



**MINUTES of
PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE
18 JANUARY 2024**

PRESENT

Chairperson	Councillor V J Bell
Vice-Chairperson	Councillor M E Thompson
Councillors	M G Bassenger, S J Burwood, R G Pratt, N G F Shaughnessy, N D Spenceley, W Stamp, CC and J C Stilts

418. CHAIRPERSON'S NOTICES

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

The Chairperson advised that there was an error in the Performance, Governance and Audit (PGA) Committee Minutes from 15 June 2023. At Minute No. 98 Appointment of Representatives to Outside Bodies and Working Groups, Councillor V J Bell was not shown as being appointed to the PGA Working Group despite this being agreed. The Chairperson sought confirmation from the Committee that the Members of the Working Group were Councillors S J Burwood, N G F Shaughnessy, P L Spenceley, M E Thompson and herself. This was duly agreed.

RESOLVED that the membership of the Performance, Governance and Audit Working Group be confirmed as Councillors V J Bell, S J Burwood, N G F Shaughnessy, P L Spenceley and M E Thompson.

419. APOLOGY FOR ABSENCE

An apology for absence was received from Councillor N R Miller.

420. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 16 November 2024 be approved and confirmed.

421. MATTERS ARISING

RESOLVED that the Matters Arising from the Minutes of the last meeting be noted.

422. DISCLOSURE OF INTEREST

There were none.

423. PUBLIC PARTICIPATION

No requests had been received.

424. REVIEW OF CORPORATE PERFORMANCE - QUARTER 2

The Committee considered the report of the Director of Strategy and Resources that required the Committee to undertake a quarterly review of the Thematic Strategies performance, as assurance that performance was being managed effectively to achieve the corporate outcomes as set out in the Council's Corporate Plan 2023 - 2027. Appendix 1 to the report provided an overview of performance as at the end of Quarter 2 (Q2) (July – September 2023).

The Chairperson introduced the report and deferred to the Assistant Director – Programmes, Performance and Governance to present the detail. She took the Committee through the report starting with section 3.1. which provided an overall delivery picture against each of the corporate priorities. It was noted that as of September 2023 all six priorities were either on track or on track with conditional elements.

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

In response to a request for an update on the work of the Promenade Park Working Group, the Director of Service Delivery advised that the Council was looking to undertake a gateway review by the end of this month, with a view to completing the Promenade Park Management Plan later in 2024. All information gathered would be reviewed to ensure there was a focus and balance between ambition and deliverability. The Director commented on the amount of work undertaken by Officers who had also been working with the East of England Local Government Association. He referred to the need for ongoing Member consultation, agreed that Ward Members were important and would make sure this continued going forward.

Further debate ensued and In response to comments raised Officers provided the following information:

- The Council was securing affordable housing for any planning applications which were large enough to require this as part of compliance with Local Development Plan policies. The measure regarding the number of affordable homes delivered related to those homes being built as a result of planning permissions and relied on engagement of developers to bring these forward.
- In response to a question regarding the target related to projects delivered in partnership as part of the kick the car habit pledge, Members were advised that Officers would have to provide this information outside of the meeting.

The Chairperson then moved the recommendations as set out in the report and these were duly agreed.

RESOLVED

- (i) That Members reviewed the information as set out in this report and Appendix 1 with priority focus given to the Strategic Priority level performance;
- (ii) That Members confirmed they were assured through this review that corporate performance was being managed effectively.

425. REVIEW OF CORPORATE RISK - QUARTER 2

The Committee considered the report of the Director of Strategy and Resources that required the Committee to undertake a quarterly review of the Corporate Risk Register as assurance that the corporate risks were being managed effectively.

The Chairperson introduced the report and deferred to the Assistant Director – Programmes, Performance and Governance to present the detail. She advised that the report covered the corporate risk register from July – October 2023. Section 3.3 of the covering report set out the changes to risks since quarter 1 and the Officer highlighted a number of these, including one risk which had seen an increase in its risk rating. Appendix 1 to the report provided a summary of the Corporate Risk Register, along with the latest ratings, officer commentary, the control strength of each risk and any mitigating actions. Progress of all active mitigating actions was detailed in Appendix 2.

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

In response to a lengthy debate and a number of questions raised in relation to Risk 4 (Damage to the Council's reputation associated with delays to planning infrastructure delivery in the District by third parties which is due to support approved development) and the impact to St. Peter's hospital and the Maldon link road had to it, Officers provided the following information:

- the Director of Strategy and Resources reminded Members St Peters Hospital was the responsibility of the NHS, although the Council had a role in working with the NHS as part of the overall public sector to try and bring forward the Hospital. He highlighted some of the current issues on which the NHS were undertaking a consultation and how there was long history of the work the Council had undertaken in relation to the Hospital, as detailed by some Members during the debate.
- The consultation would involve public and online meetings along with discussions with Members of Parliament.
- The Council was continuing to work with the NHS (and other partners) to find opportunities to provide and maintain services with the Maldon District.
- In response to a question, the Director of Strategy and Resources agreed to ask the NHS to confirm the provisions they would be putting in place for residents of the District having to travel to hospitals outside of the District once St. Peters Hospital closed.
- Members were reminded that representatives of the NHS would be attending the next meeting of the Overview and Scrutiny Committee to provide an update on all areas of concern.
- In respect of the Maldon link road, the Director advised it was his understanding that there had been a delay to the release of funding along with other issues. The Assistant Director – Planning and Implementation informed the Committee that the Council had been challenging Essex County Council to determine whether there were alternative ways of delivering the relief road, for example if it could be delivered in stages and he gave some examples of this.

The Chairperson moved the recommendations set out in the report and these were duly agreed.

RESOLVED

- (i) That Members reviewed the Corporate Risk Register in Appendix 1 to the report and provided comment and feedback for consideration;
- (ii) That Members reviewed progress of the Corporate Risk Mitigating actions in Appendix 2 and provided comment and feedback for consideration;
- (iii) That Members were assured through this review that corporate risk is being managed effectively;
- (iv) That Members challenged risk where the Committee felt that the Council's corporate goals may not be achieved.

426. ANNUAL GOVERNANCE STATEMENT ACTIONS UPDATE

The Committee considered the report of the Director of Strategy and Resources updating Members on the actions identified in the 2023 / 24 Annual Governance Statement (AGS).

The Chairperson introduced the report and deferred to the Assistant Director - Programmes, Performance and Governance to present the detail. She advised that since the revised format in 2021, each year the AGS reflected on the Council's governance arrangements, and identified further best practice improvements that could be introduced for the following year. The table at 3.4 of the report contained the full list of identified actions in the 2023 / 24 report. Those highlighted in grey had previously been reported complete and commentary updates were also provided for the open actions.

The Chairperson moved the recommendations in the report and opened the debate. A brief exchange took place on the merits of face-to-face meetings where there might be opposing views.

A number of Members referred to the recent bite-sized training that had been organised for Members, how helpful they had been, and the good feedback received, particularly in respect of the length of them and that they were recorded. It was suggested that a feedback form, completed by participants after each training session could be useful and enable monitoring of progress. Thanks were also given to Planning Officers who had been working with Town Councillors and the benefits seen from this.

There being no further issues the Chairperson put the recommendation to the committee and it was agreed by assent.

RESOLVED that the Committee reviewed the Annual Governance Statements table detailed in the report, together with updates and challenged where necessary.

427. REVIEW OF HEALTH AND SAFETY - QUARTER 2

The Committee considered the report of the Director of Service Delivery providing an update on Health and Safety statistics and activity during Quarter Two (1 July to 31 September 2023).

The Chairperson introduced the report and deferred to the Assistant Director – Service Delivery who introduced the report and then handed over to the Corporate Health and

Safety Manager. The Manager took the Committee through the report in detail advising on the numbers of accidents / incidents, hazards and near misses. All had been dealt with according to the Council's policies. In addition, there had been nine incidents of unacceptable behaviour which had been dealt with under the Council's Unacceptable Behaviour Policy. It was noted that the Health and Safety Action Plans were being assessed and would be established through the Manager's Forum and a range of activities were underway including Fire Risk assessments; review of policies and procedures; H&S Inspections; improved monitoring systems and a new staff training matrix.

The Chairperson moved the recommendations as set out in the report which were duly seconded. She thanked the Corporate Health and Safety Officer for his report and the progress made with health and safety at the Council and then opened the discussion.

During the debate that following and in response to questions raised Members were advised that:

- following identification of the hazard relating to the cleaner's cupboard, a site meeting had taken place, after which the contractor had been formally written to with a list of actions and a response was currently awaited. Officers had been monitoring the situation and no further recurrences had taken place.
- it was hoped as part of the new reporting tool that was being worked an element to allow Members to report any experience of unacceptable behaviour would be included.
- where a matter involved a contractor, the contractor would receive the health and safety report with a request for them to address the matter, whether that be through training or other measure.
- although a recent fire evacuation of the Council building had taken place, Officers would be requested to review testing procedures so that they included the testing of evacuation procedures in an evening.

There being no further discussion the Chairperson put the duly seconded recommendations to the Committee, and they were agreed by assent.

RESOLVED

- (i) That Members considered the accident and incident statistics and incidences of unacceptable behaviour set out in the report;
- (ii) That Members considered progress of all key health and safety themes as set out in section 3.2 of the report.

428. UK SHARED AND RURAL ENGLAND PROSPERITY FUNDS

The Committee considered the report of the Director of Strategy and Resources providing an update on the delivery of Maldon District's UK Shared and Rural England Prosperity Fund allocations.

Appendix 1 to the report set out the projects being delivered via the UK Shared Prosperity Fund (UKSPF) over the three-year period. It was reported that through the Council's partnership agreement with the Rural Community Council of Essex (RCCE) a dedicated Officer had been recruited to support delivery and administration. An outline programme had been developed, ensuring it met the requirements of the REPF guidance. Members were advised that the UKSPF and REPF continued to present a

significant opportunity for the District to support, through direct investment, the economy, businesses and communities.

The Chairperson introduced the report and deferred to the Lead Specialist Prosperity to present the detail advising that Members would discuss the UKSPF first. The Officer referred to Appendix 1 and highlighted that where projects were not being progressed due to feasibility, funding would be reallocated to other existing projects within the approved investment plan. She drew Members' attention to the amount of funding committed to progression of projects and agreed costs for management and administration.

During the debate on the UKSPF that followed a number of questions were raised and the following information provided by Officers:

- The Burnham-on-Crouch pontoon project was progressing, and Members were informed that a new pontoon would be installed by the end of 2024. The timelines for the project been made publicly available with a press release due to follow shortly. The Director of Service Delivery agreed with the suggestion to provide a fact sheet on the pontoon to raise public awareness and suggested that this could highlight how although the replacement pontoon would be virtually identical to that destroyed, planning consent as well as approval from the Marine Management Organisation were required.
- The Director of Strategy and Resources highlighted the importance of the preventative health work the Council was doing through the UKSPF along with the wider work it carried out with the Mid Essex Alliance on reducing health inequalities. He referred to the importance of the hospital and other infrastructure coming forward and how demand on NHS services could be reduced through improvements to the health of residents.
- In response to further questions regarding the Mid Essex Alliance (MEA) projects the Lead Specialist Prosperity reported that the Council's new Health, Integration and Community Manager would be working with fellow officers across the MEA to deliver projects from the agreed action plan.
- Members were advised that an audit of the Maldon lower High Street had taken place. Members of the Lower High Street Focus Group alongside Essex County Council officers had developed a list of priorities to improve this area as well as some other areas of the Maldon High Street. The priority list along with related costings had been submitted and was currently being scrutinised by the High Street Focus Group who would then decide which projects would be brought forward. Engagement with Highways would be taken where appropriate.
- In response to a comment regarding a Motion brought forward and agreed by the Council, the Assistant Director – Planning and Implementation gave assurance that the Central Maldon and Heybridge Central Area Master Plan Policy would be coming forward to a future meeting of the Planning Policy Working Group for review.
- Work in respect of the Youth Council would restart once the Health, Integration and Community Manager had taken up post.
- In respect of funding received by the Council the Director of Strategy and Resources referred to and gave some background information regarding a project 'Beat the Streets' and the work to implement this scheme. The Council had also received match funding through the Mid Essex Alliance for the new Health, Integration and Community Manager post to ensure the Council was looking at all of its services and their impact on health. Members were advised that a press release had been issued regarding the 'Beats the Streets' project

and the Chairperson then proceeded to read this out. Thanks were given to the Officers that had secured the funding in relation to this project.

- It was confirmed that funding originally identified for gateway signage was now being directed to supporting the Men's Shed due to the costs of construction and build having doubled since the investment plan was developed. Officers would be reviewing other funding to deliver the gateway project and Members were advised the Council was happy to enter into discussions with any Town / Parish Council regarding match funding or co-funding delivery of the signage.
- The Strategy and Resources Committee at its meeting in July 2022 had agreed delegation of the development and delivery of the investment plan to the Corporate Leadership Team.

The debate moved to the REPF, the Lead Specialist Prosperity provided an update and advised that since publication of the report the programme delivery date had been confirmed for 15 February 2024. Tickets to the launch event had sold out and although a waiting list was in operation the event would be recorded so it could be circulated to any that were unable to attend. The Officer explained that under the REPF applications would come in from businesses and organisations within the District to deliver project that fall under the identified interventions and she gave examples of some of the areas where funding was available. Members were advised that the funding was also available to Parish and Town Councils as long as the request met the relevant criteria.

There being no further discussion, the Chairperson moved the recommendation set out in the report which was seconded and then agreed by assent. Members congratulated Ms Cable, Lead Specialist Prosperity, for all her hard work on the UKSPF.

RESOLVED that the Committee acknowledges the update provided on Maldon District's UK Shared and Rural England Prosperity fund allocations and continues to monitor the delivery.

429. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRPERSON OF THE COMMITTEE DECIDES ARE URGENT

In response to a question regarding the Committee having an Independent Person, the Director of Strategy and Resources reported that a report on this matter would be coming forward to the March 2024 meeting of this Committee.

The Chairperson confirmed there were no others items of business she considered urgent.

430. 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 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.

431. REVIEW OF CORPORATE COMMERCIAL PERFORMANCE - QUARTER 2

The Committee considered the report of the Director of Strategy and Resources that required this Committee to undertake a quarterly review of the Commercial Strategy

performance, as assurance that it was being managed effectively to achieve outcomes set out in the Commercial Strategy 2022 - 2027. Appendix 1 to the report provided an overview of the Commercial Strategy performance as at the end of Quarter 2 (July to September 2023).

The Chairperson introduced the item and deferred to the Commercial Manager to take the Committee through the report. He advised that the overall commercial strategy performance continued to progress positively for the projects within the Council's control. Where negative impacts had been realised, priority and focussed work had taken place, to bring output back on track.

The Chairperson moved the recommendations which were duly seconded and opened the debate.

Following a brief debate, the Chairperson put the recommendations to the Committee and these were duly agreed by assent.

RESOLVED

- (i) That Members reviewed the information as set out in the report and Appendix 1;
- (ii) That Members confirmed they were assured through this review that Commercial performance was being managed effectively.

There being no other items of business the Chairperson then closed the meeting.

V J BELL
CHAIRPERSON