



**MINUTES of
FINANCE AND CORPORATE SERVICES COMMITTEE
26 APRIL 2017**

PRESENT

Chairman	Councillor D M Sismey
Vice-Chairman	Councillor I E Dobson
Councillors	Mrs B F Acevedo, J P F Archer, A S Fluker, B E Harker and M R Pearlman
Ex-Officio Non-Voting Member	Councillors B S Beale MBE and M F L Durham
Substitute Members	Councillor Miss M R Lewis

1234. CHAIRMAN'S NOTICES

The Chairman drew attention to the list of notices published on the back of the agenda.

1235. APOLOGIES FOR ABSENCE AND SUBSTITUTION NOTICE

Apologies for absence was received from Councillors Mrs H E Elliott and Rev. A E J Shrimpton. In accordance with notice duly given Councillor Miss M R Lewis was attending as a substitute for Councillor Shrimpton.

1236. MINUTES OF THE LAST MEETING

RESOLVED that the Minutes of the meeting of the Committee held on 7 March 2017 be approved and confirmed.

1237. DISCLOSURE OF INTEREST

Councillor A S Fluker disclosed an interest in Agenda Item 13 – Waterfront Leases, Maldon as he was a Maldon Harbour Commissioner and associated with the Directors of Landbreach, Catterells and Top Sail Charters.

Councillor I E Dobson disclosed an interest in Agenda Item 10 – Permit for School Parents Parking, as he was the Chairman of Governors at All Saints Primary School.

1238. PUBLIC PARTICIPATION

In accordance with the Council's public participation scheme Mrs Jones of 13 Chipping Hill, Witham and Mrs Mason of 3 Cromwell Lane, Maldon addressed the Committee in relation to Agenda Item 10 – Permit for School Parents Parking.

1239. CHAIRMAN'S GOOD NEWS ANNOUNCEMENTS

There were none.

1240. CORPORATE HEALTH AND SAFETY

The Committee considered the report of the Director of Resources on corporate health and safety activity for Quarter Four (1 January to 31 March 2017). A summary by Directorate and a description of the reported accidents and near misses were set out in the report.

Appendix 1 to the provided progress with the Health and Safety Action Plan for 2016 / 17 and it was noted that most of the actions had been completed, although conflict management training had been carried over to 2017 / 18.

The Health and Safety Action Plan 2017 / 18 was attached at Appendix 2 to the report.

It was noted that there had been ten accidents during quarter four and none of the accidents required reporting to the Health and Safety Executive. Four incidents of unacceptable behaviour had been reporting during this quarter resulting in an overall increase compared with the previous year.

RESOLVED

- (i) that the accident and incident statistics for quarter four be noted;
- (ii) that progress with the Health and Safety Action Plan for 2016 / 17 be noted;
- (ii) that the Health and Safety Action Plan for 2016 / 17 be agreed.

1241. CORPORATE COMMUNICATIONS PROTOCOL

The Committee considered the report of the Director of Resources, presenting a revised Corporate Communications Protocol (attached as Appendix A to the report) which took into account and addressed the comments made by this Committee at its meeting on 24 November 2016.

It was noted that at the meeting of the Overview and Scrutiny Committee on 29 March 2017 the Committee had noted the amendments and endorsed the revised Corporate Communications Protocol to this Committee for formal adoption by the Council.

It was pointed out that there appeared to be some duplication between paragraphs 1.3.9 and 1.2.4 of the policy and in response, the Director of Resources suggested that paragraph 1.3.9 be removed. This was agreed.

RECOMMENDED that subject to the above amendment, the revised Corporate Communications Protocol attached at **APPENDIX 1** to these Minutes, be approved.

1242. SUPPLEMENTARY ESTIMATE AND VIREMENTS: 8 FEBRUARY AND 21 MARCH 2017

The Committee received the report of the Director of Resources, reporting virements and supplementary estimates agreed under delegated powers and procurement exemptions granted in the period 8 February – 21 March 2017.

Members were advised that there had been no virements or procurement exemptions for this period.

It was noted that there had been two revenue supplementary estimates and details of these exemptions are set out below:

- A supplementary revenue estimate had been requested for £12,000 for a contribution towards a Judicial Review against a planning inspectorate appeal decision.
- A supplementary revenue estimate had been requested for £20,000 for maternity cover arrangements for the post of Solicitor.

In response to a question regarding the Judicial Review and spending of these monies, the Director of Resources advised that the Council was waiting to hear back from the Secretary of State.

RESOLVED that the revenue supplementary estimates, as detailed above and granted during the period, be noted.

1243. PERMIT FOR SCHOOL PARENTS PARKING

The Committee considered the report of the Director of Customers and Community on a proposal of a new policy on parking permits to be allocated to school parents picking up and dropping off their children at school within Maldon.

It was noted that this report had been considered by the Community Services Committee at its meeting on 11 April 2017. The Committee had resolved that:

the Council does not make available parking permits to parents of children attending Maldon schools to use in Council car parks and the Finance and Corporate Services Committee be advised accordingly.

Following the recent Council decision to withdraw existing arrangements for parents dropping off children at schools in Maldon, Members were advised that the proposed parking permit would enable parents to continue to park in the Council's car park but at a rate reflective to their use.

A point of order was raised at this point and in response, the Chairman advised that he would hear from Members of the Committee prior to the point of order. The Chairman commented on the introduction of the parking permit, outlining his perspective. He felt that the Council should consider the proposed permit as a commercial decision in the same way as other parking charges and season tickets. The Chairman viewed the proposal from Officers as very sensible and endorsed it.

Councillor M R Pearlman advised that he was a Ward Member and referred to the large amount of public interest in this subject. He proposed that the £200 permit as set out in the report be implemented.

Councillor I E Dobson advised that he felt the proposed permit time of 30 minutes was not enough and repeated a proposition he had made to the Community Services Committee at its last meeting, proposing that the parking permit, if introduced, should be extended to allow a 45 minute period time a day for £200 per year.

Councillor M F L Durham raised a point of order as the recommendations to this Committee were “subject to approval” of the parking permit by the Community Services Committee which was not approved. He raised concern about considering something which did not exist. He then proceeded to provide the Committee with information regarding work of the Car Parking Working Group. In response to the point of order, the Chairman outlined his reasoning for allowing a discussion on this item of business.

There was some discussion about whether offering permits to school parents would be unfair to other organisations, such as Churches, youth clubs, evening clubs and classed. A lengthy debate ensued, during which a number of comments were raised both in favour and against the parking permit. In response to a question, the Director of Customers and Community confirmed that current parking permit had been extended to 1 June 2017.

Following a suggestion and further discussion, the Chairman proposed that this Committee support the principle of a parking permit scheme for parents of children attending Maldon schools and ask Officers to work up this proposal in consultation with Members of the Community Services Committee. This proposal would then be brought forward to the July meeting of the Council for consideration. This proposal was duly seconded and agreed.

RESOLVED

- (i) that the Finance and Corporate Services Committee support, in principle, a parking permit for parents of children attending Maldon schools;
- (ii) that the Director of Customers and Community be requested to work up the proposal for a parking permit for parents of children attending Maldon schools in consultation with Members of the Community Services Committee and this be brought forward to the July meeting of the Council for consideration;
- (iii) that the current informal arrangements for free use of the Council’s car parks by parents to drop off and pick up school children be extended to end July 2017.

1244. 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 and 3 of Part 1 of Schedule 12A to the Act, and that this satisfies the public interest test.

1245. WATERFRONT LEASES, MALDON

The Committee considered the report of the Director of Customers and Community seeking Members' approval to extensions to several waterfront leases at Hythe Quay, Maldon in preparation for the emerging Maldon and Heybridge Central Area Masterplan and Historic Waterfront Revival Projects.

It was noted that the Planning and Licensing Committee had considered this report at its meeting on 25 April 2017. They had agreed a revision to the recommendation set out in the report to include a three year break clause for both parties to provide flexibility should circumstances change. The Committee resolved that:

That subject to the inclusion of a three year (2020) break clause for both parties where leases are proposed to be extended until 2022, the Committee endorses the principle of the proposed leasing arrangements for Areas A and B, Cooks Yard, the Tin Parliament Shed, the Old Classroom, Kiosk 1 and the Seafood Kiosk at Hythe Quay, Maldon, as shown on the map at Appendix 1 to the report, and recommends accordingly to the Finance and Corporate Committee.

Appendix 1 to the report provided details of current leases at Hythe Quay. It was noted that some of the licences were ending and as the Maldon and Heybridge Centre Area Masterplan had yet to be adopted, the report outlined a number of proposed changes to leases.

In response to a question, the Director of Customers and Community confirmed that all recommendations referring to 2022 should state December 2022.

Members were advised that recommendation (iv) was subject to agreement by the Community Services Committee at its next meeting.

RESOLVED

- (i) that subject to the inclusion of a three year (2020) break clause the proposed leasing arrangements for Areas A and B and the Old Classroom, Maldon, (as shown on the map at Appendix 1 to the report), to be dealt with by Director of Resources under delegated powers;
- (ii) that subject to the inclusion of a three year (2020) break clause that the lease for Cooks Yard, Maldon is renegotiated, revalued and extended until December 2022;
- (iii) that subject to the agreement of the current tenant and the inclusion of a three year (2020) break clause, the lease for the Tin Parliament Shed is let as a separate unit from Cooks Yard until December 2022;

- (iv) that subject to the concurrence of the Community Services Committee and the inclusion of a three year (2020) break clause, the leases for Kiosk 1 and the Seafood Kiosk, as shown on the map at Appendix 1 to the report, be extended until December 2022.

1246. MILLFIELDS CARAVAN PARK, BURNHAM-ON-CROUCH

The Committee considered the report of the Director of Customers and Community updating Members on the negotiations for the lease at Millfields Caravan Park, Burnham-on-Crouch and seeking confirmation wishes to enter into a lease arrangement with Birch Leisure Parks Limited.

The report provided background information and an update regarding the lease of land at Millfields Caravan Park. It was noted that negotiations had been finalised and as part of the arrangements, an Agreement for Lease would be entered into prior to planning permission being approved. Once planning permission was approved, the formal lease would then commence and the Council would begin to collect rent as scheduled and detailed in the report.

The Chairman introduced Mr Giles Gilder, a solicitor, from Essex Legal Services who had been negotiating the lease on behalf of the Council. In response to a number of questions and some concern raised, Mr Gilder provided the Committee with additional information regarding the lease and negotiations with Birch Leisure Parks Limited.

A debate ensued, following which Councillor A S Fluker proposed that the Council request a personal or Directors guarantee from the Birch company on top of the £61,000. In response to a question regarding the proposal, Mr Gilder confirmed that the guarantee could be requested. The proposal was duly seconded and upon a vote being taken this was agreed.

In response to a request for clarification, the Committee agreed that it was seeking a directors personal guarantee. Following further information from the Solicitor, Councillor D M Sismey proposed that if the guarantee was agreed this should be for a minimum period of ten years and delegated to the Director of Resources. This was duly seconded and agreed.

RESOLVED that subject to a directors personal guarantee for a minimum period of ten years (in consultation with the Director of Resources) from the date of the start of the lease, a new lease for the Millfields Caravan Park be offered to Birch Leisure Parks Limited.

There being no further items of business the Chairman closed the meeting at 9.10 pm

D M SISMEY
CHAIRMAN