



## Minutes of the full Parish Council Meeting held on the 5<sup>th</sup> September 2022 at 7.30pm at Mistley Village Hall

### Councillors Present:

- Councillor J Chaplin (*Vice Chairman*)
- Councillor S Coiley
- Councillor P Cunningham
- Councillor R Frost
- Councillor C Howell (*Chairman of Council*)
- Councillor F Kent
- Councillor W Meston
- Councillor P Nutter

### In Attendance:

- Mrs S Clements – Clerk/Responsible Finance Officer (RFO)
- District and County Councillor G Guglielmi
- Two Members of the Public

1. **Welcome and Apologies for Absence** – The Chairman of the Council – Councillor Howell welcomed everyone to the Meeting. Apologies for absence were received from Councillor Bell (work), Councillor Carter (unwell) and Councillor Peacock (unwell). These apologies were accepted by the Council. Apologies or absence were also received from District Councillor A Coley (unwell).
2. **Declarations of Interest and Dispensations** – The following declarations of interest were made. (There were no dispensations):

<u>Name of Councillor</u>	<u>Details of Interest</u>	<u>Minute Number</u>
Councillor Kent	Pecuniary Interest - Allotment tenant.	Minute Number 7 b) – Allotment Working Group
Councillors Frost, and Meston.	Personal Interests – Members of the Rugby Club.	Minute Number 15 – Parish Council Assets.
Councillors Chaplin, Frost, Howell, Meston, and Nutter.	Personal Interests – Trustees of The Welcome Home Trust.	Minute Number 15 – Parish Council Assets.
Councillors Chaplin, and Cunningham.	Personal Interests – Trustees of Mistley Village Hall Management Committee.	Minute Number 7 a) – Councillors written/emailed reports.

3. **Public Voice** – None of the Members of the Public wished to speak.
4. **District and County Councillors Reports** – The District Councillors and County Councillor written reports were received and noted. (All copies on website). County Councillor Guglielmi provided a verbal update regarding the District Councillors Report dated 5th September 2022 and received on the 5<sup>th</sup> September 2022. He responded to questions and queries.
5. **Minutes of the Parish Council Meeting held on the 18<sup>th</sup> July 2022** – These Minutes were received, considered, and approved following the vote. (Proposed by Councillor Nutter and seconded by Councillor Cunningham). (Copy in Minute Book and on website).
6. **Update/Matters Arising from Previous Minutes held on the 18<sup>th</sup> July 2022** – There were no new updates or matters arising.
7. **Councillors Reports on Working Party Meetings/Other Meetings/Site Meetings–**

- a) Mistley Village Hall Management Committee – The Council received and noted the report and papers.
- Kitchen – Proposed by Councillor Howell and seconded by Councillor Frost the Council agreed to give its consent for the Management Committee to carry out some work to the kitchen, but the consent is conditional that the kitchen is not specifically replaced, for example the work surfaces need to be replaced but that a dishwasher and a washing machine are not supported. (Full details on website).
  - Iris Peacock Lounge – Proposed by Councillor Howell and seconded by Councillor Frost, it was agreed that the Council will give its consent to some further enhancements work to be carried out in the Iris Peacock Lounge, but in line with the suggestions made by the working group and subsequently supported by the Council. (Full details on website).
  - Telephone Lines - With regard to the remedial work suggested to mitigate future issues with telephone lines, the Council agreed following the vote to investigate the suggested work further – including visiting the site with a representative of the Management Committee. (Proposed by Councillor Coiley and seconded by Councillor Frost).
- b) Allotment Working Group – (Councillors Chaplin - Chair, Coiley, Kent and Meston) –
- Report - The written report was received and considered/noted.
  - Railway Allotments – Tree Work – The Council received and considered the details. Following the vote, (proposed by Councillor Frost and seconded by Councillor Cunningham), it was agreed that Mr Appleton from MALGA (Mistley Allotment and Gardeners Association) can carry out the tree work in the autumn in accordance with the Tree Conservation Area planning approval. Mr Appleton was thanked in advance. Volunteers will be asked to join Mr Appleton in due course.
  - Railway Allotments – Car Damage – The Council noted that the Clerk has obtained three quotations and sent these to the third party regarding this insurance claim.
  - Brunswick Allotments – The Council noted that a few tenants need to tidy up their plots. The Clerk will contact the relevant plot holders. The Council also noted that paths need to be trimmed.
- c) Grounds Maintenance Working Group – (Led by Councillor Nutter with other Councillors/Residents/Other Volunteers and the Council's Warden) – The Council received and noted the written report. It noted the abandoned tyre in the old filled-in swimming pool area. Councillor Nutter will endeavour to remove the tyre without endangering himself or others. The Council agreed following the vote, (proposed by Councillor Frost and seconded by Councillor Cunningham) to remove bin and chain near to the War Memorial and Mistley Towers. The Council was pleased to note that The Rotary Club will renovate the old bathing hut/seating. It was also noted that the benches along The Walls need to be painted again. The Council may consider a budget bid for replacing some of the slats rather than painting them. The Council agreed following the vote, to take away the bench at Clacton Road. This was proposed by Councillor Frost and seconded by Councillor Cunningham.
- d) Signage Working Group – (Councillors Chaplin – Chair, Coiley, Howell and Meston) – The Council noted that the Group are currently working on additional dog signage and sites.
- e) Trees Working Group – (Councillors Coiley, Howell, and Nutter - Chair) - The Council noted that volunteers are watering as much as possible to stem losses from the drought.
- f) Section 106 Developer Agreements with Tendring District Council & Contributions for Mistley – (Councillors Coiley, Howell – Chair, Kent, and Nutter) – The Council received and considered the revised car park quotation. Following the vote, (proposed by Councillor Nutter and seconded by Councillor Howell) it was agreed to ask the Clerk to ask the company to review the detailed specification of works, arrange a drawn plan of the car park - including the parts which will be resurfaced, and to establish the arrangements for the finish of the perimeter. Subject to the foregoing, the Council agreed to give the working group delegated powers to accept the revised quotation and accepted that a different contractor is likely to need to be engaged to prepare a drawing at a cost of around £200.
- g) Community Celebrations Working Group – (Councillors Bell, Carter, Coiley, Frost, and Howell - Chair) with representatives from Lawford Parish Council and community stakeholders/members of the public – The Council received and noted the income and expenditure account. Following the vote, (proposed by Councillor Coiley and seconded by Councillor Meston), the Council agreed to split the remaining balance with Lawford Parish Council after the VAT has been deducted from the totals. (Copy of gross figures website).
- h) Swan Basin – Fish and Planting Working Group – (Councillors Chaplin - Chair, Frost, Howell, and Nutter) – The Council noted that the lilies are thriving, and the restoration works have been

completed. However, weeding is needed around the surroundings (date to be agreed with other Parish Councillor volunteers joining the working group).

- i) Dog Working Group – (Councillors Chaplin, Kent, and Meston) – The Council noted that the group continues to monitor the situation and they have spoken to various dog walkers. Dog signage proposals will be considered at the next Parish Council Meeting.
- j) Basketball Working Group – (Councillors Chaplin, Coiley, Meston and Nutter) – Councillor Nutter made reference to some tentative suggestions after liaison with Mistley Rugby Club. Further information will be provided at the next Meeting.
- k) Other Meetings/Site Meetings – There were no other Meetings/Site Meetings.

## 8. **Financial Matters**

- a) Schedule of Accounts for Payment – The schedule was received, considered, and agreed following the vote, for payments since the last Meeting in the sum of £11,554.48 including VAT. (The Council reclaims VAT). (Proposed by Councillor Nutter and seconded by Councillor Cunningham). (Copy in Minute Book and on website).
- b) Bank Reconciliations – July and August 2022 – These were received and agreed following the vote. (Proposed by Councillor Cunningham and seconded by Councillor Nutter).
- c) Annual Play Area Inspections – The Council received and considered the quotation received from a professional play contractor following the recent inspection. Following the vote, (proposed by Councillor Howell and seconded by Councillor Nutter), the Council agreed that the Clerk should ask the company who quoted and other companies to provide other options including possibly more sustainable and long-term options.
- d) Welcome Home Field – Tree – The Trustees (the Parish Council is sole trustee) received and considered the three quotations received. Following the vote, (proposed by Councillor Coiley and seconded by Councillor Frost), the Council agreed to accept the lowest quotation of £795 plus VAT from Dedham Tree Surgery – including the application to the Local Planning Authority. (The Council reclaims VAT). The Council will ensure that local people are updated about the tree.
- e) The Green (The Wall and The Pump) – The Council received and considered the quotation in the sum of £500 plus VAT (the Council reclaims VAT) for installation of the bollards at the Water Pump. Following the vote, (proposed by Councillor Nutter and seconded by Councillor Meston), the Council agreed to this quotation. The Council was pleased to note the financial contribution (amount to be confirmed) towards the cost of this work from MITRAS.
- f) Harwich Road – (Section 106 Developer Agreement with the Local Planning Authority - LPA) – The Council noted the response from Planning Enforcement at the LPA regarding the precise wording of the S106 which states that the legal fees will be paid by the developer up to £1,000 after completion of the transfer of the deed. Following the vote, (proposed by Councillor Frost and seconded by Councillor Nutter), the Council agreed to instruct its solicitor to proceed with the transfer of land document and to liaise accordingly with the developer's solicitor.
- g) Grounds Maintenance – Closed Churchyard – The Council noted the issues and complaints received about the grounds maintenance work in this sensitive area. It noted the correspondence with the St Mary and St Michael Church and residents. St Mary and St Michael Church has confirmed that it is not prepared to assist with any volunteer work or to help financially. Councillor Nutter reported on his site visits to the area. A full and detailed discussion ensued including regarding the Council's grounds maintenance contractor and the suggestion to obtain grounds maintenance contractor quotations to carry out clearance works as a one-off, with a view thereafter, to ensuring that the area is maintained. Following the vote, (proposed by Councillor Cunningham and seconded by Councillor Coiley), the Council agreed to remind the Trinity Free Church about the agreement with the Parish Council where the consent to use the graveyard each year, is subject to Trinity Free Church carrying out volunteer grounds maintenance works in this area.
- h) North Essex Veterans Support Group – Section 137 Grant Request - £150 – The Council re-considered its resolution which it passed on the 28<sup>th</sup> June 2021. Following the vote, (proposed by Councillor Coiley and seconded by Councillor Nutter), the Council resolved to approve the £150 grant.
- i) Internal Control Statement – Year Ending 31<sup>st</sup> March 2022 – The Council received and agreed this statement following the vote. (Proposed by Councillor Kent and seconded by Councillor Coiley). Councillor Frost was thanked for her time expended and her work. The Chairman signed the Statement on behalf of the Council.
- j) Finance Packages – The Council received and considered the information and the three quotations. Following the vote, (proposed by Councillor Nutter and seconded by Councillor Cunningham), the Council agreed to the packages in the sum of £575.25 and the Rialtas Finance Suite and £498.50 for the Allotment Management Software. The Council is aware that the contract is for 3 years with ongoing annual costs (to be budgeted for each year) for annual support, maintenance, and licences

of £129 per annum and £126 per annum respectively. This package worked out to be more cost effective to the other two quotations obtained.

k) Urgent Finance Matters –

- Parish Councillor Generic Emails – The Council noted that Councillor Nutter is encountering problems with his Councillor email. Following the vote, (proposed by Councillor Howell and seconded by Councillor Nutter), the Council agreed to go back to copying Councillors personal emails as a back-up and as a temporary solution.

*At this point in the Meeting and at 9.55pm, the Council agreed following the vote, to temporarily suspend its relevant standing order to continue the Meeting and the remainder of its business. (Proposed by Councillor Coiley and seconded by Councillor Nutter).*

9. Correspondence – Councillors considered the following:

- Car Park – Shrubland Road – The Council received and considered the request from Mistley Village Hall Management Committee regarding the request for the NHS Blood Donor Service to use the car park but noted that this request is no longer valid.
- Memorial Bench Plaque – The Council considered the request from Ms R Low local resident for a memorial on the designated seat along The Walls. Following the vote, (proposed by Councillor Howell and seconded by Councillor Coiley), this was agreed, providing that the deceased relative had been a Mistley resident in accordance with the Council's policy.
- Corbeau Seats Rally – The Council received and considered the correspondence and the consultation for the rally on 22nd & 23<sup>rd</sup> April 2023. Following the vote, (proposed by Councillor Howell and seconded by Councillor Meston), the Council agreed to remind the rally organisers that speeding and interference of other drivers on the public highway code will not be tolerated before and after the rally.
- Urgent Correspondence Received After Agenda Distributed –
  - Cadent Gas Ltd – The Council received and considered the tree clearance works request and noted that the Clerk has brought this request to the attention of the Local Planning Authority's Tree and Landscape Officer. Following the vote, (proposed by Councillor Cunningham and seconded by Councillor Nutter), the Council agreed that the Tree and Landscape Officer should be asked to meet on site Councillor Nutter with Cadent Gas Ltd. The Council will arrange to ensure that residents are aware of any work.
  - 22/01088/FUL - 71 Long Road Lawford – Following a request received from District Councillor G Guglielmi, the Council discussed the Parish Council's Planning Committee Meeting's recommendation on the 1<sup>st</sup> September 2022. Councillor Nutter questioned the reason for the vote as six months had not elapsed and was advised that this was justified due to new information – this being the “staffing levels” of the proposed children's home. Councillor Nutter stated that details about staffing levels were included within the planning application documentation and that the Planning Committee had considered this information and he considered therefore, that the reason for the vote was invalid.

*District and County Councillor G Guglielmi left the Meeting at this point*

Following the vote, (proposed by Councillor Coiley and seconded by Councillor Cunningham), the Council agreed to rescind its previous resolution and to defer the matter to Lawford Parish Council - based on Mistley Parish Council's intention to support the strong objections of Lawford Parish Council. Mistley Parish Council stated that it is now neutral and wishes to change its observations to the local planning authority as “no comment”. (Previously Lawford Parish Council had advised that there was insufficient information to make a recommendation to the local planning authority on this proposal). As Chairman of the Planning Committee – Councillor Nutter stated that he would have to resign. He was then asked to reconsider.

*Two Members of the Public left the Meeting at this point.*

10. DBS (Data Barring Service) – The Council noted that Councillor Coiley still has to upload his documents.

11. Community Litter Picking Event – The Council agreed to hold this event during the morning of Saturday 15<sup>th</sup> October 2022 following the vote. (Proposed by Councillor Coiley and seconded by Councillor Cunningham). The Council thanked Mistley Village Hall Management Committee for kindly

allowing the kitchen and foyer area of the Hall to be used free of charge so that light refreshments can be served to the volunteers.

12. **Parish Councillor Bespoke Training/Team Building** – The Council noted this session by EALC (Essex Association of Local Councils) on Thursday 6<sup>th</sup> October 2022 – 5pm – 7pm – Mistley Village Hall. (Already agreed).
13. **Civility and Respect** - (In collaboration with SLCC (Society of Local Council Clerks), NALC (National Association of Local Councils) and EALC (Essex Association of Local Councils) –

The Council received, considered and agreed/resolved following the vote, (proposed by Councillor Meston and seconded by Councillor Cunningham) to sign the pledge and adopt the model Civility and Respect Dignity at Work Policy [CR.Model .Ltr .Councils.pdf \(slcc.co.uk\)](https://www.slcc.co.uk/CR.Model.Ltr.Councils.pdf) The Council noted that this will help to encourage an improved culture of behaviour in the Parish/town Council sector.

14. **Parish Council Meetings** – The Council noted the following Meetings:
- Next Parish Council Meeting – Monday 17<sup>th</sup> October 2022 – 7.30pm – Mistley Village Hall.
  - Next Planning Committee Meeting – Thursday 6<sup>th</sup> October 2022 – 7.30pm – Mistley Village Hall.
  - Schedule of Meetings 2023 – The Council received, considered, and agreed this schedule after the vote. (Proposed by Councillor Howell and seconded by Councillor Cunningham).
15. **Resolution to Exclude the Public and the Press** – The Public Bodies S.1 (2) (Admission to Meetings Act 1960) and the Local Government Act 1972 ss 100 and 102 (amended 2014). The Council considered and agreed following the vote, to exclude the Public since publicity would legally prejudice commercial sensitivity and confidentiality. This resolution was agreed following the vote. (Proposed by Councillor Coiley and seconded by Councillor Kent).
16. **Confidential Minutes of the Parish Council Meeting held on the 18<sup>th</sup> July 2022** – The Council is asked to receive, consider and approve the Confidential Minutes.
17. **Update/Matters Arising from Confidential Minutes held on the 18<sup>th</sup> July 2022**– The Council is asked to receive and note any updates.
18. **Parish Council Assets – (Leases/Licences)** – The Council is asked to receive updates from working group meetings and to consider and agree the next legal stages with the Council's Solicitor.

*There being no further business, this part of the public Meeting closed to facilitate the closed part of the Meeting.*