



## Minutes of the full Parish Council Meeting held on the 17<sup>th</sup> October 2022 at 7.30pm at Mistley Village Hall

### Councillors Present:

- Councillor G Carter
- 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

### In Attendance:

- Mrs S Clements – Clerk
- District Councillor A Coley
- A representative from Corbeau Seats Rally
- Three 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 Councillors Bell (work), Nutter (family), and Peacock (unwell). These apologies were accepted by the Council following the vote. (Proposed by Councillor Howell and seconded by Councillor Kent).
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 8 b) – Councillors written/emailed reports
Councillors Carter, Frost, and Meston.	Personal Interests – Members of the Rugby Club.	Minute Number 20 – Parish Council Assets.
Councillors Chaplin, Frost, Howell, Kent, and Meston.	Personal Interests – Trustees of The Welcome Home Trust.	Minute Number 9 d) – Parish Council Assets.
Councillors Chaplin, and Cunningham.	Personal Interests – Trustees of Mistley Village Hall Management Committee.	Minute Number 8 a) – Councillors written/emailed reports.

3. **Corbeau Seats Rally 2023 - 22nd & 23rd April 2023** – A short presentation was received followed by a questions and answers session.

*The representative from Corbeau Seats Rally left the Meeting at this point.*

4. **Public Voice** – One Member of the Public spoke about the Mistley Conservation Area consultation where he is asking for the Parish Council's support. (Written details were received and noted by the Council). The Parish Council advised that it will be attending the public exhibition and will consider this matter further at the next Planning Committee Meeting on the 3<sup>rd</sup> November 2022. The Member of the Public was thanked for his work with the document. The Member of the Public also spoke about the River Stour/Stour Estuary and correspondence that he has received from the local water authority.
5. **District and County Councillors Reports** – These reports were received and noted. (On website).

One Member of the Public left the Meeting at this point.

6. **Minutes of the Parish Council Meeting held on the 5<sup>th</sup> September 2022** – These Minutes were received, considered, and approved following the vote - subject to the minor amendment and removal of the reference to giving written notice to resign as Chairman of the Planning Committee. (Proposed by Councillor Cunningham and seconded by Councillor Coiley). (Copy in Minute Book and on website).
7. **Update/Matters Arising from Previous Minutes held on the 5<sup>th</sup> September 2022** – There were no new updates or matters arising.
8. **Councillors Reports on Working Party Meetings/Other Meetings/Site Meetings–**
- a) Mistley Village Hall Management Committee – The Council noted the purchase of the new chairs which look very impressive and are comfortable.
  - b) Allotment Working Group – (Councillors Chaplin - Chair, Coiley, Kent and Meston) – The written report was received and considered. Following the vote, (proposed by Councillor Howell and seconded by Councillor Coiley), the Council agreed to ask the Grounds Maintenance Working Group if they can assist Mr Appleton from MALGA (Mistley Allotment and Gardeners Association) at the Railway Allotments with tree clearance works on Tuesdays during November. With regard to the River Reach site, the Council noted that the formal transfer document will be sent to the Council's Solicitor this week.
  - 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. See Minute Number 8 b) above.
  - d) Signage Working Group – (Councillors Chaplin – Chair, Coiley, and Howell) – The Council received and noted the written report.
  - e) Trees Working Group – (Councillors Coiley, Howell, and Nutter - Chair) - The Council received and noted the written report.
  - f) Section 106 Developer Agreements with Tendring District Council & Contributions for Mistley – (Councillors Coiley, Howell – Chair, Kent, and Nutter) – The Council received and noted the written report and also, the additional information and scope of work from the contractor. Following the vote, (proposed by Councillor Howell and seconded by Councillor Coiley), the Council agreed that Mr Cambridge – a local contractor can be instructed to prepare hatching plans for the new white lining spaces, plus disabled spaces at the car park at an approximate fee of £350. These plans can then be shared with the car park contractor.
  - 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 agreed following the vote, (proposed by Councillor Howell and seconded by Councillor Coiley) that £870.92 be paid to Lawford Parish Council – this amount being half of the surplus which will go towards future community events and be ear-marked.
  - h) Swan Basin – Fish and Planting Working Group – (Councillors Chaplin - Chair, Frost, Howell, and Nutter) – The Council received and noted the written report.
  - i) Dog Working Group – (Councillors Chaplin, Kent, and Meston) – The Council received and noted the written report.
  - j) Play Area Working Group - (Councillors Chaplin, Coiley, Meston, and Nutter) – The Council received and noted the written report. It noted that initial discussions have commenced about the proposed basketball court and that the next steps are to establish costs and funding opportunities.
  - k) Other Meetings/Site Meetings – No other meetings took place to report on.
9. **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 £9,290.31. (Proposed by Councillor Cunningham and seconded by Councillor Frost). (Copy in Minute Book and on website).
  - b) Bank Reconciliation – September 2022 & 2<sup>nd</sup> Quarter Finance Report – 1 July 2022 – 30 September 2022 – These were agreed following the vote. (Proposed by Councillor Frost and seconded by Councillor Coiley).
  - c) RBL (Royal British Legion) Local Branch – Poppy Appeal (Section 142 of the Local Government Act 1972) – Following the vote, (proposed by Councillor Cunningham and seconded by Councillor Meston), the Council agreed to offer a grant/donation of £100.00.
  - d) Welcome Home Field – (Parish Council is Trustee to Trust) – The Council received and consider the quotations for a replacement tree. Following the vote, (proposed by Councillor Frost and seconded

by Councillor Cunningham), the Council agreed to accept the lowest priced quotation in the sum of £144 received from Tendring Tree Services.

- e) Notice of Conclusion of Annual Return for Year ending 31<sup>st</sup> March 2022 – The Council was pleased to note the satisfactory conclusion of the External Audit. (On website). The Clerk was thanked for her work throughout the year.
- f) Annual Play Area Inspections – The Council received and considered the quotations received. Following the vote, (proposed by Councillor Cunningham and seconded by Councillor Frost), the Council agreed to accept the quotation from Eastern Play Services (EPS) based on it being more cost effective.
- g) The Green (The Wall and The Pump) – The Council noted that there are no new updates.
- h) Harwich Road – (Section 106 Developer Agreement with the Local Planning Authority) – The Council noted that this matter is being progressed by the Council’s Solicitor.
- i) Grounds Maintenance – Closed Churchyard – The Council considered the matter further. Following the vote, (proposed by Councillor Frost and seconded by Councillor Cunningham), the Council considered that it does not own or maintain the wall but asked that the Clerk obtains quotations to clear the overgrown area and to tidy the area.
- j) Bin – The Council received and considered the request received from a resident for a litter bin near to Mistley Towers. Following the vote, (proposed by Councillor Coiley and seconded by Councillor Cunningham), the Council felt that a bin is not necessary in this area at the current time.
- k) North Essex Veterans – The Council received and noted the revised formal request. (Already agreed at the last meeting).
- l) Bollard – Shrubland Road Car Park – The Council received and considered correspondence received from a resident. The Council noted that the Warden has now secured the bollard.
- m) Precept – 2<sup>nd</sup> Instalment – The Council noted receipt of £48,308.
- n) Age Well East (formerly Age Concern) – The Council received and considered the grant request. Following the vote, (proposed by Councillor Cunningham and seconded by Councillor Coiley), the Council agreed to a grant/donation of £100.
- o) Essex and Air Ambulance – The Charity has not as yet submitted the necessary application form. Upon receipt of this, the matter will be considered by the Council.
- p) Urgent Finance Matters – There were no matters.

**10. Correspondence** – Councillors considered the following:

- a) The Green –
  - The Wall – The Council noted the date of the wall repairs – 17<sup>th</sup> -19<sup>th</sup> May 2023.
  - Planning Application – The Wall – The Council considered making a TCA (Tree Conservation Area) planning application and serving a Section 211 notice in relation to the wall following advice received from the local planning authority’s Tree and Landscape Officer. The Council agreed to speak directly with two local residents about the proposed work in the first instance and where there are some sensitivities.
- b) Other Urgent Correspondence – The following matters were considered:
  - 22/00958/FUL – Land South of Long Road – Revisions – Proposed local convenience store and 80 no. dwellings and associated roads, hardstanding, fencing, outbuildings, and drainage – Following the vote, (proposed by Councillor Cunningham and seconded by Councillor Coiley), the Council agreed to deal with this matter under its scheme of delegation. It noted the addition of another 4 dwellings and a convenience store plus a local play area.
  - 22/01047/FUL – Land South-West of Horsley Cross Roundabout, Clacton Road, Horsley Cross – Revisions – Proposed erection of three buildings (use classes Eg (iii), B2 and B8), a new access and highway works, parking and servicing and hard and soft landscaping – Following the vote, (proposed by Councillor Frost and seconded by Councillor Cunningham), the Council agreed to deal with this matter under its scheme of delegation.
  - 22/00672/COUNOT - Topsl House, High Street – Revisions – Proposed conversion of existing office building into one single dwelling house, including alternations to fenestration and addition of associated balcony - Following the vote, (proposed by Councillor Frost and seconded by Councillor Carter), the Council agreed to deal with this matter under its scheme of delegation.

**11. Parish Councillors Generic Emails** – Following the vote, (proposed by Councillor Frost and seconded by Councillor Kent), the Council agreed that with immediate effect, it would revert back to using just generic Councillors emails and not Councillors personal emails.

12. **DBS (Data Barring Service) Councillors Checks** – The Council noted that these checks will be finalised this week.
13. **Freedom of Information Policy and Procedure** – The Council agreed to adopt this policy following the vote. (Proposed by Councillor Kent and seconded by Councillor Frost). (Copy on website).
14. **Vexatious Complaints Policy** - The Council agreed to adopt this policy following the vote. (Proposed by Councillor Frost and seconded by Councillor Meston). (Copy on website).
15. **Parish Council Meetings** – The Council noted the following Meetings:
  - Next Parish Council Meeting – Monday 28<sup>th</sup> November 2022 – 7.30pm – Mistley Village Hall.
  - Next Planning Committee Meeting – Thursday 3<sup>rd</sup> November 2022 – 7.30pm – Mistley Village Hall.
16. **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 Frost and seconded by Councillor Howell).

*District Councillor Coley and the two remaining Member of the Public left the Meeting at this point.*

17. **Confidential Minutes of the Parish Council Meeting held on the 5<sup>th</sup> September 2022** – The Council is asked to receive, consider and approve the Confidential Minutes.
18. **Update/Matters Arising from Confidential Minutes held on the 5<sup>th</sup> September 2022**– The Council is asked to receive and note any updates.
19. **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.*