



**MINUTES of  
OVERVIEW AND SCRUTINY COMMITTEE  
28 MARCH 2018**

---

**PRESENT**

Chairman	Councillor M W Helm
Vice-Chairman	Councillor R P F Dewick
Councillors	Mrs P A Channer, CC, P G L Elliott, M S Heard, N R Pudney, S J Savage and Mrs M E Thompson

**947. CHAIRMAN'S NOTICES**

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

**948. APOLOGIES FOR ABSENCE**

There were none.

**949. MINUTES OF THE LAST MEETING**

**RESOLVED**

- (i) that the Minutes of the meeting of the Committee held on 14 February 2018 be received.

**Minute No. 834 – Procedure for Commencing Prosecution**

Councillor S J Savage requested that the definition of Statutory Defence to be put in the public domain. It was agreed by the Director of Recourses that this would be attached to the minutes.

**Post meeting – Definition of Statutory Defence:**

Defence to an alleged crime that is provided for in the legislation that makes the breach a crime or in some general legislation. For example, in the case of a breach of planning enforcement notice S179 of the Town and Country Planning Act 1990 states “In proceedings against any person for an offence under subsection (2), it shall be a defence for him to show that he did everything he could be expected to do to secure compliance with the notice”.

**Minute No. 835 – Internal and External Communication**

It was noted that paragraph two should read “focus than”.

A member queried whether there was an update on timescales on recommended security protocols for changing passwords. The Director of Resources provided some further information and advised that he would check timescales and report back to the Member separately.

**Minute No. 839 – 2017 / 18 Programme of Work**

It was noted that on page 977, the fourth bullet point should read “17/18”.

Following a query from Councillor Mrs P A Channer on Staff Sickness, the Director of Resources confirmed that meetings had been booked for discussion with Officers and Members would be invited to a future Managers Forum for further discussion following this meeting.

**RESOLVED**

- (ii) that subject to the above amendments the Minutes of the meeting of the Committee held on 14 February 2018 be confirmed.

**950. PUBLIC PARTICIPATION**

There was none.

**951. DISCLOSURE OF INTEREST**

Councillor Mrs P A Channer declared that:

- she was a member of Essex County Council and had a non-pecuniary interest in relation to any agenda items that might affect that organisation.
- she was a member of the Kent and Essex Inshore Fisheries and Conservation Authority (KIFCKA), by appointment of Essex County Council.
- with regards to the River Crouch, she was a member of Crouch Harbour Advisory Committee, by appointment from KIFCKA.

Councillor N R Pudney declared that with regards to the River Crouch, he was a Crouch Harbour Authority Member and represents Burnham Town Council.

Councillor M S Heard declared a non-pecuniary interest under Item 6 – Administration of Council River Moorings, Leases and Licences as he was a newly appointed trustee of the Brent Steam Tug Trust.

**952. ADMINISTRATION OF COUNCIL RIVER MOORINGS, LEASES AND LICENSES**

The Director of Customers and Community presented an overview of the report on Administration of Council River Moorings, Leases and licences, for the Committee to scrutinise the management of leases associated with Blackwater Estuary and River Crouch.

The Director of Customers and Community circulated at the meeting a map outlining the extent of the area of the Council's ownership of the River Blackwater, which related to Appendix 1 to the report.

It was noted under paragraph 3.2.1 of the report the Planning and Licencing Committee previously looked at a report in 2016 (Minute No. 772) considering leases and licencing for the River Blackwater.

Members attention was drawn to Appendix 1 which provided detail of the current management arrangements for leases, licenses and moorings on Council owned land, highlighting where improvement had been made, were being implemented. The Group Manager for Leisure, Countryside and Tourism, went into more detail on the report:

### **River Blackwater – Review of Moorings and Leases**

- Fishing Rights - Members were advised that Maldon District Council (MDC) owned all fishing rights, and foreshore within the red area on the map (circulated at the meeting) totalling 1,770 hectares. Within this area there were a number of leases and licences.
- Leases – The Council has formal legal agreements with a number of different organisations who paid an annual fee to take on the right to operate Council premises and manage moorings on behalf of MDC. They were also responsible for checking vessels are insured. The Director of Customers and Community agreed to provide Members with further information on the areas leased and related costs outside of the meeting.

In response to a question regarding the flow charts detailing the lease renewal and lease / licence renewal process, Members were informed that leases for up to seven years or with a value up to £10,000 could be approved by the Director of Resources but any above either of these would be considered by the Finance and Corporate Services Committee. The Director of Customers and Community advised that the flow charts would be updated accordingly to reflect this.

- Mooring licences – There were 65 individual mooring directly controlled by MDC. Licences were generally issued on an annual basis and were shorter in duration. These could include launching ramps, foreshores and on the River Blackwater were generally operated by caravan sites or fishing clubs. It was confirmed that the Council ensured that such organisations were following the Council policies in respect of managing moorings.

In response to a question regarding the collection of unpaid charges, the Director of Resources advised that the Corporate Leadership Team received a regular report on arrears, outlined the collection process and it was noted that if any arrears hit a period of two months legal action was pursued. It was noted that at this time there were no outstanding invoices.

- Insurance – In response to a question, the Director of Customers and Community advised that an annual checks of insurances were undertaken and monitoring had improved. It was noted that where a site was leased to another organisation the responsibility to check insurances sat with them.
- Comparative cost of mooring areas - The Survey of Swinging Mooring Charges in Appendix 1 provided a breakdown where costs were compared against moorings elsewhere. Members were advised that limited facilities and a short

tidal window (no shore based facilities) had been reflected in the cost. It was noted that the charge of moorings was considered reasonable and were reviewed by the District Valuer. It was confirmed by the Group Manager for Leisure, Countryside and Tourism that moorings offered by MDC had limited facilities, and this was reflected in the charge.

In response to questions regarding the Llys Helig in Burnham-on-Crouch, Members were reminded that the Asset Management Working Group would be reviewing this.

It was noted that the report should include reference to Impact on Resources (financial) as there were related costs to moorings, leases and licences.

It was highlighted that the figures detailed in table 1 to Appendix 1 were incorrect and needed adjustment. The Director of Customers and Community confirmed this would be done.

### **Hythe Quay Wharfage**

It was noted that MDC hosted the largest collection of sailing barges within the United Kingdom.

- Daily Rates - Members were advised that the daily charge at the Quay was £21.00 per day. A discount was applied on quarterly birthing charges to Thames Sailing Barges and members of the Sailing Barge Association (SBA) were entitled to a discount to park at Hythe Quay. It was noted that if the Council were to align car parking charges with residents parking fees a consultation exercise would be required.
- Electricity - There was a new charge for an electrical supply. Electric meters could be provided on a temporary basis by arrangement with the River Bailiff – Members' attention was drawn to the outlined charges in Table 2.
- Heybridge Creek area - Members queried the number of wrecks opposite the Queens Head, around the Heybridge Creek area. Some concerns were raised regarding the historic wrecks in the Saltings and Heybridge Creek, including removal of the wrecks and the pollution risk. Members were advised of a piece of work being undertaken which involved working with other owners, and a community pay back scheme.

The Director of Customers and Community advised that there were a number of issues which warranted additional work and a define action plan was required. He agreed to produce this and report to a future meeting of the Committee.

### **RESOLVED**

- (i) that subject to the amendments and actions detailed above the current management arrangements for leases, licences and moorings on Council owned Land (as set out in Appendix 1 to the report) be agreed;
- (ii) that a further report and detailed action plan be considered at a future meeting of this Committee.

## 953. INTERNAL AND EXTERNAL COMMUNICATIONS

The Director of Resources presented a report following the presentation (attached as Appendix 1 to the report) made to Members on 14 February 2018 regarding the Council's approach to internal and external communications. This report had been requested by Members in light of there being a large amount of information contained within presentation.

Examples of digital strategies from Chelmsford City Council and Braintree District Council were attached as Appendix 2 to the report.

Members' noted the information contained in the report and additional information provided by the Director of Resources as detailed below:

- Website and Benchmarking - It was noted that following a benchmarking exercise by a website auditing company Maldon District Council had been ranked 91<sup>st</sup> over 409 Local Government Websites, and 3<sup>rd</sup> within Essex Councils. The scores were based on testing the websites "user journey".
- Customer Strategy - The key aims of the Strategy were set out in the report and it was noted that these would be embedded across the organisation.
- Current Telephony System – Members were advised of ongoing work to address issues with the current telephone system and the proposed solution which was a hosted system. The new system would provide the Council with:
  - greater flexibility;
  - improved customer experience;
  - a user friendly digital phone system for the Customer Service Centre;
  - a system that would be transferrable, for example in the event of disaster recovery.
- Emails – The report detailed the current issues and proposed solutions that the new system would seek to address. Users were gradually being migrated onto Office 365. IT would be offering training to Ericom users migrating onto the remote portal to aid remote working.

Members were pleased that Office 365 integration was going well and that improvements to the Council's website had been made.

It was requested that information was provided rather than music on the current telephone system.

It was suggested that Member training on Microsoft One Note would be useful and the Director of Resources agreed to arrange this.

The Director of Resources sought direction from the Committee on how it wanted to receive feedback on the digital strategy. In response to a question, the Director of Customers and Community advised that the report sought to provide an update and gave opportunity for Members to raise any further concerns that they might have. The Director of Resources agreed to arrange a Member seminar at the point of consultation on the strategy.

## RESOLVED

- (i) That Members' comments be noted;
- (ii) That Member training sessions be arranged for Microsoft One Note.

### 954. 2017 / 18 PROGRAMME OF WORK

The Committee received the report of the Director of Resources confirming the Committee's Work Programme for 2017 / 18, attached as Appendix 1 to the report.

The Director of Resources updated Members on the Programme of Work:

- Administration of Council River Moorings, Leases, and Licenses – Following consideration of the report earlier on this agenda, the Director of Customers and Community advised that an update report would be provided at the next meeting. However, at the request of the Director, it was agreed that this report would exclude Heybridge Creek which would be the subject of a separate report as further work was required on this matter by the Planning and Licensing Committee.
- Internal and External Communication – will organise a member seminar on digital strategy, and training on OneNote was to be provided.
- Empty homes Returned to Use – agreed in February 2018 to be managed through the Community Services Committee.

Councillor M W Helm requested that a review of the rents charged at the Council Offices, Princes Road be undertaken. This was agreed.

It was requested that Officers seek clarification as to the status of a report expected from the Chief Executive with regards to Section 106 Agreements, discussed at the last meeting of this Committee

## RESOLVED

- (i) That the Programme of Work 2017 / 18 (Appendix 1 to the report) and updates provided be noted;
- (ii) that a review of all the rents charged at the Council Offices, Princes Road be undertaken;
- (iii) that the scrutiny item on Administration of Council River Moorings, Leases, and Licenses be updated and that a separate report on the Heybridge Creek be considered by the Committee at a later date.

### 955. ANY OTHER ITEMS OF SCRUTINY MEMBERS WISH TO CONSIDER

There were none.

**956. ANY OTHER ITEMS OF BUSINESS THAT THE CHAIRMAN OF THE COMMITTEE DECIDES ARE URGENT**

With the permission of the Chairman, Councillor N R Pudney advised of a recent meeting had attended where Nick Alston, Chairman of the Mid Essex Hospital NHS Trust gave an update regarding the amalgamation of Broomfield, Southend, and Basildon Hospitals. Councillor Pudney, by way of a verbal update, provided detailed information relating to the amalgamation and this was noted by the Committee.

Councillor Pudney advised that he was awaiting a report from the Mid Essex Hospital Trust and would make this, along with further information he had received, available for Members.

There being no further items of business the Chairman closed the meeting at 8.55 pm.

M W HELM  
CHAIRMAN