

MISTLEY PARISH COUNCIL

Minutes of the full Parish Council Meeting
held on 28th October 2019 in the Village Hall, Shrubland Road at 7.30pm



Councillors Present:

Councillor C Howell (*Chairman of the Council*)
Councillors J Chaplin (*Vice Chairman*)
Councillor Carter
Councillor R Frost
Councillor P Nutter
Councillor I Peacock

In Attendance:

Mrs S Clements – Parish Clerk/Responsible Financial Officer
District Councillor A Coley
Mr R Horlock – Volunteer Tree Warden
PCSO P Smith
Three Members of the Public were present.

1. **Welcome and Apologies for Absence** – The Chairman welcomed everybody to the Meeting. Apologies for absence were received from Councillors Burton, Cambridge, and Kent. Councillor Turner was not present. An apology for absence was also received from District and County Councillor C Guglielimi.
2. **Declarations of Interest** – The following Declarations of Interest were made:

| <u>Name of Councillor</u> | <u>Interest Details</u> | <u>Minute Number</u> |
|---------------------------|---|----------------------|
| Councillor Carter | Mistley Rugby Club - non-pecuniary interest. | 11. a) |
| Councillor Frost | Mistley Rugby Club - non-pecuniary interest. | 11. a) |
| Councillor Carter | Section 137 Grant – Autumn Days – non-pecuniary interest. | 12. b) |
| Councillor Peacock | Section 137 Grant – Autumn Days – non-pecuniary interest. | 12. b) |

3. **Public Voice** – Mr Horlock addressed Councillors with regard to the Milestone and a proposed project to restore and relocate this. He is in discussions with EDME, Essex County Council Highways and County Councillor Guglielimi. A site meeting is scheduled in a few weeks time.
4. **District and County Councillors Reports** – The written District Councillors report was received and noted. The said report included details about: Planning Applications and Appeals, the District Local Plan, the Climate Emergency Working Group, Honeycroft Lawford (new bungalows to be built), Waste Collections and Recycling, Policing in the Three Parishes, Street Traders, Highways, Winter Warmers Project and Election Registration Forms. District Councillor Coley spoke about the Long Road/Clacton Road, Mistley Planning Appeal which commences on the 29th October 2019, the Chair of the Climate Emergency Working Group (this is District Councillor Coley), Policing Meetings, the Lawford Planning Appeal which has been dismissed, a Safeguarding Day on the 7th November 2019 which is free of charge and aimed at parents and keeping children safe online.

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5. **Policing Update** – Councillors received a short presentation from PCSO Pat Smith. She spoke about crimes since her last report which included Lawford and Manningtree. The update included cars and criminal damage, a fire at Lawford on waste ground, damage to the Church at Lawford, a theft of number plates at Middlefield Road, Mistley, car thefts in the area, and Drug dealing at the Rectory, Lawford. PCSO Smith noted the parking issues on the public highway and footpaths, including on Mistley Hill (High Street/Harwich Road). Exclusion zones were briefly discussed and the role of Essex County Council Highways.
6. **Minutes of the last full Parish Council Meeting held on the 23rd September 2019** – These were received, considered and approved following the vote.(Proposed by Councillor Frost and seconded by Councillor Peacock). (Copy in Minute Book).
7. **Update/Matters Arising from Previous Minutes held on the 23rd September 2019** –
 - **Minute Number 12 f) Correspondence- Goods Vehicle Depot-** The Chairman advised that a letter has been received from the Office of the Traffic Commissioner, following the Parish Council's representations. The letter states that "*Parish Councils cannot make representations unless they themselves are owners or occupiers of affected land or property in the vicinity of the proposed operating centre*".
8. **Speeding and Parking Issues in Mistley** – Mr D Blackiston from the Safer Essex Road Partnerships Volunteer group was unable to attend the Meeting due to illness. It was therefore, agreed to defer this matter until the beginning of 2020.
9. **Furze Woodland Management Phased Plan** – Mr Horlock the volunteer Tree Warden with Councillor Nutter updated the Council on progress to date. Councillor noted the likely pricing for marking up trees and also thinning. It was considered better to try and save on the cost of the work by utilising the felled logs. It was proposed by Councillor Nutter, seconded by Councillor Frost and agreed that the Rugby Club representative should proceed with the health and safety tree work, to include removing the dangerous branches and use of a cherry picker and chainsaw and that the Parish Council will make a Section 137 Grant of around £325 to the Rugby Club. The Council thanked Mr Horlock and Councillor Nutter for their respective hard work in progressing this phase of the project.
10. **Restoration of wall at The Green** – Councillors considered the information presented to them and the request for support. They noted that the wall in question is on the west side of the road in the Conservation Area. The consultant who works with Essex County Council may be able to assist with providing a team to carry out the bricklaying for 3 days free of charge. Mr Horlock and his brother would provide the bricks, with the request that the Parish Council pays for the lime mortar. Following the vote, (proposed by Councillor Nutter, seconded by Councillor Peacock) it was agreed to pursue this investigation further, including liaising with the County Council's consultant and the Local Planning Authority in relation to any planning consents which may be required in the Conservation Area for the proposed restoration/repair work to the wall.
11. **Councillors to Report on External Meetings Attended** – Brief verbal updates were received as follows:
 - a) **Mistley Rugby Club Meeting** – Councillors noted that Councillors Cambridge and Howell met with the Rugby Club on the 1st October 2019. The Council considered the Club's request for a wayleave agreement with the Parish Council to facilitate underground electrical and telecommunication cables across the Council's land for power and telephone/internet related services to the Clubhouse. The letter from Mistley Rugby was received and noted. The map as supplied by the Rugby Club was received and considered. Following the vote, it was agreed, (proposed by Councillor Howell and seconded by Councillor Chaplin), that consent be given for a wayleave agreement, subject to both the electrical and telecommunications cables going underground in the same trench, stipulation that the trench remains open for, no longer than 7 days, appropriate signage about the trench/work and a bridged and fenced facility (both sides of the existing pathways), health and safety precautions being in place - in particular for children and young people, that the Rugby Club has in place its own public liability insurance for an appropriate sum and provided that there is no interference with the current supplies to the Village Hall, i.e. electrical etc.

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- b) Colchester Rovers Cycling Club (Cyclocross Racing) – Councillor Nutter reported on a site Meeting with a representative of the Club. He advised that this event at Furze Hill Woods is once per annum over a whole day with in excess of 400 participants. The event has been taking place for over 40 years. Councillor Nutter advised that there is some damage to the tracks, but that this is not considerable. Participants from all over East Anglia are involved with the event and are charged for attending. The pricing structure is £20 or £15 and £10 for Juniors. The Parish Council charges just £75 for the use of the Wood, where cyclists are normally not permitted in the Wood. It was agreed that this price is far too low and that it will be reviewed (along with other Parish Council charges and fees), at the next Finance Committee Meeting of the Parish Council. Councillors felt that they would wish to see a more “joined up” event next time with activities aimed at our local cycle club – Mistley Wheelers and improved signage to avoid inconvenience to local people with the large number of visitors coming through the Village and parking issues.

12. Clerk and RFO (Responsible Financial Officer) Matters

- a) *Schedule of Accounts for Payment – The schedule of accounts was received and considered. It was proposed by Councillor Nutter, seconded by Councillor Carter and agreed following the vote, that the accounts in the sum of £4355.10 (includes the Section 138B £100 grant/donation to the Poppy Appeal in readiness for the 10th/11th November 2019 events), be paid. (Copy in Minute Book).

Mr Horlock, Volunteer Tree Warden leaves the Meeting at this point.

- b) *Section 137 & 138B Grants – The grants received were considered. Following the vote, (proposed by Councillor Peacock, seconded by Councillor Nutter), it was agreed to make a donation/grant (Section 138B) of £100 to the local Poppy Appeal via the RBL (Royal British Legion). It was proposed by Councillor Nutter, seconded by Councillor Frost and agreed to give a grant (Section 137) of £500 to the Essex and Hertfordshire Air Ambulance Service. It was proposed by Councillor Frost, seconded by Councillor Nutter and agreed to give a grant of £100 to the Autumn Days Club. With regard to the Suffolk Accident Rescue Service, it was noted that only one Mistley resident had benefited from the service over the past year and it was considered that this service is aimed more at local residents in Suffolk and not Essex.
- c) Barrier – Village Hall Car Park – Councillor Nutter reported back on the mini feasibility study. (Councillor Cambridge reported back outside of the Meeting). Councillors felt that it would be better to consider the matter again after the new residents have moved into the bungalows.
- d) Precept – Councillors noted receipt of the second instalment of £30,500.
- e) Grounds Maintenance Sealed Tender Process – Councillors received and considered the draft schedule of works and suggested timeline. It was agreed following the vote, (proposed by Councillor Nutter and seconded by Councillor Howell), to proceed with the sealed tender process for the Cemetery and Closed Churchyard and also for all other grounds contracts, including; Lodges Corner, New Road, the War Memorial, The Green, Furze Hill Play Area, Furze Hill Recreation Area, Mistley Heath, The Walls, and The Welcome Home Field.
- f) Confidentiality Agreement – Mistley Computers – This was received and noted.
- g) Manningtree District Business Chamber – Following the vote, (proposed by Councillor Nutter and seconded by Councillor Frost), it was agreed to pay the annual membership fee of £35.
- h) Finance Committee – Proposed by Councillor Frost, seconded by Councillor Howell and agreed following the vote, that an additional member should join this Committee. Councillor Nutter will become a member of the Finance Committee for the ensuing year. It was also agreed that the next Finance Committee Meeting will be held on Friday 6th December 2019 at 6pm in the Village Hall. It was also agreed that a small team of up to 8 people will represent the Parish Council at the Free the Quay charity quiz evening at 7.30pm also on Friday 6th December 2019.
- i) Finance Matters – There were no other matters.

13. Correspondence – To note/agree the following:

- a) Community Specials Police Constables – The Council considered in principle the concept of it joining a partnership Community Specials Police Constables scheme with Lawford Parish Council and Manningtree Town Council, should the temporary pause to the scheme be removed. (Request received via Lawford Parish Council). The cost per Officer is £1,000 pa. Other funding options were noted. This matter will be considered as part of the budget/precept planning at the next Finance Committee Meeting on the 6th December 2019.

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- b) English Rural Housing Association – Councillors received and noted outside of this Meeting the social rented housing at Heathview Close, Mistley (Deadline 24th October 2019).
- c) Alresford Neighbourhood Plan 2019 – Councillors received and noted the Pre-Submission Consultation (regulation 14) from Alresford Parish Council.
- d) Furze Hill Activity – Councillors noted that the Volunteer and Community Engagement Team short activity during the half term week has now been cancelled.
- e) FOI (Freedom of Information) Request – Councillors noted the request received from Children and Families Across Borders (CFAB), London relating to Looked After Children and the Clerk's response. The Clerk considered that this FOI from CFAB should have been to Essex County Council and not the Parish Council. The FOI questions were however, answered by the Clerk.
- f) Other Correspondence –
 - Rural Community Council of Essex (RCCE) – Councillors received and noted the Autumn 2019 issue.
 - Parking – Mistley – High Street/Harwich Road “Mistley Hill” – Councillors received and noted the correspondence received from EDME regarding parking issues. It was noted that the parking is not illegal and it is not blocking the public highway. Advice was sought from PCSO Smith. The Clerk was asked to respond back to EDME.

District Councillor Coley left the Meeting at this point.

- War Memorial – Councillors received and noted the correspondence from a local resident asking that the War Memorial be tidied, the crosses box cleared and the monument generally cleaned. Councillor Nutter kindly agreed to tidy this area with his small volunteer group. It was agreed that a process will be put in place to ensure that the War Memorial is in a tidy condition going forward well in advance of Remembrance Day services and events.

14. Co-option of Parish Councillor Applications – Councillors noted that no formal applications have been received. It was agreed that this casual vacancy be advertised on the Parish Council's Website, other stakeholder Websites, Facebook pages and notice boards and also that the local press be advised.

15. Litter Picking Event – Saturday 19th October 2019 - Councillor Howell reported on this community event and thanked all those involved for their help and support. It was agreed following the vote, (proposed by Councillor Howell and seconded by Councillor Carter), that a Micro grant bid via EALC (Essex Association of Local Councils) be made such that the Parish Council can purchase its own litter picking equipment to use in the future. The Clerk will make this bid on behalf of the Council.

PCSO Smith leaves the Meeting at this point.

16. Street Lighting Column – Middlesfield Road to Harwich Road – Futureway Homes – Councillors noted that this matter is still outstanding and that Essex County Highways is liaising with the Clerk on behalf of the Parish Council.

17. Parish/Town Council Meetings with Tendring District Council (TDC) – Friday 8th November 2019 – 1.30pm – the Essex Hall, Clacton Town Hall – Councillors agreed that Councillors Carter and Chaplin will attend this Meeting regarding TDC's budget/precept process 2020/21.

18. Quarterly Play Area Risk Assessments (written) – Councillors received and agreed the risk assessments for Furze Hill play equipment and the Welcome Home Field play equipment. Following the vote, it was agreed that a rota system be set up for the visual and subsequent written quarterly assessments, which will be in addition to the Warden's regular daily checks. Councillor Nutter kindly agreed to deal with these current quarterly assessments, with Councillor Howell for the following quarterly visual and written assessments.

19. Councillor and Clerk Generic Emails – The Council noted that all generic emails have been set up. Following the vote, it was agreed to defer this matter and discuss it as the next Meeting.

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20. **Dog Byelaws** – The Council noted the “Dogs on Leads” byelaws in recreational spaces around Mistley, (including Furze Hills and the Welcome Home Field). They noted that contact has been made with Tendring District Council and that the Dog Warden has agreed to help patrol the area to assist with dog controls. It was agreed to defer this item to the next Meeting.
21. **The Walls – Food Vendors** – Councillors receive an update following on from Councillors Chaplin and Howell’s discussions with the vendors. It was agreed following the vote, (proposed by Councillor Howell and seconded by Councillor Chaplin), that in the future arrangements for small tables and chairs in relation to conformity will be allowed where all food vendors use the same dark colour and that these will be permitted during the period March-October and provided they are not intrusive or invasive along The Walls. This means two small tables and eight chairs per vendor. It was also noted that vendors have been asked to feed the Swans **in the water** and not along the greensward so as not to encourage the Swans to **come onto the road** in order to protect them from being hit by vehicles and in the interests of the Swans’ safety. The Swans should be fed with suitable food, i.e. not meat based products or pizza. The Parish Council is appreciative of the sterling work of Swanwatch a local charitable group engaged in a care and feeding programme for all of the Swans. The Parish Council has also asked for the A boards to be removed. (Planning permission is needed for these boards).
22. **Welcome Home Trust** –
- Trust Deed** – The Council received and considered this document. Following the vote, it was agreed to defer this item until the next Meeting.
 - Trustees** – It was agreed to defer this item until the next Meeting.
 - Bank Signatories** – It was agreed to defer this item until the next Meeting.
23. **Dates of Next Meetings** – The following were noted.
- Full Parish Council Meeting** – Monday 25th November 2019 at 7.30pm in the Village Hall.
 - Planning Committee** – Thursday 7th November 2019 at 7.30pm.
 - Finance Committee** – Friday 6th December 2019 at 6pm.
 - Schedule of Meetings 2020**– Councillors received and noted the schedule as agreed at the last Meeting.
24. **Resolution to Exclude the Public and the Press** – The Public Bodies (Admission to Meetings Act 1960) and the Local Government Act 1972 ss 100 and 102. The Council considered and agreed following the vote, to exclude the Public (the Press were not present), since publicity would legally prejudice commercial sensitivity and confidentiality.

The three Members of the Public left the Meeting at this stage.

25. **Confidential Minutes of the full Parish Council Meeting held on the 23rd September 2019** – The Council is asked to receive, consider and agree these Confidential Minutes.
26. **Update/Matters Arising’ from the Confidential full Parish Council Minutes held on the 23rd September 2019** – The Council is asked to receive and note any updates/matters arising.
27. **Staffing** – The Council is asked to receive any updates and consider and agree any matters.

There being no further business this part of the Meeting closed to facilitate the closed/confidential session.

Signed

Chairman

Date