



**MINUTES of
STRATEGY AND RESOURCES COMMITTEE
3 FEBRUARY 2022**

PRESENT

Vice-Chairman Councillor C Swain
(in the chair)

Councillors Mrs P A Channer, M F L Durham, CC, A S Fluker,
K M H Lagan, S P Nunn, N G F Shaughnessy, W Stamp, CC,
Mrs M E Thompson, Miss S White and E L Stephens

Substitute Member Councillor E L Stephens

In attendance Councillor C Morris

485. CHAIRMAN'S NOTICES

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

486. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

An apology for absence was received from Councillors R H Siddall and in accordance with notice duly given Councillor E L Stephens was attending as a substitute for Councillor Siddall.

487. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the Strategy and Resources Committee held on 6 January 2022 be approved and confirmed.

488. DISCLOSURE OF INTEREST

Councillor W Stamp disclosed a non-pecuniary interest as a Member of Essex County Council and in relation to Agenda Item 15 - Partner Update - Active Essex.

Councillor M F L Durham disclosed a non-pecuniary interest as a Member of Essex County Council.

Councillor K M H Lagan disclosed a non-pecuniary interest in relation to Agenda Item 8 - Discretionary Fees and Charges Report 2022 / 23 following conversations and correspondence from some of the stakeholders regarding this issue.

Councillor S P Nunn disclosed a non-pecuniary interest in relation to Agenda Item 8 - Discretionary Fees and Charges Report 2022 / 23 as he was acquainted with some of the individuals connected with the barge operation. Councillor Nunn advised that he

had raised the issue with the Lead Legal Specialist and Monitoring Officer because of a dispensation from last year and the Officer had advised he was satisfied that other than a non-pecuniary interest Councillor Nunn had no further interest to declare.

489. PUBLIC PARTICIPATION

No requests had been received.

490. SUPPLEMENTARY ESTIMATES, VIREMENTS, PROCUREMENT EXEMPTIONS AND USE OF RESERVES

The Committee considered the report of the Director of Resources reporting Virements and Supplementary Estimates agreed under delegated powers. The report also informed on procurement exemptions granted and the use of reserves.

It was noted that there were no virements or use of Reserves, one supplementary estimate and three procurement requests agreed. The details of these were set out in the report.

In response to a question regarding Procurement Exemptions 2 and 3, as detailed in the report, the Director of Resources explained why he had considered that they represented good value for money.

Councillor A S Fluker proposed that the recommendations as set out in the report be agreed. This proposal was duly seconded and agreed by assent.

RESOLVED

- (i) That the Supplementary Estimate as detailed in paragraph 3.4.1 of the report be noted;
- (ii) That the Procurement Exemptions as detailed in paragraph 3.5.1 of the report be noted.

491. CAPITAL AND INVESTMENT STRATEGIES FOR 2022 / 23 AND MINIMUM REVENUE STATEMENT 2022 / 23

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

- Capital Strategy 2022 / 23 (attached as Appendix1 to the report);
- Capital Project Bids (Appendix 2 to the report);
- Investment Strategy (Appendix 3 to the report).
- minimum Revenue Provision (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.

In response to questions raised regarding some of the Capital Project Bids detailed, the following information was provided by Officers:

- The purchase or leasing of vehicles by the Council was assessed on an individual case based on the type and use of the vehicle.
- Having reviewed all the options available in respect of replacement hot water boilers at the Blackwater Leisure Centre, the Council had chosen the most cost-effective option at this time. Within the next three years a review of the Leisure Centre would be taking place, and this would include consideration of how the building was heated as a whole, including alternative technologies that may be available at that time.
- Members were advised that a report into the condition of the Burnham-on-Crouch pontoon had been commissioned and Officers would look to identify the best value option for the pontoon to ensure it remained. A number of Members commented that the pontoon was an asset to Burnham-on-Crouch.
- For the proposed footpath at Promenade Park, materials to be used etc. would have been fully investigated and the best estimates achieved.

Councillor W Stamp proposed that the recommendations as set out in the report be agreed. This was duly seconded and agreed.

RECOMMENDED that the following are approved for 2022 / 23:

- the Capital Strategy (attached as Appendix 1 to the report);
- the Capital Project Bids (attached as Appendix 2),
- the Investment Strategy (attached as Appendix 3), and
- the Minimum Revenue Provision Statement (attached as Appendix 4).

492. DISCRETIONARY FEES AND CHARGES REPORT 2022 / 23

The Committee considered the report of the Director of Resources seeking Members' consideration of the fees and charges for 2022 / 23 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 2022 / 23 (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 summary of the changes proposed was set out in Appendix B.

It was noted following the last meeting of this Committee the fees and charges now included an increase to Promenade Park Coach Parking previously reported as 'no increase'. Appendix C set out proposals in relation to Hythe Quay Parking on which agreement to undertake further consultation was sought.

Councillor K M H Lagan provided the Committee with additional information regarding barge operators and charges on the Hythe Quay. He referred to the revenue that such businesses brought into the town through running heritage assets. Councillor Lagan proposed that recommendation (ii) be amended removing all text following "...Strategy and Resources Committee" and that the Council continue consultation with stakeholders.

Some debate ensued and in response to comments Councillor Lagan amended his earlier proposition, proposing that recommendation (ii) be amended to read "...implementing proposed new *Strategy of Fees and Charges* from 1 October 2022". This was duly agreed by assent.

Councillor A S Fluker referred to how the barge operators were businesses, and that the Council should not be seen to treat businesses differently. He proposed an amendment to recommendation (i) that the barge wharfage charges increase by the rate of inflation.

Following some discussion, Councillor Fluker amended his proposal to state from April 2023 the barge wharfage charges are increased by inflation every year. In response the Chairman advised Members that they should only be discussing increased fees for the next budget year and not those beyond. He then reminded the Committee of the original recommendation made by Councillor Fluker, to increase the barge wharfage charges by the rate of inflation for 2022 / 23 .

Councillor Lagan proposed that recommendation (i) as set out in the report be agreed without any amendment. This proposal was duly seconded.

It was confirmed at this point that Councillor Fluker's proposal had been seconded.

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

In response to a question the Director of Resources clarified that if agreed, a rate of inflation increase of 3.2% would be applied as this was consistent with any other inflation related increases to the proposed fees and charges.

At this point clarification was provided in relation to the process for dealing with the proposed amendment to recommendation (i). The Chairman then put the proposed amendment in the name of Councillor Fluker, to increase the barge wharfage charges for 2022 / 23 by the rate of inflation, to the Council and the voting was as follows:

For the recommendation:

Councillors M F L Durham, A S Fluker, Mrs M E Thompson and Miss S White.

Against the recommendation:

Councillors K M H Lagan, S P Nunn, N G F Shaughnessy, R H Siddall, W Stamp and E L Stephens.

Abstention:

Councillors Mrs P A Channer and C Swain.

The motion was declared lost.

Councillor Lagan proposed that recommendation (i) as set out in the report be agreed. This was duly agreed by assent.

RECOMMENDED

- (i) That subject to recommendation (ii) the detailed Fees and Charges for 2022 / 23 as set out in Appendix A to the report be agreed;
- (ii) That the proposals around Hythe Quay Parking in Appendix C to the report be consulted on, and a separate report brought back to the Council via the

Strategy and Resources Committee with a view to implementing proposed new Strategy of Fees and Charges from 1 October 2022.

493. MEDIUM-TERM FINANCIAL STRATEGY 2022 / 23 TO 2024 / 25

The Committee considered the report of the Director of Resources presenting the revised Medium-Term Financial Strategy (MTFS) 2022 / 23 to 2024 / 25 (Appendix 1 to the report) to the Committee for recommendation to the Council.

It was noted that this MTFS built on the MTFS for 2021 / 22 to 2022 / 23 approved in February 2021 by the Council.

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 Strategy & Resources Committee and Finance Working Group.

The significant impact 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.

Members thanked the Director of Resources for his report and noted the advice given in respect of the need for the Council to have a sustainable and balanced budget. In response to a question, the Director advised he did not believe there would be further Covid specific funding and provided an update in respect of other grants and funding.

The budget gap for future years was discussed and it was suggested that the Council should undertake a review of assets, including the Council building to identify efficiencies and savings. In response the Director of Resources advised that the Corporate Projects Working Group was looking at a number of projects at this time, some of which were commercial. The potential options around the Council building were recognised and would be coming to Members for consideration in the future.

Members were advised that staff increases related to maintaining services and it was noted that this Committee and the Finance Working Group constantly reviewed expenditure items.

Councillor A S Fluker proposed that the recommendation as set out in the report be agreed. This was duly seconded and agreed by assent.

RECOMMENDED that the updated Medium-Term Financial Strategy for 2022 / 23 to 2023 / 24 (as at 28 January 2021) attached as Appendix 1 to the report.

494. REVISED 2021 / 22 ESTIMATES, ORIGINAL 2022 / 23 BUDGET ESTIMATES AND COUNCIL TAX 2022 / 23

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

- for noting, the Provisional Local Government Finance Settlement 2022 / 23 announced by the Government on 16 December 2021;
- the revised 2021 / 22 and original 2022 / 23 General Fund Revenue Budget estimate (attached as Appendices 1, 2 and 3 to the report);
- the proposed Council Tax increase for 2022 / 23 (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 2022 / 23;
- revised General Fund revenue budget estimates 2021 / 22;
- original General Fund revenue budget estimates 2022 / 23;
- budget growth, savings and income generation in 2021 / 22;
- New Homes Bonus (NHB);
- Pension Fund deficit recovery;
- Essex Region Business Rates pool;
- an update on interest on investments;
- the Council Tax requirement for 2022 / 23;
- Council Tax £5 increase on 2021 / 22 Band D Basic amount of £207.40;
- 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 was required.

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 2022 / 23 as set out in section 3.4 of the report be noted;

RECOMMENDED

- (ii) that the following be approved:
 - (a) the Revised 2021 / 22 and Original 2022 / 23 General Fund Revenue Budget Estimates (attached at Appendices 1 2 and 3 to the report);
 - (b) an average Band D council tax of £212.40 (excluding parish precepts) (£5 increase) for 2022 / 23 (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.

495. TREASURY MANAGEMENT STRATEGY 2022 / 23

The Committee considered the report of the Director of Resources presenting the Treasury Management Strategy 2022 / 23 (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 recommendations as set out in the report, this was duly seconded and agreed by assent.

RECOMMENDED

- (i) That the Treasury Management Strategy 2022 / 23 be approved, along with the following amendments:
 - The counterparty limit for Operational Banking be increased from £2m to £3m to allow for larger value transactions to be managed within the counterparty limit, as per Table 3 at Appendix 1 to the report;
 - The sector limit for Money Market Funds be increased from £12m to £20m to allow for larger investment within this safe and flexible sector without exceeding the sector limit, as per Tables 3 and 4 at Appendix 1 to the report;
- (ii) That the Treasury Management Policy (TMP 5) amendment be noted as being brought into line with the Treasury Management Strategy as per TMP 5 at Appendix 2 to the report.

496. REVIEW OF MEMORIALS IN CEMETERIES, PARKS AND OPEN SPACES POLICY

The Committee considered the report of the Director of Service Delivery seeking approval of matters as part of the annual review of the Memorials in Cemeteries, Parks and Open Spaces Policy. An updated Policy was attached at Appendix C to the report.

The report highlighted some areas of the current policy where it was felt amendment / clarification was required. Particular attention was drawn to the proposed change to memorial benches set out in the report and the Officer provided further detail in respect of this.

It was noted that the report had been updated following the Strategy and Resources Committee meeting on 6 January 2022 and consultation with local Friends Groups had been sought. The Officer outlined the main changes, clarifying that if approved the new scheme would not apply retrospectively and only benches that had fallen into disrepair would be removed.

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

- Officers would ensure consultation with the Friends Groups continued and were looking to hold regular meetings with them.

- After a ten-year period or if a family did not want to continue to lease a plaque there were different options available for the plaques, these included returning the plaque to the family and displaying them in another memorial area;
- Recycled plastic benches would generally be used, although in certain areas the Council would be open to consultation and discussion with Friends Groups, such as places of historical interest and cemeteries.

The new scheme proposed more than one plaque on a bench, making it more affordable and accommodating more people. Members were informed there was high demand for benches and in some areas the Council had waiting lists.

Members were advised that Officers were looking at alternative initiatives for memorials and these would be brought to a future meeting of the Committee for consideration.

There was some discussion regarding introducing a fee structure for purchasing one plaque to stand alone on a bench, with the fee reducing down where there were multiple plaques on a bench. The Director of Service Delivery advised that allowing one plaque on a bench would result in the same situation currently faced by the Council.

The Chairman moved the recommendations as set out in the report. This was duly agreed. Councillor K M H Lagan asked that his dissent be recorded.

RECOMMENDED:

- (i) That the sale of benches as an individual item available for purchase, which are then installed in our Parks and Open spaces, cease;
- (ii) That a new scheme be introduced where customers can lease a plaque on a bench for ten-year periods;
- (iii) That the updated Memorials in Cemeteries, Parks and Open Spaces Policy (attached as **APPENDIX 1** to these Minutes) be agreed and implemented no later than 1 April 2022;
- (iv) That the new scheme be introduced with effect from 1 April 2022 and will not be applied retrospectively.

497. URGENT ITEM OF BUSINESS

The Chairman announced that in accordance with Section 100b(4) of the Local Government Act 1972 he had agreed to allow the Director of Resources to raise an urgent item of business seeking Members' approval of two policies following additional government funding received. Members were advised that it was necessary to consider and make a decision on this item prior to the next meeting of the Committee to provide urgent support to local businesses impacted by the Covid-19 Omicron variant.

498. ADDITIONAL RESTRICTIONS GRANT AND COVID-19 ADDITIONAL RELIEF FUND POLICIESAC

The Committee considered the urgent report of the Director of Resources seeking approval of two new policies to allow the distribution of grants and rates relief to businesses following additional government funding.

Following additional resources announced in response to the Covid-19 Omicron variant funding of £145,623.74 had been awarded to the Council by the Government to provide grants to businesses. In addition, £914,862 had been awarded to fund a discretionary business rates relief scheme. An Additional Restrictions Grant (ARG) Policy (attached at Appendix 1 to the report) and a Covid-19 Additional Relief Fund (CARF) Policy (attached at Appendix 2) had been brought forward to allow the Council to support local businesses. It was noted that if the CARF policy was approved this would be appended to the Council's Discretionary Rate Relief Policy due to be considered by the Council at its next meeting.

In order to direct support towards those businesses most likely to have been impacted, the CARF policy included provision for a number of 'special category' businesses to be excluded. This list was set out at Appendix 3 to the report and Appendix 4 outlined the financial impact on different business sectors.

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

RESOLVED

- (i) That the Additional Restrictions Grant policy at Appendix 1 to the report is approved and delegation is given to the Director of Resources in consultation with the Leader of the Council and Chairman of the Strategy and Resources Committee to amend the policy to respond to business need;
- (ii) That the COVID-19 Additional Relief Fund policy at Appendix 2 to the report is approved and delegation is given to the Director of Resources in consultation with the Leader of the Council and Chairman of the Strategy and Resources Committee to amend the policy to respond to business need.

499. EXCLUSION OF THE PUBLIC AND PRESS

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

500. PARTNER UPDATE - ACTIVE ESSEX

The Committee considered the report of the Director of Strategy, Performance and Governance seeking Members' support for delivery of an activity in the Maldon District. Members received a presentation from Active Essex regarding the proposed event scheduled to take place during 2022.

Members were supportive of the activity and further information was provided in response to a number of questions raised.

Councillor A S Fluker proposed that the recommendation as set out in the report be agreed. This was duly agreed by assent.

RESOLVED that the activity planned by Active Essex be noted and the Council's support in its delivery during 2022 be offered.

501. LEASE AGREEMENT

The Committee considered the report of the Director of Service Delivery seeking Members' agreement of a new 30-year lease. A copy of the draft lease and lease plan were attached as Appendices to the report.

The report provided detailed background information regarding the lease site and a detailed structural survey was attached at Appendix 3. It was noted that repairs to the building structure on the site were required and funding was being sought to assist with the costs. However, one of the conditions of such funding was that the organisation had a sufficiently long lease to justify the expenditure and this was the reason for the request for a 30 year lease being brought to Members.

Councillor A S Fluker declared a non-pecuniary interest in this item of business.

A debate ensued. Questions were raised in relation to the following clauses in the lease and it was agreed that the Director of Service Delivery would clarify the points raised with the Council's legal team prior to agreeing the lease:

- Clause 16 (Alienation) – it questioned whether the lease should specify that any change to whom the premises was used by should be subject to the permission of the landlord;
- Clause 19 – It was commented that the lease should detail the current condition of the premises to ensure it was always maintained to that particular level.

The Chairman put the recommendations set out in the report to the Committee subject to the Director of Service Delivery's clarification of the two clauses mentioned. This was duly agreed.

RECOMMENDED

- (i) That the Director of Service Delivery seek legal clarification in relation to Clauses 16 and 19 of the lease;
- (ii) That subject to (i) above the Council agrees a new lease for 30 years for the organisation outlined in the report;
- (iii) That in consultation with the Chairman of the Strategy and Resources Committee, the Director of Service Delivery be given authority to agree the annual rent figure in line with a current market valuation with annual Retail Price Index (RPI) adjustment.

There being no other items of business the Chairman closed the meeting at 9.59 pm.

**C SWAIN
CHAIRMAN**

Memorials in the Maldon District Policy 1st April 2022

Memorials provide a lovely way to remember loved ones lost. At Maldon District Council, we offer the following options that you may wish to consider within our cemeteries, Parks, and other specific locations around the District.

Please note, as a general rule Maldon District Council do not own the seawall in the District. Any requests for memorial benches on the seawall must be directed to the relevant Private Landowner.

Maldon District Council no longer offer the sale of memorial benches and all new benches installed are the property of the council. This policy will not be applied retrospectively to the sale of benches prior to April 2022.

Bench Plaques

8 x 2.5 inches / 20 x 63 cm maximum 90 characters for ten years = £600

Purchase of additional ten-year lease period = £500.00

Purchase of additional five-year lease period = £300.00

Plaques may be purchased to be installed on an available bench owned by Maldon District Council, for a period of ten years. There can be a maximum of three plaques per bench and full ownership of the bench will remain with Maldon District Council. Other members of the community will have the option of purchasing plaques for any available space on the bench in question.

After the lease period has expired, the bench space can be leased again, however this is not an automatic right and is subject to agreement of the Cemeteries Team. Where leases are not renewed the plaque will be removed and returned or placed on the memorial wall or pergolas at Maldon, Heybridge or Burnham on Crouch cemetery and the space offered to the next person on the waiting list.

Plaques are not permitted within woodland plantings or to be fixed to any tree.

Memorial Trees

The Council will limit the maximum number of memorial trees in the following key sites:

- Maldon Cemetery
- Heybridge Cemetery
- Burnham-on-Crouch Cemetery
- Promenade Park, Maldon
- Riverside Park, Burnham-on-Crouch

The Council encourages the planting of semi-mature native species. Any Individual tree planting application will be considered in the context of its proposed setting.

All tree plantings will be installed with a support stake, guard, and (if appropriate) watering system. Guards will be removed once the tree has outgrown the need or three years after planting, whichever occurs earliest.

Trees which fail within the first year of planting will be replaced on a one-time only basis at the Council's expense. Any further replacements will be at the expense of the applicant.

The Council accepts no liability for any tree and all tree plantings (individual or woodlands) will be subject to a standard grounds maintenance regime for the site in which they are planted.

Should a tree become diseased or damaged to the point of being unsafe, then - following appropriate assessment by a suitably qualified officer / professional - the Council reserves the right to remove any such tree without notification. Should this occur, all efforts will be made by officers to contact applicants / families.

After 10 years from original planting date, the Council reserves the right to consider any tree as part of its general tree stock, and as such will be subject to standard Arboricultural or Woodland management practices. These works will, in general, be implemented with no notification to applicants and may include (but not be limited to):

- pruning or thinning or crown lift
- limb removal
- coppicing
- pollarding
- felling / removal. Should this last be deemed necessary by a qualified officer / professional, all efforts will be made by officers to contact applicants / families to inform them of actions and justification, and to arrange a replacement planting if so desired.

Cemeteries Only

Headstones, kerb sets and monuments

All applications for full burial and cremated remains monuments should be made by a NAMM registered memorial mason using the Memorial application form available on our website. All applications must be signed for by the Exclusive Right of Burial owner. Please see our website cemeteries / Exclusive right of burial for further information.

Memorial Plaques

6x4 maximum 70 characters £185

7x5 maximum 80 characters £195

Cast bronze plaques, inscribed to order, can be placed on

- The Maldon Woodland Memorial Wall, Maldon cemetery
- The Chapel wall at Heybridge cemetery
- The pagodas in Maldon and Burnham on crouch cemeteries

Plaques placed in these locations will be installed permanently.

Plaques on plinths

6x4 plaque on hardwood plinth £415

Plaques may be placed on hardwood plinths in designated areas for three years. After which time, they will be moved to one of the above locations where they will remain permanently.

Garden of Remembrance only

6x4 brass plaque on stake £185

7x5 brass plaque on stake £195

5 x 3 Perspex plaque on stake £55

Plaques on brass or Perspex stakes may be purchased for cremated remains plots in all three of our cemeteries in Maldon, Heybridge and Burnham-on-Crouch.

Please complete the online form in order that we may be able to process your application and discuss the availability of your option.

Memorabilia and Tributes

No memorial, tribute or memento such as vases, statues, solar lights, obelisks, flowers, wreaths, balloons or other ornamentation should be placed around a bench, tree or other location outside of a purchased formal burial plot. If this were to occur, the council reserves the right to remove and dispose of any such item.

Maldon District Council cemetery regulations points 60 – 71 clearly prescribe permitted tributes within cemeteries. The understanding of, and agreement with these terms and conditions is assumed upon the purchase of any burial plot.