

**ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE 2025 / 26**

- 1.0 Councillor S Morgan was elected Chairman of the Committee for the 2025 / 26 municipal year, with Councillor P L Spenceley elected as Vice-Chairman. All members of the Committee were appointed to serve on the Committee's Working Group. Councillor P L Spenceley was appointed as the Council's District Representative on the County Council's Health Overview Policy and Scrutiny Committee. Councillors A Fittock and E L Stephens were appointed to represent the Committee on the internal Project and Improvement Management Framework.
- 2.0 Over the past year the Committee has dealt with the following scrutiny requests:

<b>Subject</b>	<b>Status / Learning outcomes and actions</b>	<b>Update</b>
Non-provision of improved facilities/adventure playground at Sensory Garden, Promenade Park, Maldon.	<p>This originated from a scrutiny request from Councillor P L Spenceley.</p> <p>The request sought to establish why this project had not progressed or been delivered following earlier public consultation.</p>	<p>The Committee at its September 2024 meeting agreed that sufficient information and assurance had been received and that no further scrutiny was required.</p> <p>Remains a 'watching brief' item for review by the Working Group should it be required.</p>
Cemeteries Maintenance	<p>This originated from a scrutiny request by Councillor W Stamp.</p> <p>Concern had been raised over the standards of maintenance at cemeteries in the Maldon District having regard to the operation of the new grounds maintenance contract.</p>	<p>At its September 2024 meeting the Committee agreed that this be treated as a 'watching brief' item with two reports to be made to the Working Group over a period of twelve months. Reports were made to the April and September 2025 meetings following which the Working Group was satisfied that no further review was necessary and that this watching brief could be closed.</p>
Planning Appeal re Land at A414 Maldon Road, Woodham Mortimer	<p>This originated from a scrutiny request by Councillor S J N Morgan.</p> <p>Issues raised were based on concerns expressed locally as to the Council's conduct in relation to the appeal and also its failure to secure compliance with a condition attached to the permission granted on appeal which may have affected the status of that permission.</p>	<p>This was included as a scrutiny workplan item by the Committee in February 2025.</p> <p>Following further detailed review and report by the Working Group, the Committee in September 2025 agreed to close this scrutiny item. Lessons learned were recorded, including the need to explain the appeal processes to the public. It was agreed as an outcome that the Council's Planning Appeals Protocol should be strengthened and that Officers look at this.</p> <p><i>(See update to the following item.)</i></p>

**APPENDIX 1**

<b>Subject</b>	<b>Status / Learning outcomes and actions</b>	<b>Update</b>
<p>Planning Appeal re Land at Church Road, Wickham Bishops</p>	<p>This originated from a scrutiny request by Councillor S J N Morgan, first reported to the Committee in June 2025.</p> <p>This also related to the conduct of the appeal but more particularly steps taken respond to the Planning Inspectorate (PINS) by way of an emergency action decision.</p>	<p>This was the subject of a detailed initial assessment by the Working Group which reported back to the Committee in September 2025. The Committee decided that the matters dealt with during appeal process had been subject to legal advice and in the circumstances dealt with according to the Council's Constitution. The scrutiny request would therefore be concluded and not taken further. It was however agreed as an outcome that the Council's Planning Appeals Protocol be revised and strengthened.</p> <p>A revised and strengthened version of the Protocol was presented to the Performance, Governance and Audit Committee in September 2025 and adopted by the Council in December 2025 for inclusion in the Constitution.</p>
<p>Leisure Contract – Communications and Messaging</p>	<p>This originated from a scrutiny request by Councillor A Lay.</p> <p>The request focused on the implications of the proposed loss of the sports hall facility at the Blackwater Leisure Centre, Maldon, particularly for existing users. A clear understanding of the timeline and management process for delivery was sought with a view to minimising potential reputational damage in the future.</p>	<p>This was looked at in some depth by the Working Group as part of its initial assessment of the request. This included obtaining a clear understanding of Members' involvement from the outset and how they had been impacted during the implementation of the new contract.</p> <p>In the meantime, a separate scrutiny request relating to the leisure contract was received from Councillor E L Stephens (see below).</p> <p>At its December 2025 meeting the Committee decided that no further scrutiny as such was required but that the conclusions of the Working Group be taken forward as part of the proposed post-implementation review of the leisure contract.</p>
<p>Leisure Contract – Post Implementation Review</p>	<p>This originated from a scrutiny request by Councillor E L Stephens.</p> <p>It was contended that for a contract of this size and importance a post-</p>	<p>The Working Group through its initial assessment concluded that this request should be added to the scrutiny workplan so that consideration could be given to carrying out a post-implementation review of the contract. At its</p>

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	<p>implementation review should be automatic. Through this, a clearer understanding of the procurement process would be gained together with an appreciation of the respective positions of both Members and Officers, and what the Council sought to achieve from the outset. The loss of the sports hall at the Blackwater Leisure Centre was not foreseen and proved to be contentious with the public, which had impacted on Members. A post-implementation review would be of benefit to similar major projects/contracts in the future.</p>	<p>December 2025 meeting the Committee agreed to add this request to the scrutiny workplan to enable further scrutiny to be undertaken in the form of a post-implementation/performance review of the contract involving all relevant stakeholders and to include:</p> <ul style="list-style-type: none"> <li>• Defining the scope</li> <li>• Selecting the procurement contractor</li> <li>• Decision on whether to go ahead or re-run the procurement</li> <li>• Communications</li> </ul>
<p>Local Plan Policy H2 – Housing Mix</p>	<p>This originated from a scrutiny request by Councillor A Fittock.</p> <p>This sought to review use of Policy H2 in determining what is a satisfactory housing mix in decisions on planning applications. In addition, to what extent was monitoring taking place and being reported to Members. The outcome sought was to ensure that effective monitoring did take place to ensure that there was a sound evidence base to support decisions on acceptable housing mix proposals.</p>	<p>The Working Group gave detailed consideration to this request as part of its initial assessment, and this included a focused workshop session with all relevant Officers present. Arising from this, the Working Group concluded that in the light of the publication of an updated Local Housing Needs Assessment accompanied by Technical Advice Note, the request should be held in abeyance and reviewed in six months. The Committee at its December 2025 meeting agreed with this conclusion and to review implementation of the new approach in six months based on the monitoring year to the end of March 2026 and having regard to the housing mix within the permissions granted.</p>
<p>Planning Services Performance</p>	<p>This originated from a scrutiny request by Councillor V Bell and sought to review how the Department was dealing with and determining various planning applications. It was contended that concerns had been raised by experienced and qualified professionals on their dealings with the Department on applications and subsequent appeals. The outcome sought was to increase efficiency and reduce complaints.</p>	<p>This request did not comply with the Committee's Operating Protocol in that the matters referred to had not first been raised with either Officers or an appropriate Committee.</p> <p>At its December 2025 meeting, the Committee decided to take no further action on this request.</p>

- 3.0 In addition to the above matters dealt with by the Committee, its Working Group has continued to receive updates on Planning Enforcement staffing and performance, a longer-standing 'watching brief' item. It's report and recommendation was considered by the Committee at its September 2025 meeting where it was decided that the Performance, Governance and Audit Committee be asked to consider reviewing Planning Enforcement as part of its performance monitoring, which was subsequently agreed by that Committee. Planning Enforcement will remain a 'watching brief' item for future review as necessary by the Overview and Scrutiny Committee.
- 4.0 While scrutiny of particular decisions, actions and specific areas of work within the Council's remit will form the bulk of the activity, the Committee has quite a wide remit which includes the monitoring and review of the performance of external bodies and stakeholders. At its June 2025 meeting representatives of Anglian Water attended to give a presentation and deal with questions from members of the Committee. It had been intended that Officers representing Essex County Highways would be present at the same meeting to deal with a range of concerns raised by Members, but this was not convenient to them and did not occur.