



**MINUTES of
COUNCIL
11 JULY 2024**

PRESENT

Chairperson	Councillor K M H Lagan
Vice-Chairperson	Councillor R G Pratt
Councillors	M G Bassenger, V J Bell, D O Bown, S J Burwood, J Driver, M F L Durham, CC, A Fittock, A S Fluker, L J Haywood, J C Hughes, A M Lay, W J Laybourn, N R Miller, S J N Morgan, C P Morley, M G Neall, R H Siddall, U C G Siddall-Norman, N D Spenceley, P L Spenceley, W Stamp, CC, E L Stephens, J C Stilts, N J Swindle, M E Thompson and L L Wiffen

149. CHAIRPERSON'S NOTICES

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

150. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor N G F Shaugnessy.

151. MINUTES OF THE STATUTORY ANNUAL COUNCIL - 16 MAY 2024

RESOLVED that the Minutes of the Statutory Annual Council meeting held on 16 May 2024 be approved and confirmed.

152. MINUTES - 28 MAY 2024

RESOLVED that the Minutes of the extraordinary Council meeting held on 28 May 2024 be approved and confirmed.

153. DECLARATION OF INTEREST

There were none.

154. PUBLIC QUESTIONS

In accordance with the Council's public speaking protocol, it was noted that the following question had been received from Mr Tom Kelly.

Question:

'Were the members of the strategy and resources committee and those of the car park task and finish working group fully aware of the fact that where there were once 10 free parking slots in the white horse lane, that five were removed which led to the chaos of people waiting for slots and that in turn was the excuse put forward by officers and members to remove the final five altogether, which is of no benefit members of the public attending the library, the only remaining bank or quick shopping or donating items to charity shops, as the new ones in the gasworks car park or butt lane are at a distance making it likely they will overstay their welcome.'

The Leader of the Council had provided the following response which had been published on the Council's agenda.

Response:

The Council recognises the value of the 30 minute free parking bays to our residents and visitors, and is committed to ensuring that a number of these remain available to use whilst visiting the Town Centre area.

The White Horse Lane Car Park is our busiest car park, with a significant level of constant vehicle movements during the day. The relocation of free parking bays from this car park should ease the congestion caused by drivers waiting for the bays to become free, whilst retaining a number of free spaces at alternative car parks in the High Street, including Butt Lane and High Street East. We have also increased the number of free spaces in the town. Butt Lane car park is still very convenient for the High Street and the layout of this car park enables movement of cars more efficiently, reduces congestion and exhaust emissions that were being created previously.

155. CHAIRPERSON'S ANNOUNCEMENTS

The Chairperson referred to an email sent to Members earlier in the day advising that Agenda Items 17 - Leisure Contract Procurement Update and 18 - Updated Capital & Investment MRP and Treasury Management Strategies 2024 / 25 had been withdrawn from this meeting.

Members were advised this was the penultimate Council meeting for Simon Quelch, Lead Legal Specialist and Monitoring Officer before he retired. At this point the Chairperson paid tribute to Mr Quelch, thanking him for his service to the Council and the personal support and guidance he had given to him as Chairperson.

Finally, the Chairperson wished England well in the Euro 2024 championship.

156. STRATEGY AND RESOURCES COMMITTEE - 13 JUNE 2024

The Council considered the following recommendations coming forward from the Strategy and Resources Committee held on 13 June 2024.

Council Tax Empty Homes Premium Policy Revision**RESOLVED**

- (i) That provision is made for an extension to the time before which a Council Tax premium becomes due in some limited circumstances, effective from 1 April 2024 until further guidance is issued or enabling legislation is made;

- (ii) that the revised Empty Homes and Second Homes Premium Policy 2024 - 25 (attached as Appendix 1 to the Minutes of the Strategy and Resources Committee), be approved;
- (iii) that the Head of Revenues and Benefits be granted delegated authority, in consultation with the Chairperson of the Strategy and Resources Committee, to make further technical amendments, to reflect updated guidance, as necessary.

Technology Strategy 2024 - 2027

RESOLVED that the Technology Strategy 2024 – 2027 (attached as Appendix 1 to the Minutes of the Strategy and Resources Committee) be approved to replace the ICT Strategy 2021 – 2026 and run along the Corporate Plan 2024 – 2027.

157. PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE - 18 JUNE 2024

The Council considered the following recommendations coming forward from the Performance, Governance and Audit Committee held on 18 June 2024.

Council Constitution – Scheme of Delegation – Service Delivery Directorate

RESOLVED That the revised Scheme of Delegation to the Assistant Director - Place and Community and to other Officers in relation to the Council's public and other licensing functions as proposed and shown at Appendix A to the Minutes of the Performance, Governance and Audit Committee, be agreed.

Reference from the Overview and Scrutiny Committee – Planning Decision Making

Councillor Stamp highlighted an amendment to recommendation (ii) removing the word 'below' and replacing it with 'paragraphs 3.2.7 – 3.2.9 and 3.3.4 of the report'. This amendment was noted.

A lengthy debate ensued, during which Members questioned the proposed constitutional intervention or break. Some examples of planning permissions decided by the Planning Inspectorate where the Council had costs awarded against it were also raised. It was noted that this matter had been brought forward by the Overview and Scrutiny Committee and sought to address some of the issues raised.

In response to a number of questions raised, Officers provided detailed information which included:

- confirmation that although provision of a deferment was within the current Constitution this only gave provision for its use at the discretion of the Planning Committee Chairperson, whereas the proposed change would make it more compulsory for the brake to be applied.
- It was envisaged that any brake would be for one meeting of that particular Planning Committee.
- Extensions of time on Planning Applications were made with the agreement of the Applicant / Agent. Due to statutory duties the Council had to determine matters within specific timeframes and such extensions provide the Council with more time to make a decision and were common practice across all local authorities.

- Once a planning application was being considered by the Planning Inspectorate for non-determination it could not revert back to the Local Planning Authority for determination.
- The reason behind the deferment suggested as part of the new procedure was not to change Members' minds but to allow a period of reflection and also ensure that a robust decision is made.
- It was explained because any intervention or brake would be dealt with as a deferment and was not reconsideration of an application there would be no public participation for either the applicant or any interested parties.

The Chairperson then moved the recommendations as set out on the agenda. Upon a vote being taken this was duly agreed.

RESOLVED

- (i) That the proposals for a 'constitutional intervention or brake' by way of a deferment, and also for technical briefings / presentations be endorsed;
- (ii) That subject to (i) above the consequential strengthening of the Planning Guidance in the Constitution and also the Operating Protocols of the Planning Committees as detailed below in paragraphs 3.2.7 – 3.2.9 and 3.3.4 of the report, be agreed.

158. MINUTES OF MEETINGS OF THE COUNCIL

The Council noted the list of Committees that had met before and since the last meeting of the Council, up until Wednesday 3 July 2024 for which Minutes had been published.

159. STATEMENT OF THE LEADER OF THE COUNCIL

Councillor R H Siddall, Leader of the council (the Leader) made a statement (attached at **APPENDIX 1** to these Minutes) setting out the Council's report and programme for the remainder of the municipal year. The statement referred to a number of areas, including:

- How the Council needed to continue to engage with and support its residents and businesses in a direct and visible way. Focusing on those partners that were the most in need.
- The need for the Council to raise with Central Government the additional powers required to enable District Council to fully realise their potential and deliver outstanding outcomes for residents.
- The changes that the Council had made over the last year including work with the Local Government Association and more recently the planned appointment of a new Chief Executive.
- The Council continued to distribute funding through its Rural England Prosperity Fund and deliver all UK Shared Prosperity funded projects to provide direct benefit to community groups and local businesses.
- The significant improvement in the Council's financial sustainability over the last year, including how the Council had set a balanced budget and was projecting healthy levels of reserves in future years.

- The Council needed to continue to look outwards and build on its strategic partnerships.
- The Leader thanked Councillor Stamp for asking a question to Essex County Council around the District's deficit on infrastructure which enabled the creation of a Maldon Board.
- The 'Beat the Street programme' had seen over 5,000 residents taking part, achieving a total of 38.650 miles.

The Leader thanked Members and Officers of the Council for the continued hard work and dedication they had put into the delivery of the Council's public services over the last year. He was keen that the Council continued to build on the positive steps taken to allow the Maldon District to grow and prosper and hoped Members would share his vision for this.

The Chairman advised that there were currently three Leaders of the Opposition and in accordance with Procedure Rule 1(12) he would allow them each five minutes to respond to the statement made by the Leader of the Council.

Councillor S J N Morgan, Leader of the Conservative Group, referred to the cross-party cooperation that had taken place during the last year and how the Conservative Group would continue to play its part, being team players. He referred to the new Central Government and some of the potential changes that might be seen as a result of the change. The Conservative Group was united and looking forward with confidence to greater prosperity.

Councillor J Driver, Leader of the Liberal Democrat Group, agreed with the Leader that there had been positive change to the way that the Council functioned which had been endorsed in a review by the Local Government Association. He referred to how the Council and Members had worked together to achieve a balanced budget and he looked forward to this continuing. He raised concern regarding the deliverability of the corporate plan and was pleased that the Council was starting a prioritisation process for the plan. Councillor Driver referred to the change in Government and the need to lobby for improvements such as local health provision. The Liberal Democrat Group had worked together with the other Groups, and he believed this had been positive for the continue and would continue.

Councillor J C Stilts, Leader of the Maldon District Support Group, acknowledged the Leaders' reference to the hard work of Members in working together for the good of the Maldon District. She advised her Group welcomed the changes being brought forward with the new structure and management of the Council. The Group was pleased that the Leader was making a case to the new Government for a fair funding settlement and flexibility for health services. She hoped the Leader would also address the increase to the housing waiting list and the number of people in emergency accommodation. Councillor Stilts also referred to the Council working closer with businesses in the District, increasing tourism and valuing assets across the whole of the District. Congratulating those officers involved in 'Beat the Street' and the District's walking festival, she advised that her Group was looking forward to the year ahead and making improvements.

In response, the Leader of the Council advised that he agreed with all the comments raised and highlighted the opportunity the Council now had in terms of having input into the Corporate Plan. It was important to ensure that for this and future years the corporate plan and finances worked together to ensure it was realistic and affordable. The Leader looked forward to working with Members and Officers over the coming year.

160. QUESTIONS IN ACCORDANCE WITH PROCEDURE RULE 6(3) OF WHICH NOTICE HAS BEEN GIVEN

There were none.

161. UPDATE ON THE COUNCIL'S NET ZERO CARBON EMISSIONS AND TRAJECTORY

The Council considered the report of the Director of Service Delivery updating Members on the work being done by Officers to reduce the Council's carbon emissions to net-zero by 2030 and outlining the potential challenges and barriers to the Council achieving this. The report also sought agreement of a methodology to review the Council's current commitment of achieving net-zero in order to ensure delivery of carbon emission reductions took place in a sustainable and practical way.

The Director of Service Delivery introduced the report before handing over to the Head of Environmental Health, Waste and Climate Action who provided detailed information in relation to the report and Appendix 1 (the Net-Zero Trajectory report).

The report reminded Members of the Climate Action Strategy 2021 – 2030 and 2023 / 24 Climate Action Plan (CAP) produced by the Council. One of the actions within the CAP was to produce a roadmap showing a trajectory to net zero carbon emissions. The Council had worked with the Association for Public Service Excellence (APSE) to develop a Net Zero Trajectory report which was attached as Appendix 1 to the report.

The trajectory report calculated the amount of carbon that the Council emitted each year and provided an indicative trajectory to be followed if the Council was to achieve net-zero by the target date. The report set out further information produced by the trajectory report including details of contributing factors, indicative capital costs and operating barriers identified.

It was noted that in order to understand the financial, technical and operational impact and compromises that may be necessary Officers were intending to undertake range of feasibility studies. The report suggested that a Member Working Group be created to focus on the challenges and barriers to achieving net-zero.

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

In response to comments from some Members, the Leader of the Council referred to the need to ensure that the Council was engaging with all ages across the District and playing its part to produce a green, sustainable and non-polluting environment.

The Chairperson put the earlier proposal, and this was duly agreed. He suggested that the Working Group be made up of five Members, one from each of the political parties and one non-aligned Member. The Chairperson then sought nominations and the following Members were proposed:

- D O Bown, Conservative Group
- U G C Siddall-Norman, Non-aligned
- R H Siddall, the Maldon District Independent Group
- P L Spenceley, Liberal Democrat Group
- J C Stilts, District Support Group

The above nominated Members to form the Working Group were duly agreed by the Council. The Chairperson thanked the Technical Lead: Climate Action for her hard work, reports and information provided to Members.

RESOLVED

- (i) That Members consider the information within this report and accept the conclusions of the trajectory report.
- (ii) That Members agree to the creation of a Member and Officer Net-Zero Working Group consisting of the following Members, that will consider the Council's route to net-zero including making future recommendations to Council on its strategy for achieving net-zero.

Councillors:	D O Bown
	U G C Siddall-Norman
	R H Siddall
	P L Spenceley
	J C Stilts

162. OUTSIDE BODY APPOINTMENT - ESSEX POLICE, FIRE AND CRIME PANEL

The Chairperson advised that the Council needed to change the substitute it appointed to the Essex Police, Fire and Crime Panel at the Council meeting on 16 May 2024. The substitute needed to be from the same political group as the Council's representative, Councillor S J Burwood. He noted that the Liberal Democrat Group had been approached and wished to nominate Councillor J Driver as the substitute on this Panel. The Chairperson therefore proposed that Councillor Driver replace Councillor W Stamp as the substitute on this Panel. This proposal was duly seconded and agreed.

In response to a question the Director of Strategy and Resources explained that this was an Essex County Council outside body, and a stipulation of the members was that the member representative and substitute had to be from the same political group.

RESOLVED that Councillor J Driver replace Councillor W Stamp as the Council's substitute on the Essex Police, Fire and Crime Panel for the remaining municipal year.

163. BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES CONSIDERED BY THE CHAIRPERSON TO BE URGENT

There was none.

164. 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 Paragraphs 1, 2 and 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

165. APPOINTMENT OF INDEPENDENT PERSON OF PERFORMANCE, GOVERNANCE AND AUDIT COMMITTEE

The Council considered the report of the Assistant Director – Programmes, Performance and Governance seeking appointment of an Independent Person to the Performance, Governance and Audit Committee (PGA).

Members were reminded that in March 2024, following a recommendation from the Finance Peer Review, the Council had approved the addition of an independent person to the membership of the PGA. A person specification was attached as Appendix 1 to the report. Following a recruitment process applications had been received and attached at Appendix 2.

Interviews had taken place with a Panel which included the Chairperson and Vice-Chairperson of the PGA. The report advised the candidate the Panel had scored as the preferable candidate.

In response to some declarations by Members, the Lead Legal Specialist and Monitoring Officer provided guidance in respect of declarations of interest. He advised those Members who had made declarations that as the person was not a close associate, they did not need to make a declaration.

Councillor W Stamp, Chairperson of the PGA presented the report and moved the recommendations. These were duly seconded and agreed.

RESOLVED

- (i) that the Council confirms appointment of Derek Smith to the role of Independent Person to the Performance, Governance and Audit Committee;
- (ii) that the Performance, Governance and Audit Committee completes an annual review of the postholder, with either reconfirmation of the postholder or recruitment to the role delegated to the Committee.

166. LEISURE CENTRE PROCUREMENT UPDATE

The Chairperson advised that this report had been withdrawn.

167. UPDATED CAPITAL & INVESTMENT, MINIMUM REVENUE PROVISION AND TREASURY MANAGEMENT STRATEGIES 2024 / 25

The Chairperson advised that this report had been withdrawn.

There being no other items of business the Chairperson closed the meeting at 8.51 pm.

K M H LAGAN
CHAIRPERSON

Leader Speech (11 July 2024)

This is my opportunity to reflect on our progress as a Council over the last twelve months, and to look forward to the challenges and opportunities for the next year and our future.

The general election has created significant national political change and we all know that district councils remain a crucial part of our society. It will be interesting to see how this will be recognised by the new government and whether they will address the funding gap that councils have faced over the past decade.

I know that it is your hope as councillors that we use our strategic and preventative powers to improve prosperity and wellbeing in our communities. We need to continue to engage with, and support, our residents and businesses in a direct and visible way. With our partners we particularly need to focus on those that are most in need, improving the health and outcomes for those that are often forgotten and neglected.

As a district council we need to make the case to central government for the additional powers needed to enable district councils, such as Maldon, to fully realise their potential and deliver outstanding outcomes for our residents. This should include a fair and sustainable funding settlement, additional freedoms and flexibilities for councils, and the ability to invest more in our place for future generations.

As a newly elected member of the DCN Executive, and the Independent representative on the East of England LGA, I am well placed to help make this case to the newly elected government. I am proud to represent the views of this Council at these forums. Being one of the smaller district councils, we have a different perspective to some of the larger authorities, it is important that our voice is heard.

Over the past year we can all be really proud of the change we have created within the organisation. Using the principles of One Team, cross group and nonaligned working, and with officers, in order to realise a change in our organisational culture.

With the support of the LGA, we have made real progress on this front over the last twelve months. We now have representation and positions shared across all groups and the nonaligned, providing the opportunity for all voices to be heard, enabling constructive challenge and cooperation, which I believe is producing the best outcomes.

The effectiveness of cross -party working within the Culture Levelling Up Fund Board and the Finance Member group has shown that we can work together collaboratively to recommend important decisions for the benefit of the Council and the district. The recent staff survey also showed a marked improvement in the perception of officer-member relationships. I know we can build on this positive foundation, being recognised as a local authority across Essex, the east of England and nationally, that provides an example of how we can deliver excellent services, credibility and a constructive voice. Members and officers can be proud of the work that they do and how they deliver for residents in the Maldon district.

We are creating change, with the appointment of a new Chief Executive planned within the next few weeks. Which will then enable us to create an authority, that works even more effectively and with accountability. This gives us the opportunity to work closely with the management, to deliver the council's strategic priorities over the coming years.

We remain a local authority where Quality of Life Matters, along with residents we are lucky enough to call the district our home. Through working with partners and staff on our focussed action plans, our end of year corporate performance for 2023-24 demonstrates that we have delivered excellently against the outcomes and targets we set ourselves.

Members have seen the feedback display in the members room, giving you an opportunity to identify what should be our focus for years 3 and 4 of our corporate plan and where you can also suggest what new activities and strategies are needed.

On the 23rd of July, we will continue this feedback and come together to understand the challenges ahead and start to seriously think about where our effort and resource should be focussed over the remainder of the corporate plan cycle, and I look forward to hearing your views on this. We know that residents value our local services and amenities, and we are making considerable investment in our community assets such as the Promenade Park, through new play equipment and skate parks for the benefit of both local residents and visitors.

It's important we continue to distribute funding through our rural England prosperity fund and deliver all UK Shared Prosperity funded projects to provide direct benefit to community groups and local businesses. We are working hard to improve our planning services and continue to drive forward our local plan, enabling us to be place focused, and to begin thinking about updating our strategy for culture, arts, heritage and leisure, so we can set out the future vision for our fantastic district.

We have made significant improvements in our financial sustainability over the last year. We have set a balanced budget for this financial year and are currently projecting healthy levels of reserves in future years. Despite this we cannot afford to be complacent. We know that the national financial outlook remains challenging, and that the local government funding settlement for future years is unlikely to grow, while demand for services is ever-increasing.

We must use this window of relative financial stability to plan for the future, and to invest in initiatives that will deliver longer term efficiencies in the way we operate. This will ensure the long term financial health of the council. There is benefit in exploring the opportunities of working with the other North Essex Councils as we all face similar challenges ahead.

We must continue to look outwards and build on our strategic partnerships, as we cannot deliver excellent outcomes on our own. Our ongoing engagement with 'One Maldon District' and Mid and South Essex Integrated Care Board are good examples of this.

I am thankful to Councillor Stamp for asking the question to Essex County Council earlier this year around the districts deficit on infrastructure, which has enabled the creation of a Maldon Board, I am hoping that this collaboration with partners will produce results. We need to continue with our partners on the issues that really matter to our residents such as local healthcare provision, and deliver the best outcomes for the district.

The power of community engagement is inspiring. It was uplifting to see residents of all ages taking part in The Beat the Street programme. It was a huge success with over 5,000 residents across the district taking part, achieving a total of 38,650 miles walked, ran, and cycled. Next, we will deliver with our partners, for the 3rd year running, the UFest community event on the 16th of August. Over 60 local organisations will come together to support residents through a fun, informative and action-packed day down in promenade park. I look forward to seeing many of you there.

I would like end by thanking Members, and all the officers of the Council, for the continued hard work and dedication they have put into the delivery of our public services over the last year. I am eager for us to build on the positive steps we have taken since I became Leader of the Council, to allow Maldon District to grow and prosper further over the coming year and hope that you share my vision for this.