



**MINUTES of
COUNCIL (EXTRAORDINARY)
18 JANUARY 2022**

PRESENT

Chairman Councillor M S Heard

Vice-Chairman Councillor C Mayes

Councillors M G Bassenger, Miss A M Beale, B S Beale MBE, V J Bell,
R G Boyce MBE, Mrs P A Channer, R P F Dewick,
M R Edwards, A S Fluker, M W Helm, B B Heubner, A L Hull,
J V Keyes, K M H Lagan, C P Morley, C Morris, S P Nunn,
N G F Shaughnessy, R H Siddall, N J Skeens, W Stamp, CC,
E L Stephens, Mrs J C Stilts, C Swain, Mrs M E Thompson
and Miss S White

1. CHAIRMAN'S NOTICES

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

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M F L Durham CC and Mrs J L Fleming CC.

3. DECLARATION OF INTEREST

Councillor C Mayes declared a non-pecuniary interest in relation to Agenda Item 5 – Langford and Ulting Neighbourhood Plan – Decision on Examiner's Report as she lived in Ulting.

Councillor W Stamp declared a non-pecuniary interest as a Member of Essex County Council.

4. LEADERS AND COMPOSITION OF POLITICAL GROUPS

The Council considered the report of the Director of Strategy, Performance and Governance seeking Members' appointment of a Leader and Deputy Leader of the Council for the remainder of the Municipal year (to May 2022).

The Chairman advised that he had been informed that Councillor R H Siddall had stepped down as Leader designate and as a result of this, he would be nominating him for Leader of the Council. This proposal was duly seconded.

In response to a Point of Order raised by Councillor R G Boyce regarding the Leader Designate position, the Chairman advised that this was an extraordinary meeting of the Council, not the statutory annual and it was at his discretion to interpret the constitution.

Councillor Mrs M E Thompson proposed that Councillor Mrs P A Channer be nominated as Leader of the Council. This was duly seconded.

In response to a comment regarding the resignation of the Leader Designate, the Lead Legal Specialist and Monitoring Officer explained that without a Leader Designate, as the Independent Party had not elected another Leader, no ratification process could take place. This therefore left it open for the Chairman to call for nominations to the position of Leader of the Council.

There were no further nominations. The Chairman advised that as there were two nominations this would be put to the vote.

In accordance with Procedure Rule No. 13 (3) Councillor C Morris requested a recorded vote. This was duly seconded.

The Chairman advised Members that they needed to vote for either Councillor Mrs Channer or Councillor Siddall as the nominated Members or choose to abstain. The voting was as follows:

For Councillor Mrs P A Channer:

Councillors Miss A M Beale, R G Boyce, Mrs P A Channer, R P F Dewick, A S Fluker, M W Helm, B B Heubner, A L Hull, J V Keyes, K M H Lagan, C P Morley, S P Nunn, W Stamp, Mrs M E Thompson and Miss S White.

For Councillor R Siddall:

Councillors M G Bassenger, B S Beale, V J Bell, M R Edwards, M S Heard, C Mayes, C Morris, N G F Shaughnessy, R H Siddall, N J Skeens, E L Stephens, Mrs J C Stilts and C Swain.

Abstention:

None.

The Chairman therefore declared that Councillor Mrs P A Channer was elected as Leader of the Council. Councillor Mrs Channer thanked Members for voting for her, saying she was privileged and honored.

The Chairman then called for nominations for Deputy Leader of the Council. Councillor Mrs Channer nominated Councillor Mrs M E Thompson and this was duly seconded. There being no other nominations the Chairman declared that Councillor Mrs Thompson was Deputy Leader of the Council.

RESOLVED

- (i) That Councillor Mrs P A Channer be elected as Leader of the Council for the remainder of the Municipal year;
- (ii) That Councillor Mrs M E Thompson be elected as the Deputy Leader of the Council for the remainder of the Municipal year.

Councillor N G H Shaughnessy left the meeting at this point and did not return.

Councillor C Morris left the meeting at this point.

5. LANGFORD AND ULTING NEIGHBOURHOOD PLAN - DECISION ON EXAMINERS' REPORT

The Council considered the report of the Director of Strategy, Performance and Governance seeking approval of modifications made in the Examiner's Report for the Langford and Ulting Neighbourhood Plan (attached as Appendix 1 to the report) and to proceed the Neighbourhood Plan to Referendum.

The report provided background information regarding the Langford and Ulting Neighbourhood Plan including:

- the regulatory process that had to be followed
- the Local Planning Authorities role;
- consideration of the Examiner's report and proposed modifications (the draft decision statement was attached at Appendix 2 to the report);
- the referendum (the Neighbourhood Plan incorporating the Examiner's modifications was attached at Appendix 3).

It was noted that once a Decision Statement is approved and published, a Neighbourhood Plan was given significant weight in decision-making, for determining planning applications within its Neighbourhood Area.

The Chairman put the recommendations set out in the report and these were duly seconded.

It was noted that the Examiner's modifications had to be agreed to meet the requirements and move forward. Members paid tribute to the people involved in putting the Plan together and the importance of neighbourhood plans was highlighted.

RESOLVED

- (i) that the Examiner's modifications be agreed and that subject to these modifications the Neighbourhood Plan is determined to meet the Basic Conditions and other legislative requirements;
- (ii) that the draft Decision Statement attached at Appendix 2 to the report be approved to be published on the Council's website; and
- (iii) that the Langford and Ulting Neighbourhood Plan be agreed as modified (at Appendix 3 to the report) enabling it to proceed to a local Referendum based on the boundary of Langford and Ulting Neighbourhood Area as recommended by the Examiner.

6. COUNCIL TAX BASE 2022 / 23

The Council considered the report of the Director of Resources relating to the Council Tax Base for 2022 / 23. It was noted that the Council had to notify its tax base calculations to Essex County Council, Essex Fire Authority, the Police and Crime Commissioner for Essex and Parish Councils by 31 January.

The report explained that the tax base figure was an integral part of the calculations for setting the level of Council Tax. The detailed calculation of the relevant amounts for 2022 / 23 were shown in Appendix A to the report and Appendix B set out the tax base for each Parish / Town Council.

Members were informed that the tax base used for 2021 / 22 (the current year) was 24,959.1. The proposed new figure for the forthcoming year represented an increase of 565.2 or 2.26%. The key reason for the increase was a rise in the number of chargeable properties.

The Chairman reminded Members that if any Member had council tax arrears of more than two months they must declare this at this time and would not be able to vote. There being no declarations he moved that the recommendation as set out in the report be agreed. This was duly seconded and upon a vote being taken agreed.

RESOLVED that in accordance with the Local Authorities (Calculation of Tax Base) Regulations 2012 the amount calculated by Maldon District Council as its council tax base for the 2022 / 23 year shall be set at 25,524.3.

7. VACANCIES ON COMMITTEES, WORKING GROUPS AND OUTSIDE BODIES

The Council considered the report of the Director of Strategy, Performance and Governance seeking appointments to vacancies associated with withdrawal from Committees, Working Groups and Outside Bodies by some Members and Councillor K W Jarvis' resignation as a District Councillor. These vacancies and any nominations received were detailed in the report.

The Chairman went through the Committee vacancies set out in the report and the following nominations were made:

Performance, Governance and Audit Committee

Councillor Mrs P A Channer nominated Councillors A S Fluker and W Stamp to the Performance, Governance and Audit Committee. This was duly seconded and there being no other nominations was agreed.

Strategy and Resources Committee

Councillor C Swain nominated Councillors S P Nunn and K M H Lagan to the Strategy and Resources Committee. Councillor Mrs Channer nominated Councillors S P Nunn, K M H Lagan and A S Fluker to this Committee advising that they were the only three non-aligned Members who could sit on it. This was duly seconded and there being no other nominations was agreed.

Joint Standards Committee

Councillor Mrs Channer nominated Councillors M W Helm and Mrs M E Thompson to the Joint Standards Committee. This was duly seconded and there being no other nominations was agreed.

Councillor C Morris returned to the Chamber at this point.

Councillor Morris referred to a number of public outside and asked the Chairman if there was anything the Council could do to accommodate the viewing of this meeting by respectful members of the public at the back of the chamber. Councillor A S Fluker commented on the matter raised by Councillor Morris asking the Chairman if he could discuss the matter with the Monitoring Officer and Officers to see if there was a way to accommodate the public at future meetings.

In response to comments the Monitoring Officer reminded Members of the decision made by the Council in relation to attendance at meetings in light of the recent crisis with covid and keeping everyone (members, officers and the public) safe. He explained that the Council could change the resolution but at the moment the current decision stood. It was noted that in addition to the Local Government Act 1972 Access to the Public the Council also had health and safety responsibilities and the government guidance was clear regarding restricting numbers with only essential people being in meetings of this nature.

A debate ensued. The Chairman informed Members that it was his view that should members of the public wish to see this meeting it was being broadcast on YouTube. He further advised that on the advice of the Monitoring Officer and considering health and safety he would on this occasion keep the meeting with this number of people in it. At this point Councillor Morris advised he would be leaving the meeting. Further debate ensued, during which the request for the matter to be reviewed was repeated and the Monitoring Officer reminded Members that under Rule 4 of the Council's Procedure Rules they could consider submitting a notice of motion.

Councillor A S Fluker proposed that the Council deal with the outstanding appointments and discuss the matter raised at another time. Councillor Mrs Channer raised a Point of Order that the Council move forward. The Chairman agreed.

Investigating and Disciplinary Panel

Councillor Mrs P A Channer nominated Councillor K M H Lagan to the Investigating and Disciplinary Panel. This was duly seconded and there being no other nominations was agreed.

Investigating and Disciplinary Committee

Councillor Mrs P A Channer nominated Councillor S P Nunn to the Investigating and Disciplinary Committee. This was duly seconded and there being no other nominations was agreed.

Licensing Committee

Councillor Mrs P A Channer nominated Councillor R G Boyce to Licensing Committee. This was duly seconded and there being no other nominations was agreed.

Outside Bodies

The Chairman then moved onto the outside body vacancies set out in the report. This was duly seconded and agreed by assent.

Working Groups

Moving onto Working Group vacancies, the Chairman proposed that Councillor M R Edwards be nominated to the Corporate Governance Working Group and the Leisure Contract Task and Finish Working Group. This was duly seconded.

Councillor Mrs Channer proposed that Councillor R G Boyce be nominated to the Corporate Governance Working Group and Councillor S P Nunn to the Leisure Contract Task and Finish Working Group. This was duly seconded.

In response to a question from the Chairman, Councillor Edwards advised he was happy to give way to those nominations from Councillor Mrs Channer.

Councillor Morris returned to the chamber at this point.

The Chairman put the nominations from Councillor Mrs Channer to the Council and these were duly agreed.

RESOLVED

- (i) That the Committee vacancies as set out in section 3.5 of the report be appointed to as follows:

Committee	Member Appointed
Performance, Governance and Audit	Councillors A S Fluker and W Stamp
Strategy and Resources	Councillors A S Fluker, K M H Lagan and S P Nunn
Joint Standards	Councillors M W Helm and Mrs M E Thompson
Investigating and Disciplinary Panel	Councillor K M H Lagan
Investigating and Disciplinary Committee	Councillor S P Nunn
Licencing Committee	Councillor R G Boyce MBE

- (ii) That the Outside Body vacancies as set out in section 3.9 of the report be appointed to as follows:

Outside body	APPOINTED
Action for Family Carers Liaison Board	Councillor N G F Shaughnessy
Blackwater Estuary Siltation Steering Group	Councillor C Mayes
Bradwell B Community Forum	Councillor Miss S White
Bradwell Local Community Liaison Council	Councillor B S Beale MBE
Civilian and Military Partnership Board	Councillor B B Heubner
Essex Flood Partnership Board	Councillor Miss S White <i>Substitute: Councillor C Swain</i>
Maldon High Street Focus Group	Councillor J V Keyes
Southend Airport Consultative Committee	Councillor N J Skeens
Stow Maries Aerodrome Consultative Committee	Councillors Mrs J L Fleming and Miss S White

- (iii) That that Working Group vacancies set out in section 3.13 of the report be appointed to as follows:

Working Group	APPOINTED
Air Quality Management (Market Hill) Member Officer Working Group	Councillor Mrs J C Stilts
Bradwell 'B' Power Station Working Group	Councillor M F L Durham CC
Corporate Governance Working Group	Councillor R G Boyce MBE
Corporate Plan Task and Finish Working Group	Councillor C Swain
Finance Member working group	Councillor Mrs P A Channer
Leisure Contract Task and Finish Working Group	Councillors S P Nunn and C Swain

There being no further items of business the Chairman closed the meeting at 8.18 pm.

M S HEARD
CHAIRMAN