



**REPORT of  
CHIEF EXECUTIVE**

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**to  
COUNCIL  
5 APRIL 2017**

**RECOMMENDATIONS OF COMMITTEES FOR DECISION BY THE COUNCIL**

**1. PURPOSE OF THE REPORT**

- 1.1 To present for the decision of the Council the recommendations of the Committees.

**2. RECOMMENDATION**

That Members consider the recommendations from the following Committees contained in sections 3 to 6 of this report.

**Section 3.....Joint Standards Committee – 23 February 2017**

- Minute 1019 – Constitutional and Operating Arrangements for the Joint Standards Committee (section 3.2)

**Section 4.....Community Services Committee – 28 February 2017**

- Minute 1036 – Project Update – Maldon Health Hub (section 4.2)
- Minute 1038 – Community Led Housing Programme (section 4.3)
- Minute 1041 – Burnham Sailing Club Lease (section 4.4)

**Section 5.....Planning and Licensing Committee – 2 March 2017**

- Minute 1050 – Economic Development Update (section 5.2)

**Section 6.....Finance and Corporate Services Committee – 7 March 2017**

- Minute 1080 – Pay Policy Statement (section 6.2)
- Minute 1086 – Urgent Business: Planning Application Fees – An Offer from Government (section 6.3)

### **3. JOINT STANDARDS COMMITTEE – 23 FEBRUARY 2017**

3.1 Web link to agenda, reports and Minutes for the above meeting  
<https://democracy.maldon.gov.uk/ieListDocuments.aspx?CIId=148&MIId=1033&Ver=4>

#### **3.2 MINUTE 1019 – CONSTITUTIONAL AND OPERATING ARRANGEMENTS FOR THE JOINT STANDARDS COMMITTEE**

##### **3.2.1 Minute Extract:**

The Committee considered the report of the Monitoring Officer on possible revisions to its constitutional and operational arrangements.

A number of revisions had arisen from discussion at recent meetings and a training/briefing session for Members of the Committee, and these were shown at **APPENDIX 1** including consequential changes to the Conduct Complaints Process Flowchart Stage I. **APPENDIX 2** showed some proposed minor revisions to Stage II of the Flowchart.

Some discussion took place on the proposed 30 working days for the Monitoring Officer to conclude an initial assessment of a conduct complaint and what the status of the complaint would be if this was not achieved. It was noted that when the Committee last reviewed the Complaints Process it was clearly envisaged that the Monitoring Officer would have the ability to proceed to investigation with the agreement of the Independent Person although this had not been reflected in the Stage I flowchart. It was generally agreed however that the 25 working days should be retained and in the event of exceptional circumstances preventing the normal process from occurring in that timeframe that the Monitoring Officer will consult with the Independent Person and the Chairman of the Committee with a view to a special meeting of the Committee being called. It was highlighted that the proposed revisions to the Stage I flowchart should mean such circumstances will be rare.

Particular reference was made to the proposed revision to the Committee's operating arrangements to bring it in line with the Investigating and Disciplinary Committee so far as the restricted circulation of papers and the attendance of non-Members of the Committee in relation to the conduct of private session business. It was recommended that if accepted Council and Committee Procedure Rule 20 be amended to exclude the Joint Standards Committee when dealing with private session business.

With the permission of the Chairman, the Leader of the Council spoke with regard to references in the flowchart to the Leader and the Political Group Leader. Arising from this it was agreed that the Stage I flowchart acknowledges that the Leader of the Council will be alerted to the existence of a conduct complaint relating to a District Councillor at an early stage in the process and kept generally advised of progress throughout.

It was also agreed that the two boxes in the final line of the Stage I flowchart should also refer specifically to Political Group Leader.

Arising from clarification of Members' concerns over what the initial assessment entailed, and the ability of the Monitoring Officer to proceed to investigation under

Stage I of the process without referral to the Committee, it was further agreed that any such investigation should be carried out internally.

**3.2.2 Committee recommendation:**

- (i) that the Council agrees that the revisions to the constitutional and operating arrangements of the Joint Standards Committee as outlined in the report and clarified above, and shown as tracked in **APPENDICES 1 and 2** to this report be adopted as part of the Council's constitutional documentation;
- (ii) that as a consequence of a revision included in (i) above, Council and Committee Procedure Rule 20 be amended to also exclude the Joint Standards Committee when conducting its business in private session.

Please see overleaf for Section 4 – Community Services Committee – 28 February 2017

#### **4. COMMUNITY SERVICES COMMITTEE – 28 FEBRUARY 2017**

4.1 Web link to agenda, reports and Minutes for the above meeting  
<https://democracy.maldon.gov.uk/ieListDocuments.aspx?CIId=132&MIId=1006>

#### **4.2 MINUTE 1036 – PROJECT UPDATE – MALDON HEALTH HUB**

##### **4.2.1 Minute Extract:**

The Committee considered the report of the Chief Executive on progress of the above project and how best to report progress to Members in future. It was recommended the reporting structure be streamlined and the Community Services Committee took a more direct role in overseeing progress on this project. A recent Council press release to together with the last project programme were appended to the report for Members information

##### **4.2.2 Committee recommendation:**

- (i) that the Community Hospital Working Group is dissolved.
- (ii) that a standing item be included on the Community Services Agenda on the Maldon Health Hub Project.

#### **4.3 MINUTE 1038 – COMMUNITY LED HOUSING PROGRAMME**

##### **4.3.1 Minute Extract:**

The Committee considered the report of the Director of Customers and Community presenting a draft proposal for a Community Led Housing Programme for the District.

The Chairman made a declaration of interest after the Officer's report as he was a trustee of an Alms-house Trust but also as a trustee of a local charity that may wish to get involved with this project.

Government funding was now available for community projects and Officers were attempting to establish greater clarification and understanding of the initiative. Appendix 1 to the report set out some possible actions and activities that could be undertaken.

It was highlighted that Parishes had agreed to community housing schemes in the past but in the case of Wickham Bishops, as an example, planned growth had been undermined through hostile development proposals allowed on appeal.

It was suggested that Maldon District Council should look at a scheme Chelmsford City Council is working on, with the use of containers being fitted out as small dwellings to relieve some of the housing pressure.

##### **4.3.2 Committee recommendation:**

- (i) that the draft programme for the Council's Community Led Housing (CLH) as detailed in **APPENDIX 3** to this report, be approved;

- (ii) that a seminar be held for community groups to promote the concept of CLH and consult on the Council's draft programme.

#### 4.4 MINUTE 1041 – BURNHAM SAILING CLUB LEASE

##### 4.4.1 Minute Extract:

The Committee considered the report of the Director of Customers and Community on a proposal to offer a new lease to the Trustees of Burnham on Crouch Sailing Club for the land at Millfields, Burnham-on-Crouch as a Dinghy Park and Car Park.

The Chairman made a proposal that the lease should be 21 years instead of 10 as the Sailing club was a small club, where starter sailors joined for a small fee and it encouraged new people to the town. The Club would like security of tenure. He circulated a copy of an email he had received from the Commodore of the Sailing Club. This proposal was seconded by Councillor Mrs B D Harker.

There was some discussion around the implications of a lease for a longer period, and following advice from the Director of Customers and Community, Councillor M F L Durham proposed, by way of an amendment, that a 21 year lease be offered with built-in break clauses and a rent review. This was seconded by Councillor A T Cain. Upon being put to the meeting and a vote taken, the amendment was agreed. RESOLVED that subject to the recommendation below, the Director of Customers and Community be authorised to finalise the lease arrangements in consultation with the Chairman of the Community Services Committee.

##### 4.4.2 Committee recommendation:

That the Council agrees to offer to the trustees of Burnham-on-Crouch Sailing Club a new 21 year lease with 10 and 15 year break clauses with 12 months' notice of determination on either side, with a rent review every five years and subject to annual RPI increases.

Please see overleaf for Section 5 – Planning and Licensing Committee – 2 March 2017

## **5. PLANNING AND LICENSING COMMITTEE – 2 MARCH 2017**

5.1 Web link to agenda, reports and Minutes for the above meeting  
<https://democracy.maldon.gov.uk/ieListDocuments.aspx?CIId=133&MIId=1068>

### **5.2 MINUTE 1050 – ECONOMIC DEVELOPMENT UPDATE**

#### **5.2.1 Minute Extract:**

The Committee considered the report of the Chief Executive which updated Members on key issues in strengthening and encouraging development of the local economy. The Chief Executive drew attention to the proposal from the Heritage Marine Foundation to develop heritage marine apprenticeships. This linked to the District's maritime skills agenda and the Committee was being asked to provide endorsement in principle.

#### Coastal Community Teams (CCT)

Members were very much in support of developing apprenticeships in the District and in response to a question, the Chief Executive confirmed that support being asked for was not financial, but rather by way of a letter to say that the Council endorsed the project as it supported delivery of its Skills Strategy and helped to protect and promote the heritage assets.

#### Business Engagement

Councillor H M Bass drew Members' attention to the recent Chairman's Business Awards which was an excellent and well-organised event.

#### Bradwell Legacy Partnership (BLP)

Members raised questions regarding the Wine Region project and the Chief Executive advised that she had agreed to meet with wine producers to understand how this had been pitched to Magnox. Contact would be made with Magnox so that we can better understand their criteria for assessing eligibility for funding. However, there was the possibility of different routes for funding.

The Chief Executive advised Members that a number of projects were being worked on, including:

- Enterprise Centre Dengie Enterprise Support
- Secretariat for the Coastal Team and BLP
- Continuing to promote the Wine Region.

RESOLVED that the contents of the report be noted.

#### **5.2.2 Committee recommendation:**

That the Council provide, in principle, support to the heritage marine foundation's maritime apprenticeship project, subject to all necessary planning and environmental requirements being met.

## **6. FINANCE AND CORPORATE SERVICES COMMITTEE – 7 MARCH 2017**

- 6.1 Web link to agenda, reports and Minutes for the above meeting  
<https://democracy.maldon.gov.uk/ieListDocuments.aspx?CIId=131&MIId=1029>

### **6.2 MINUTE 1080 – PAY POLICY STATEMENT**

#### **6.2.1 Minute Extract:**

The Committee considered the report of the Interim Director of Resources seeking the Council's approval of a Pay Policy Statement to meet the Localism Act 2011 requirements. The Pay Policy Statement for 2017 / 18 was attached as Appendix 1 to the report.

In response to a question regarding Job Evaluation and the increased use of market supplements, the Group Manager - People, Performance and Policy explained that the Council was required to undertake Job Evaluation and she understood that to have not implemented would mean not being in compliance with legislation. Members were informed that pay supplements were allowed and used by the Council in response to skill shortages. The Chairman asked the Group Manager to look at how some of the posts with skill shortages could be filled and whether there was still a legal obligation to use Job Evaluation.

In response to a question regarding zero hours contracts, the Group Manager explained to the Committee when and how these were used, where appropriate.

The Group Manager clarified, in response to a question, that all information regarding Officers' salaries over £50,000 was published on the Council's website.

#### **6.2.2 Committee Recommendation:**

That the pay policy statement attached as **APPENDIX 4** to this report be adopted for the financial year 2017 / 18.

### **6.3 MINUTE 1086 – URGENT BUSINESS: PLANNING APPLICATION FEES – AN OFFER FROM GOVERNMENT**

#### **6.3.1 Minute Extract:**

The Committee considered the urgent report of the Interim Director of Resources seeking Members approval to accept an offer from Government to increase planning fees by 20% from July 2017, on the basis that the Council commits to invest this additional income directly into the Planning Service.

It was noted that the report had been considered by the Planning and Licensing Committee at its meeting on 2 March 2017 who had recommended that this Committee support acceptance of the Government's offer.

Members were advised of a letter received from Simon Gallagher, Director of Planning at the Department for Communities and Local Government (DCLG) (attached at Appendix 1 to the report) sent to all Local Planning Authorities (LPA)

setting out the opportunity to increase planning fees by 20% from July 2017, as long as the LPA committed to investing the additional fee income directly into the planning service. The report expanded further on this request, along with Council's need to improve its competitive position in terms of recruitment and retention of planning staff. Appendix 2 to the report set out the revised Development Management Fees should Council accept the offer.

The Interim Director of Resources advised that he had made representation to the DCLG on behalf of the Council in light of the next Council meeting being after the deadline for response and the DCLG had agreed to wait until 6 April to receive the decision of this Council regarding whether it would accept the offer. Members were informed that the Finance Manager in conjunction with the Group Manager, Planning Services had considered the timing of all expected applications and it was estimated that an additional of £100,000 could arise if the Council accepted the Government's offer.

### **6.3.2 Committee Recommendation:**

That the Government's offer to increase planning fees by 20% from July 2017 is accepted, with a commitment to invest this additional fee income directly into the planning service.

Background Papers: Previous related reports and Minutes to the above meetings.

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