman advised that the Committee would vote on the recommendations and should they fail then further options could be considered.

A recorded vote on the recommendations as set out in the report was then taken and the results were as follows:

For the recommendation:

Councillors Mrs P A Channer, M F L Durham, M W Helm, R H Siddall and Mrs M E Thompson.

Against the recommendation:

Councillors M R Edwards, K M H Lagan, W Stamp, Mrs J Stilts, C Swain and Miss S White.

Abstention:

There were none.

The motion was declared lost.

Members discussed deferral of the decision pending further information and during the discussion the Director of Resources explained that Members needed to be clear if agreeing to defer the application what additional information was required.

The Chairman proposed that revision of the lease agreement for Millfields Caravan Park be deferred to the Council with further information provided on the lease and site contamination. Following further discussion the Chairman amended his proposal to refer to additional information including details of the arrangements of the lease, land contamination and the original planning application. This proposal was duly seconded and agreed by assent.

RESOLVED that revision of the lease agreement for the Millfields Caravan Park, Burnham-on-Crouch be deferred to the Council for determination subject to additional information, including details of the lease arrangements, land contamination and original planning application.

The meeting closed at 8.55 pm.

R H SIDDALL
CHAIRMAN