



Minutes of the Annual Parish Council Meeting of the New Parish Council held on the 22nd May 2023 at Mistley Village Hall

Councillors Present:

- Councillor B Burton
- Councillor J Chaplin
- Councillor S Coiley
- Councillor P Cunningham
- Councillor R Frost (*Vice Chairman from Minute Number 2*).
- Councillor C Howell (*Chairman from Minute Number 1*).
- Councillor F Kent (*Up to end of Minute Number 10*).
- Councillor P Nutter

In Attendance:

- Mrs S Clements – Clerk
- District Councillor T Barrett
- District Councillor and County Councillor C Guglielmi
- Four Members of the Public

The outgoing Chairman of the previous Parish Council – Councillor Howell took the chair for the first item of business.

1. **Nomination of Chairman and Declaration of Acceptance of Office** – It was proposed by Councillor Frost, seconded by Councillor Cunningham, and agreed following the vote, that Councillor Howell should serve as the Chairman for the ensuing Council year. Councillor Howell continued to Chair from this point.
2. **Nomination of Vice Chairman and Declaration of Acceptance of Office** – It was proposed by Councillor Cunningham, seconded by Councillor Kent, and agreed following the vote, that Councillor Frost should serve as the Vice Chairman for the ensuing Council year.

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

3. **Declarations of Acceptance of Office** – Councillors, including the new Chairman and new Vice Chairman of the Council signed their respective Declaration of Acceptance of Office forms jointly with the Clerk.
4. **Code of Conduct 2020** – The Council agreed to continue to adopt the Code of Conduct 2020 following the vote. (Proposed by Cunningham and seconded by Councillor Burton).
5. **Welcome and Apologies for Absence** – Councillor Howell welcomed everyone to the Meeting including County and District Councillor Guglielmi and District Councillor Barrett. An apology for absence was received from Councillor Meston (unwell). This was accepted by the Council.
6. **Register of Members Interests & Declarations of Interest and Dispensations** – All Councillors are aware that they need to complete, sign, and return their respective Disclosable Register of Members Interests forms to the Monitoring Officer at the District Council within the deadline date.
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 at the Brunswick Allotment Site.	Minute Number 8 d) Allotment Working Group.
Councillor Frost.	Personal Interests – Member of the Rugby Club.	Minute Number 23 – Parish Council Assets.
Councillors Chaplin, Frost, Howell, Kent, and Nutter	Personal Interests – Current Trustees of The Welcome Home Trust.	Minute Number 23– Parish Council Assets.
Councillors Chaplin, and Cunningham.	Personal Interests – Current Trustees of Mistley Village Hall Management Committee.	Minute Number 23 – Councillors written/emailed reports.

7. **General Power of Competence** – The Council resolved to adopt the General Power of Competence and confirmed that it meets the conditions of eligibility set out in the Schedule to The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012, thereby enabling it to use the General Power of

Competence. This will remain valid until the Annual Meeting following the next ordinary election in May 2027. (This was proposed by Councillor Burton, seconded by Councillor Coiley and resolved following the vote).

- 8. Appointment and Composition of Parish Council Committees & Working Party Groups –**
- a) Finance Committee – Councillors Frost, Howell, and Nutter.
 - b) HR Committee – Councillors Howell, Kent, and Nutter.
 - c) Planning Committee – All Councillors will continue to be Members.
 - d) Allotment Working Group – Councillors Burton, Chaplin, Coiley, Kent, and Meston.
 - e) Community Celebrations Working Group – Councillors Coiley, Frost, Howell, and Kent.
 - f) Dog Working Group – It was agreed to combine this Group with the Signage Working Group.
 - g) Grounds Maintenance & Tree Working Group – Led by Councillor Nutter.
 - h) Signage (and Dog) Working Group – Councillors Burton, Chaplin, and Howell.
 - i) Trees Working Group – It was agreed to combine this Group with the Grounds Maintenance Working Group.
 - j) Section 106 Developer Agreements with Tendring District Council & Contributions for Mistley – It was agreed to suspend this Group for now.
 - k) Other Working Groups – There were no new Groups.
- 9. Appointment of Councillor Representatives –**
- a) Essex Association of Local Councils (EALC) – Councillor Frost.
 - b) Footpath Representative – Mr K Garwood – Local Resident.
 - c) Grounds Maintenance Volunteer Group Lead – Councillor Nutter.
 - d) Manningtree District Business Chamber – Councillor Coiley.
 - e) Tendring District Association of Local Councils – Councillor Cunningham.
 - f) Transport and Community Rail Partnership – It was agreed to suspend this for now. (Councillor Nutter is the Representative should this be reinstated).
 - g) Tree Warden – Councillor Nutter.
 - h) Tri-Parish Emergency Planning Representative – Councillor Meston.
 - i) Trustees of the Rigby and Berry Charity – Councillors Coiley and Howell with Mr Cambridge (Local Resident). (Also, Ex-Officio Rev'd D Turner – Rector Manningtree Benefice).
 - j) Mistley Village Hall Management Committee Parish Councillor Representatives – Councillors Coiley and Meston.
 - k) School Representative – It was agreed to suspend this for now. (Councillor Frost is the Representative should this be reinstated).
 - l) Welcome Home Field Trustees – Councillors Frost, Howell, Kent, Meston, and Nutter. (Councillor Chaplin is standing down as a Trustee).
 - m) Any other Councillor Representatives – None.

Following the vote, (proposed by Councillor Coiley and seconded by Councillor Nutter), the Council agreed the above representatives and appointments under Minute Numbers 8 and 9.

- 10. Terms of Reference – Committees – These were received, considered/reviewed, and then agreed for the ensuing year following the vote. (Proposed by Councillor Coiley and seconded by Councillor Cunningham).**
- a) HR Committee.
 - b) Finance Committee.
 - c) Planning Committee.

Councillor Kent left at this point in the Meeting.

- 11. Annual Review of Policies – These were received, considered/reviewed, and then agreed/resolved following the vote for the ensuing Council year. (Proposed by Councillor Frost and seconded by Councillor Cunningham).**
- 12. Standing Orders and Financial Regulations – These were received, considered/reviewed, and agreed following the vote for the ensuing Council year, including the updates relating to procurement thresholds. (Proposed by Councillor Frost and seconded by Councillor Cunningham).**
- 13. Public Voice – *The Members of the Public present did not wish to speak. Councillor Howell on behalf of a Member of the Public raised the issue relating to the amount of temporary signage/fly posting along The Walls. The Clerk was asked to contact the relevant organisations and agree a date when these are taken down and to ask for the organisations to obtain the Council's consent in advance prior to any future events. This was agreed following the vote. (Proposed by Councillor Nutter and seconded by Councillor Frost).***
- 14. District and County Councillors Reports – The District Councillors and County Councillor written reports were received and noted. County Councillor Guglielmi advised the Council about the pothole fixing scheme and suggested that the Council makes a list of schemes for consideration. A District Councillor update was provided about a possible planning enforcement matter at Clacton Road. The Council noted that the "No Parking" signage at the Greensward on Harwich Road will hopefully be reinstated. It was also noted that the warehouse matter is still ongoing.**

15. **Minutes of the Parish Council Meeting held on the 24th April 2023** – These Minutes were received, considered, and approved following the vote. (Proposed by Councillor Nutter and seconded by Councillor Coiley). (Copy in Minute Book and website)
16. **Update/Matters Arising from Previous Minutes held on the 24th April 2023** – There were no new updates or matters arising.
17. **Financial Matters**
- a) **Schedule of Account for Payment** – The schedule was received, considered, and agreed following the vote for payments in the sum of £36,006.44 plus VAT of £673.66, totalling £36,680.10. This includes the £30,000.00 transfer back to the Nationwide Building Society savings account. (Proposed by Councillor Cunningham and seconded by Councillor Nutter). (Copy in Minute Book and on website). (The Council has the General Power of Competence under the Localism Act 2011 ss 1 to 8).
 - b) **Annual Internal Audit Report 2022-2023 – Annual Governance and Accountability Return (AGAR)** – The Council received, considered, and agreed/resolved to accept the Internal Auditor's Report for the year-end following the vote. (Proposed by Councillor Cunningham and seconded by Councillor Coiley).
 - c) **Annual Return for the Year Ended 31 March 2023 – Annual Governance and Accountability Return** – The Council received, considered, and approved/resolved following the vote, the Accounts, Annual Return and Annual Governance and Accountability Return 2022-2023, along with the supporting documents and authorised the Chairman to sign the Return on behalf of the Council. (Proposed by Councillor Cunningham and seconded by Councillor Frost).
 - d) **Bank Reconciliations** – April 2023 – These were received, considered, and agreed following the vote. (Proposed by Councillor Cunningham and seconded by Councillor Frost).
 - e) **Bank Signatories** – Following the vote, (proposed by Councillor Cunningham and seconded by Councillor Nutter), it was agreed that Councillors Frost and Howell will continue as signatories.
 - f) **Internal Controls – Councillors Checks** – Following the vote, (proposed by Councillor Frost and seconded by Councillor Coiley), the Council agreed to appoint Councillor Cunningham who is not a bank signatory Councillor to check the Council's financial records for 2022/23 as an additional tier of financial control and internal controls.
 - g) **The Rotary Club of Manningtree Stour Valley - Manningtree Christmas Market 2nd December 2023** – The Council received and considered the grant request. Following the vote, (proposed by Councillor Coiley and seconded by Councillor Cunningham), a grant of £250 was agreed. (The Council has the General Power of Competence under the Localism Act 2011 ss 1 to 8).
 - h) **Urgent Finance Matters** –
 - **HMRC VAT Claim** - The Council noted receipt on the 10th May 2023 of the VAT claim from HMRC of £15,669.35. (2022/2023).
 - **A & J Lighting – Street Lighting Contractor – Short Presentation – Next Meeting** - The Council noted that its electricity bills have increased after coming out of a 3-year fixed rate contract with npower. It was suggested that A & J Lighting the Council's street lighting contractor be asked for advice and assistance about timer options on some of the street-lights and the best way forward. The contractor will be asked to attend the next Meeting on the 3rd July 2023 to give a brief presentation about the options, followed by a short question and answer session. This was agreed following the vote. (Proposed by Councillor Coiley and seconded by Councillor Cunningham).

At this point County and District Councillor Guglielmi left the Meeting.

18. **Correspondence** – Councillors considered the following:
- a) **Mysteries of Mistley** – Saturday 1st July 2023 – Following the vote, (proposed by Councillor Cunningham and seconded by Councillor Frost), the Council agreed to the historical tour of Old Knobbly - provided that visitors are respectful to Old Knobbly.
 - b) **Other Correspondence** – None.
19. **Parish Council Meetings** – The Council noted the following Meetings:
- **Planning Committee Meeting** – Monday 3rd July 2023 at 6.30pm – Mistley Village Hall.
 - **Parish Council Meeting** – Monday 3rd July 2023 at 7.30pm – Mistley Village Hall.
20. **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. (Proposed by Councillor Howell and seconded by Councillor Frost).

District Councillor Barrett and the two remaining Members of the Public left the Meeting at this point.

21. **Confidential Minutes of the Parish Council Meeting held on the 24th April 2023** – The Council is asked to receive, consider and approve the Confidential Minutes.
22. **Update/Matters Arising from Confidential Minutes held on the 24th April 2023** – The Council is asked to receive and note any updates.

3 Signed – Chairman..... Date.....

23. **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 in conjunction 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.