

MISTLEY PARISH COUNCIL

**Minutes of the full ANNUAL Parish Council Meeting
held on 18th May 2020 at 7.30pm - Via the Zoom Platform**



Councillors Present:

Councillor B Burton
Councillor J Cambridge
Councillor G Carter (*From Minute Number 7*)
Councillor J Chaplin (*Vice Chairman of the Council from Minute Number 2*)
Councillor S Coiley
Councillor R Frost
Councillor C Howell (*Chairman of the Council from Minute Number 1*)
Councillor F Kent
Councillor P Nutter

In Attendance:

Mrs S Clements – Clerk
District and County Councillor Guglielmi (*Up to Minute Number 13*)
No Members of the Public

1. **Nomination of Chairman and Declaration of Acceptance of Office'** – The current Chairman of the Council – Councillor Howell took the Chair for this item.

It was proposed by Councillor Cambridge, seconded by Councillor Burton and agreed/resolved following the vote that Councillor Howell will be the Chairman of the Council to serve for the ensuing year. Councillor Howell will sign the Declaration of Acceptance of Office for Chairman via email.

2. **Nomination of Vice Chairman and Declaration of Acceptance of Office'** – It was proposed by Councillor Howell, seconded by Councillor Burton and agreed/resolved following the vote that Councillor Chaplin will be the Vice Chairman of the Council to serve for the ensuing year. Councillor Chaplin will sign the Declaration of Acceptance of Office for Vice Chairman via email/post.
3. **Declaration of Acceptance of Office** – The new Chairman and Vice Chairman will sign their respective Declaration of Acceptance of Office forms via email/post.
4. **Welcome and Apologies for Absence** – The Chairman welcomed everybody to the Meeting. Apologies for absence were received from Councillor Smith (working) and Councillor Peacock (unwell). Councillor Carter is endeavouring to join the Meeting but has technical difficulties.
5. **Declarations of Interest and Register of Interests** – There were no declarations of interest at this point in the Meeting. Councillors were reminded to review and update accordingly as appropriate their respective Register of Interests forms.
6. **Appointment and Composition of Parish Council Committees** – (The nomination of Chair and Vice Chair of these Committees will be the first items of business at the first relevant new Committee Meetings). Membership of the following Committees was agreed following the vote.
 - **Cemetery Committee/Sub-Committee** – Councillor Howell updated the Council about the background to this Committee and it being disbanded. The Council considered and discussed reinstatement of this Committee. It was suggested that this should be a Sub-Committee reporting to the Finance Committee. It was agreed following the vote, that this matter will be deferred until the next Meeting on the 22nd June 2020.

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- HR Committee – It was agreed following the vote, that members will comprise Councillors Chaplin, Frost, Howell, Kent and Nutter
- Finance Committee – It was agreed following the vote, that members will comprise Councillors Cambridge, Chaplin, Howell and Nutter.
- Planning Committee - It was agreed following the vote, that members will comprise all Parish Councillors.

Councillor Carter joined the Meeting at this point

7. Annual Appointment of Representatives – The following Representatives were considered and agreed following the vote, to serve for the ensuing Council year:

- Trustees of the Rigby and Berry Charity; - Councillors Burton and Cambridge. Also, Ex-Officio Rev'd D Turner – Rector Manningtree Benefice). (Mr M Rayner – Member of the Public is to stand down as Trustee).
- Tendring District Association of Local Councils; - Councillor Coiley.
- Essex Association of Local Councils (EALC); - Councillor Chaplin and Coiley.
- Transport and Community Rail Partnership; - Vacant.
- Footpath Representative; - Mr K Garwood.
- Tree Warden; - Mr R Horlock.
- Village Hall Management Committee; - Councillor Peacock - (Parish Council Representative), Councillor Carter – (Primary School Representative) and Councillor Nutter – (Member of the Public Representative).
- Welcome Home Field Trustees; - (Already agreed) These were noted. Councillors Cambridge, Chaplin, Frost, Howell, Frost and Nutter. (Also Ex-officio Town Councillor L Lay Flurrie – Manningtree Town Council).
- Tendring Older People's Forum; - This will be deferred as there was little or no activity last year. (Previous representatives Councillors Burton, Carter and Kent).
- Tri-Parish Emergency Planning Committee; – Councillor Cambridge.
- Manningtree District Business Chamber; – Councillor Nutter.
- Grounds Maintenance Volunteer Group Lead – Councillor Nutter.

8. Terms of Reference – Committees –

- Cemetery Committee/Sub-Committee – It was agreed following the vote, that this matter will be deferred until the next Meeting on the 22nd June 2020.
- Finance Committee - It was agreed following the vote, that this matter will be deferred until the next Meeting on the 22nd June 2020 in conjunction with the proposed Cemetery Sub-Committee.
- HR Committee – The terms of reference were received, considered and agreed following the vote.
- Planning Committee – The terms of reference were received, considered and agreed following the vote.

The above votes were proposed by Councillor Burton and seconded by Councillor Frost.

9. Annual Review of Policies – The following were received, considered, reviewed and agreed/adopted for the ensuing year following the vote, (proposed by Councillor Coiley and seconded by Councillor Burton), including:

- Code of Conduct;
- Community Engagement Statement Policy;
- Complaints Procedure Policy;
- Councillors Internal Checks/Financial Risks;
- COSHH (Control of Substances Hazardous to Health) Statement Policy;
- Equal Opportunities Policy;
- GDPR letter Contractors, Allotment & other Tenants and Staff;
- MPC Asset Register;
- MPC Document Retention Policy;
- MPC GDPR Policy Statement;
- MPC Grants Policy;
- MPC Press and Media Policy;
- MPC Publication Scheme;

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- [MPC Staff Handbook](#);
- [Health and Safety Policy](#);
- [Lone Worker Statement](#);
- [Risk Register – Play Area](#);
- [Training and Development Policy \(new\)](#);
- [Website Accessibility Statement](#).

10. **Standing Orders and Financial Regulations 2020-2021** – These were noted as they were already reviewed, revised and agreed/adopted for the ensuing year at the Parish Council Meeting on the 27th April 2020.
11. **Public Voice** – No Members of the Public were present' and no other public matters were raised.
12. **District and County Councillors Reports** – The District Councillors written report was received and noted. The report contained details about COVID-19 and Staff being re-deployed, residents in isolation, the Careline Staff for food and other essential supplies, Financial Support for local businesses, Waste Collection which is as normal including garden waste via the brown bins, the Lawford Recycling Centre being closed and Members of the District Council who are liaising with Essex County Council about this, Sharon Robinson the local Support Group lead, Manningtree and District Foodbank Reserve, District Council Microsoft Teams, Skype and Zoom Meetings, Planning Committee Meetings and COVID-19 Testing.

The County Councillor written report was received and noted. The report included details about Public Health England (PHE) and the County Council working with PHE and the NHS and the piloting new approach for testing for COVID-19 in Care Homes, the Keep Essex Active Campaign during COVID-19 and 30 minutes activity each day for adults whilst social distancing, the Young People supporting the County Council to tackle Climate Change and The Essex Lottery where the County Council is supporting local causes across the county.

District and County Councillor Guglielmi provided responded to questions about both district and county matters and advised that he is hopeful that the local Recycling Centre will open in early June 2020 with social distancing measures in place. Other centres have opened. The County Council when it reopens would need to carry out a risk assessment, have a phased approach to the acceptance of different categories of waste, have signage in place to advise users that only certain types of waste are acceptable initially when reopening takes place. District and County Councillor Guglielmi advised Councillors about the Essex Lottery which assists local groups and Charities in Essex with a funding pot of around £3,000.00 He advised that our local District Councillors have declined accepting Councillors Allowances, but that the amounts payable (approximately £1,800.00) will be utilised instead to assist vulnerable people in our community, including helping the food bank etc. Acorn Village and the local Primary School have already received assistance.

Councillors Cambridge and Howell asked District and County Councillor Guglielmi to explain the Section 106 Developer Contribution agreement with the LPA (Local Planning Authority) and asked about the laid down trigger points for payment and specifically what has happened to all of the S106 funds derived from huge amount of development in Mistley because this has not been received in Mistley. Reference was made to the S106 spreadsheet on the LPA's Website up to December 2019 which details the pending Land South of Harwich Road S106 only. He responded by advising that payment triggers depend upon the terms and conditions of individual agreements, that developers normally pay the LPA, that CIL (Community Infrastructure Levy) will be introduced in due course to replace or be utilised alongside S106, how S106 is divided – for example education, highways and contributions like play equipment in a Parish, that there is no longer a specific S106 Officer at Tendring District Council, District Members are not normally directly involved in supporting S106 contributions in the Parish where the development has actually taken place, that the time for the Parish Council to respond to the LPA about S106 is when the application is being considered and that Mistley should put together a wish list for S106 projects and finally, District and County Councillor Guglielmi agreed to investigate the precise process for S106 and how Mistley can benefit with infrastructure projects and S106 payments for development and dwellings that have actually been built in Village and how to claim benefits for the community on the back of this. The update will be provided at the next Meeting on the 22nd June 2020.

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13. **Minutes of the last full Parish Council Meeting held on the 27th April 2020** – These Minutes were received, considered and approved following the vote. (Proposed by Councillor Frost and seconded by Councillor Burton).
14. **Update/Matters Arising from Previous Minutes held on the 27th April 2020** – There were no updates or matters arising.
15. **External Meetings (COVID-19 Safe Distances Applied) Attended –**
- **Swans** – Councillor Chaplin reported on some temporary, appropriate signage to warn drivers to slow down because of Swans and Cygnets crossing the road. The Council agreed this was a sensible approach for the safety of our precious Village Swans and Cygnets.
 - **VE Day Celebrations** – Councillor Howell reported on the event at the Mistley War Memorial where a wreath was laid on behalf of the Council. Councillor Cambridge attended with Councillor Howell and photographs and a video were taken by Councillor Cambridge.
 - **Land South of Harwich Road** – Councillors Cambridge, Howell and Nutter carried out extensive litter picking on this site on the land which will be in the ownership of the Parish Council following the Section 106 Developer Agreement with the LPA – Tendring District Council. Disappointment was expressed as the litter had been ploughed into the area and some litter still remains which will need to be actually dug out at some point. Four large litter bags were collected.
16. **Clerk and RFO (Responsible Financial Officer) Finance Matters**
- **Schedule of Accounts for Payment** – The schedule was received, considered and agreed following the vote for payments in the sum of £2609.44. (Proposed by Councillor Cambridge and seconded by Councillor Frost). (Copy in Minute Book and available upon request).
 - **Annual Internal Audit Report 2019-2020 – Annual Governance and Accountability Return (AGAR)** – The Council received, considered and agreed/**resolved** following the vote, (proposed by Councillor Nutter and seconded by Councillor Cambridge), the Internal Auditor's Report for the year-end 2019-2020. There were no recommendations for changes by the Auditor.
 - **Annual Return for the Year Ended 31 March 2020 – Annual Governance and Accountability Return** The Council received, considered and approved/**resolved** following the vote, (proposed by Councillor Nutter and seconded by Councillor Cambridge), the Accounts, Annual Return and Annual Governance and Accountability Return 2019-2020, along with supporting documents and resolved to authorise the Chairman to sign the Return (pages 4 and 5) on behalf of the Council.
 - **4th Quarter Finance Report 1st January 2020 – 31st March 2020** – The Council received, considered and agreed the Report, following the vote. (Proposed by Councillor Nutter and seconded by Councillor Cambridge).
 - **Land South of Harwich Road** – On behalf of the Working Party, Councillor Howell provided an update following its recent Meeting about the playing fields where the Parish Council will shortly become the landowner once the land is fit for purpose and when all legal matters have been finalised. Councillors agreed that consultation with the Village is essential using various sources to reach all sectors of the community, a survey was suggested using Survey Monkey and it was felt that various local groups and organisations should be approached for their respective suggestions. The Council noted with regard to the Section 106 Developer Contributions that the Clerk has written to Go Develop asking for the £15,015.00 to be paid into the Council's bank account, together with the £1,500.00 charge for use of the Village Hall Car Park for the past year (as Futureway Homes have not paid the car park charge for this year). The Clerk advised that Sparlings Solicitors are the Council's original Solicitors who were appointed by the previous Council to pursue this developer agreement.
 - **Mistley Village Hall Management Committee** – The Council received an update regarding the Lease and Trust Deed dated the 13th September 1990. They noted that the Clerk has been in contact with Birkett Long Solicitors who have searched extensively for the original Lease under various names and titles, but that this has not been found. The Council also received and considered the correspondence received requesting a contribution towards water/electricity used for the Public Toilet, along with the quotation for £435.00 for ventilation provision in the kitchen of the Village Hall. Following the vote, the Council agreed to assist the Management Committee with the purchase of paint to decorate the Village Hall, together with Councillors volunteer labour to carry out this work, subject to the Management Committee not charging the Council for the water and electricity usage for the Public Toilet. (Proposed by Councillor Nutter and seconded by Councillor Cambridge).

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- Memorial Bench – The Walls – The Council received an update following on from the last Meeting. It noted the number of benches and the dedications and the concrete plinth without a bench. A discussion ensued. Following the vote, it was agreed that the relative of the deceased resident from Mistley Manor be permitted to purchase a plaque of a similar size and design to those already present and that this be affixed by the Parish Council's Warden to the bench which is for shared dedications/plaques. The concrete plinth should be left vacant for now. (Proposed by Councillor Nutter and seconded by Councillor Cambridge).
- Generic Councillor Emails – Councillor Cambridge advised that he had been in contact with Mistley Computers. Councillor Cambridge will contact the contractor again and thereafter be the Council's champion to support and assist other Councillors to set their respective emails up.
- Recycling Revenue – Furze Hill Glass Recycling – The Council received and considered the details from the District Council about this scheme. Councillors noted that recycling credits are payable for recycled glass, where this is worked out on tonnes recycled per quarter. The income generated to the Parish Council is likely to be around £50.00 per quarter. Following the vote, it was agreed to pursue this matter further with the District and County Councils. (Proposed by Councillor Nutter and seconded by Councillor Cambridge).
- Friends of Historic England – Annual Membership - £12 – The Council received and considered the details. Following the vote, it agreed to renew this membership. (Proposed by Councillor Nutter and seconded by Councillor Cambridge).
- Street Lighting Contract –e-on – Following the vote, the Council agreed to the 35 months contract in order to attract significantly lower annual utility payments. (Proposed by Councillor Nutter and seconded by Councillor Cambridge).
- Urgent Finance Matters – There were no matters.

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

- Policing – The Council noted that an update was awaited from PCSO Pat Smith via email when her shift patterns allow.
- Furze Hill War Huts – The Council received and considered the request from its Volunteer Tree Warden. This being to clear the trees and bushes to expose some of the brick wall and affix a plaque as a recorded historical recognition of the war huts for our residents, visitors and future residents and visitors to see. This was agreed following the vote.
- Shrubland Road Car Park – The Council received and considered the correspondence received about dangerous driving in this area. It was noted that the speed humps had been removed by the developers and that these should be reinstated prior to the developers leaving the site. Once the new dwellings are occupied the Council will look into reinstating a gate, such that the Village Hall Car Park is opened and closed daily.
- Other Correspondence –As follows:
 - Ash Trees – Between Phone Box - Top of Mistley Hill and The Anchor – The Council received and considered the correspondence received from MALGA (Mistley Allotment and Gardeners Association) regarding the request to fell because of dieback and being unsafe. The Clerk asked the LPA's Tree and Landscape Officer for his view about this request. The said Officer has visited the site and concluded that the trees do not need to be felled on safety grounds. Following the vote, it was agreed to follow the guidance of the Tree and Landscape Officer and leave the trees as they are.

18. **Dates of Next Meetings**

- Full Parish Council Meeting - Monday 22nd June 2020 at 7.30pm – Virtual/Remote Meeting via the Zoom platform.
- Planning Committee – Thursday 4th June 2020 at 7.30pm – Virtual/Remote Meeting via the Zoom platform.

There being no further business, the Meeting closed at 9.36pm.

Signed

Chairman

Date