



Minutes of the full Parish Council Meeting held on the 6th November 2023 at 7.30pm at Mistley Village Hall

Councillors Present:

- Councillor B Burton
- Councillor J Cambridge
- Councillor J Chaplin
- Councillor S Coiley
- Councillor P Cunningham
- Councillor R Frost (Vice Chairman of the Council)
- Councillor C Howell (Chairman of Council)
- Councillor F Kent
- Councillor I Leveridge
- Councillor P Nutter
- Councillor J Robinson

In Attendance:

- Mrs S Clements – Clerk
- District Councillor T Barrett
- Seven Members of the Public

It was noted that the Meeting will be recorded for the purposes of assisting with the draft Minutes. The recording will be deleted after the draft Minutes have been circulated.

1. **Welcome and Apologies for Absence** – The Chairman of the Council – Councillor Howell welcomed everyone to the Meeting.
2. **By-Election** – The Council welcomed Councillor Jamie Robinson who is elected uncontested to the Parish Council.
3. **Declaration of Acceptance of Office** – At this point in the Meeting Councillor Robinson jointly signed the Declaration of Acceptance of Office with the Clerk.
4. **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>
Councillors Cambridge and Frost.	Personal Interests – Members of Mistley Rugby Club.	Minute Number 23 – Parish Council Assets.
Councillors Coiley, Frost, Howell, Kent, Leveridge, and Nutter.	Personal Interests – Trustees of The Welcome Home Memorial Trust.	Minute Number 23 – Parish Council Assets.
Councillor Kent	Pecuniary Interest – Spouse is an allotment tenant.	Minute Number 12 a) Allotment Working Group.
Councillors Chaplin, Coiley, and Cunningham.	Personal Interests – Trustees of Mistley Village Hall Management Committee.	Minute Number 12 c) – Mistley Village Hall Management Committee Report.
Councillor Robinson	Personal Interest – Involved with the Poppy Wreath Appeal.	Minute Number 12 l) Urgent Finance Matters – Poppy Wreath Appeal.

5. **Public Voice** – One Member of the Public spoke about an area of grounds near to Brunswick Gardens. This will be covered under the Allotment Working Group Minute Number 12 a).
6. **District and County Councillors Reports** – The District Councillors written report and the County Councillor’s written report were received and noted. (Copies on website).

Councillor Frost the Vice Chair chaired the Meeting for the next item only, as Councillor Howell was not present at the last Meeting.

7. **Minutes of the Parish Council Meeting held on the 25th September 2023** – 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).

Councillor Howell returned to the chair from this point and the remainder of the Meeting.

8. **Update/Matters Arising from Previous Minutes held on the 25th September 2023** –
 - **Minute Number 10 e) – Correspondence** – The Bathing Hut – The Clerk advised that two members of the public have raised concerns about the unauthorised signage erected by the Rotary Club at the Hut in the Conservation Area near to the Towers and in the area of AONB (Area of Outstanding Natural Beauty). The Clerk has been in contact with the Rotary Club to discuss the issues further and a response is awaited from the Club. The Council thanked the Rotary Club for painting the bathing hut and for the Club’s sterling work.
9. **Parish Council’s Allotment Working Group** – The Council reviewed the composition, membership, and considered if a set of terms of reference need to be written. It was noted however, that the matter queried has now been resolved and that a Member of the Public has stepped down for now, because of the GDPR (General Data Protection Regulation) and he is also not currently part of the Allotment Working Group’s WhatsApp group. The Member of the Public was thanked for his work.
10. **Parish Council’s Planning Committee** – The Council reviewed the composition, membership, and the current terms of reference of its Planning Committee. Councillor Cunningham read out a statement raising his concerns.
[Planning-Committee-Terms-of-Reference.pdf \(mistleyparishcouncil.co.uk\)](#)
[Pre-Application-Planning-Consultation-Policy-Mistley.pdf \(mistleyparishcouncil.co.uk\)](#)
 Following the vote (proposed by Councillor Chaplin and seconded by Councillor Robinson), the Council agreed not to make any changes for the time being. (7 in favour of no changes and 4 against). Councillor Cunningham advised that he will be resigning as the Chairman of the Committee.
11. **Model Code of Conduct** – The Council considered the request as to whether to seek legal advice from NALC (National Association of Local Councils) regarding the proposal to add an addendum to the Members Code of Conduct. (Local Government Association guidance ‘Probity in Planning - Advice for Councillors and officers making planning decisions: December 2019). This was considered following the concerns raised by Councillor Cunningham.
 Following the vote, (proposed by Councillor Kent and seconded by Councillor Frost), the Council resolved not to seek further legal advice. 6 against seeking advice, 4 in favour and 1 abstention. The Council asked for a recorded vote. (Councillors Burton, Chaplin, Coiley, Leveridge, Nutter, and Robinson were against the proposal. Councillors Cunningham, Frost, Howell, and Kent were in favour and Councillor Cambridge abstained from the vote).
12. **Councillors Reports on Working Party Meetings/Other Meetings/Site Meetings–**
 - a) **Allotment Working Group** – (Councillors Burton, Chaplin, Coiley, Leveridge, and Kent) – The Council received and noted the written report. It was agreed following the vote, to ask the Council’s grounds maintenance contractor to provide a quotation to carry out a risk assessment at the Railway Allotments on the Harwich Road area and relating to the path and hedge which run along the top of the allotments site. The path has narrowed due to the overgrowth of the hedge and some of the fencing needs to be replaced. A quotation will also be required for the proposed work. The Group will look into the matter raised under Minute Number 5 above.
 - b) **Grounds & Tree 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.
 - c) **Mistley Village Hall Management Committee** – (Councillors Chaplin and Coiley),

- Solar Panels – Following the vote, (proposed by Councillor Nutter and seconded by Councillor Burton), the Council agreed in principle for the installation of solar panels on the Village Hall roof, subject to any necessary planning approvals, that a sensible commercial arrangement is in place and that the appearance is not too intrusive.
 - Car Park – Following the vote, (proposed by Councillor Howell and seconded by Councillor Burton), the Council agreed to additional yellow hatching.
- d) Signage Working Group – (Councillors Burton, Chaplin, and Howell) – The Council agreed to deal with this matter under 13 f).
- e) Other Meetings/Site Meetings – There were no additional meetings to report on.
- 13. Financial Matters – (The Council reclaims VAT). (The Council has the General Power of Competence under the Localism Act 2011 ss 1 to 8).**
- 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 £9,929.34 Plus VAT (£10,921.03). (Proposed by Councillor Cunningham and seconded by Councillor Frost). (Copy in Minute Book and on website).
- b) Bank Reconciliations – September and October 2023 – These were received, considered, and agreed following the vote. (Proposed by Councillor Cunningham and seconded by Councillor Frost).
- c) 2nd Half Precept – The Council noted receipt of £48,367 on the 5th October 2023.
- d) Tree Survey – The Walls – The Council noted that the Clerk has sought three quotations. The quotations received were considered. Councillor Nutter provided a verbal update. Following the vote, (proposed by Councillor Frost and seconded by Councillor Howell), the Council agreed to appoint J F Tree Specialists in the sum of £360. (The second quotation is for £700).
- e) Mistley Sign – (Memorial Island) - The Council considered painting, and cleaning of the sign and agreed to seek quotations from suitable specialist contractors.
- f) Notice Boards – The Council received and considered the quotations again for the sites agreed the last Meeting. Following the vote, (proposed by Councillor Nutter and seconded by Councillor Coiley), the Council agreed to accept the quotation received from Parish Noticeboards for the order of the four noticeboards in Mistley at a cost of £390 plus VAT. (£1560 plus VAT and installation).
- g) Bank Signatory – The Council agreed that another bank signatory (third signatory) is not necessary at the current time.
- h) CCLA Transfer – Following the vote, it was agreed to transfer £25,000 from the Council's main Barclays Bank account. (FSCS) – Financial Services Compensation Scheme. (Proposed by Councillor Howell and seconded by Councillor Cunningham).
- i) Risk Assessments – Allotments x 3, and x 2 Play Areas – The Council agreed following the vote, for its grounds maintenance contractor (qualified in risk assessments) to carry out visual and written risk assessments for all sites every 3 times per year. (Less than £400 plus VAT). Cemetery and Closed Churchyards x 2 – The Council's Warden will carry out visual and written risk assessment for these areas – 3 times per annum. (Proposed by Councillor Howell and seconded by Councillor Cunningham).
- j) Risk Assessment & Maintenance – Cemetery –
- Headstones - The Council considered the details received from the Church regarding headstones and noted with concern the vandalism issues and health and safety matters. The Council's Warden will investigate the safety aspects further.
 - Grounds - The Council noted the overgrown hedges and considered the quotation received from its contractor for £465 plus VAT. The Council asked for further clarification about the specification of work quoted for.
- k) Mill Hill – The Council received and considered the request received from a Lawford local resident. It noted that Mistley Parish Council own and maintain two Mistley streetlights already which are in place at Mill Hill. There is one outside of Saralie and the other one is at the junction of Trinity Road. The Council has checked the light coverage during the evening on the Mistley side of the boundary which looks fine. It was noted that one resident has a sensor light which also assists. The Council considered that the area would come under the boundary of Lawford.
- l) Urgent Finance Matters –
- Poppy Wreath Appeal – The Council received and considered the request. Following the vote, (proposed by Councillor Cunningham and seconded by Councillor Kent), it was agreed to offer a donation of £150. (Councillor Robinson abstained from the vote).
- 14. Correspondence –**
- a) Litter Pick Event – It was agreed to consider arranging a community litter pick event in January 2024.
- b) Other Correspondence – There were no matters.

15. **Mistley Norman Primary School** – The Council noted that an update will be received from Essex County Council on the 14th November 2023. District Councillor Barrett provided a brief verbal update.
16. **LCAS (Local Council Award Scheme)** – The Council received an update regarding the Gold and Quality Gold Award applications and noted that resubmission of the current Foundation award (in place for another 2 years), is now required as the Gold and Quality Gold have been applied for more than 12 months since the original Foundation award being received. The Council resolved following the vote, that it has all of the required documents, information (whether published or not) and meets the conditions for the Foundation, Gold and the Quality Gold LCAS. The Council also resolved that it is able to provide all statements for submission to the Panel, demonstrating excellence in its activities. [file \(naic.gov.uk\)](http://naic.gov.uk) The Council is aware that the awards will demonstrate that the Council is at the forefront of best practice, that it achieves excellence in governance, community leadership and for the Council's continued development. The awards will also demonstrate that the Council delivers good services and value for money. The Council resolved this following the vote. (Proposed by Councillor Howell and seconded by Councillor Cunningham).
17. **Consultation on New Measures to Tackle Irresponsible Dog owners in Tendring** – (Deadline – 14th November 2023) – Deferred from 25.09.23). It was agreed that Councillors Burton and Chaplin will respond on behalf of the Council.
18. **Tree Management Policy** – (Deferred from 14.08.23 and 25.09.23) – The Council considered suggestions for changes from Councillor Nutter (Volunteer Tree Warden) to the draft policy prepared by the Clerk in August 2023. It was agreed to defer the policy to the next Meeting.
19. **Next Meetings** –
- Planning Committee Meeting - Monday 18th December 2023 at 6.30pm at Mistley Village Hall.
 - Parish Council Meeting – Monday 18th December 2023 at 7.30pm at 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 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 Cunningham).

At this point District Councillor Barrett, Councillor Frost and the Members of the Public left the Meeting.

21. **Confidential Minutes of the Parish Council Meeting held on the 25th September 2023** – The Council is asked to receive, consider and approve the Confidential Minutes.
22. **Update/Matters Arising from Confidential Minutes held on the 25th September 2023** – The Council is asked to receive and note any updates.
23. **Parish Council Assets – (Leases/Licences)** – The Council is asked to receive legal updates 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.