



MISTLEY PARISH COUNCIL

Minutes of the Annual Parish Council Meeting held on 20th May 2019 in the Village Hall, Shrubland Road at 7.30pm

Councillors Present:

Councillor Burton
Councillor J Cambridge
Councillor Carter (*New Vice Chairman of the Council from Minute Number 2*).
Councillor Chaplin (*New Chairman of the Council from Minute Number 2*).
Councillor Howell
Councillor Kent
Councillor Norman
Councillor Peacock

In Attendance:

Mrs S Clements – Clerk
District Councillor Coley
6 Members of the Public

Councillor Carter in the absence of Mr M Rayner the previous Chairman of the Council and also in the absence of Mr A Birch the previous Vice Chairman of the Council chaired the Meeting for the first item of business only.

1. **Nomination of Chairman and Declaration of Acceptance of Office'** – It was proposed by Councillor Norman, seconded by Councillor Kent and agreed/resolved following the vote that Councillor Howell will be the Chairman of the Council to serve for the ensuing year. Councillor Howell signed the Declaration of Acceptance of Office for Chairman. (*The new Chairman of the Council – Councillor Howell chaired the Meeting from this point and for the remainder of the Meeting*).
2. **Nomination of Vice Chairman and Declaration of Acceptance of Office'** – It was proposed by Councillor Burton, seconded by Councillor Peacock 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 signed the Declaration of Acceptance of Office for Vice Chairman.
3. **Declaration of Acceptance of Office** – *At this point the Meeting was adjourned for a short period so that all other Councillors of the new Council could sign their Declaration of Acceptance of Office forms with the Proper Officer/Clerk of the Council.*
4. **Welcome and Apologies for Absence** – Apologies for absence were received from Mr A Birch, Mr R Rayner, District and County Councillor Guglielmi and Ms H Turner (co-opted Parish Councillor applicant).
5. **Declarations of Interest and Register of Interests** – There were no declarations of interest at this point in the Meeting. The Clerk and the Chairman reminded all Councillors to complete and submit their respective Register of Interests to the Clerk as required by the District Council's Monitoring Officer.
6. **Dispensations** – There were no written dispensations.
7. **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.
 - Planning Committee – To comprise all Councillors. (Proposed by Councillor Chaplin, seconded by Councillor Norman and agreed following the vote).
 - Finance Committee – To comprise Councillors Chaplin, Howell, Kent and Peacock. (Proposed by Councillor Howell, seconded by Councillor Kent and agreed following the vote).
 - HR/Personnel Committee – To comprise Councillors Chaplin, Howell, Kent, and Norman. (Proposed by Councillor Howell, seconded by Councillor Carter and agreed following the vote).

- Cemetery Committee – To comprise Councillors Burton and Kent with Mr Rayner who is currently ex-officio Chairman of this Committee. (Proposed by Councillor Howell, seconded by Councillor Chaplin and agreed following the vote).

8. Appointment of Representatives – The following was agreed following the vote to serve for the ensuing Council year;

- Trustees of the Rigby and Berry Charity - Councillor Cambridge will join the current Trustees who are currently Mr Birch and Mr Rayner.
- Tendring District Association of Local Councils – Councillor Chaplin.
- Essex Association of Local Councils (EALC) – This was deferred.
- Transport and Community Rail Partnership – Councillor Norman.
- Footpath Representative – Mr K Garwood.
- Tree Warden – Councillors noted that unfortunately Mr S Chamberlin has stepped down due to work commitments and that this role is vacant again. Mr R Horlock to be the new Tree Warden.
- Mistley Village Hall Management Committee – Councillors Burton, Carter, Norman and Peacock,
- Welcome Home Field Trustees – Councillors Carter, Howell, Kent and Norman.
- Tendring Older People's Forum – Councillors Burton, Carter, and Kent.
- Tri-Parish Emergency Planning Committee – Councillor Cambridge.
- Manningtree District Business Chamber – Councillor Burton. (*Councillor Norman already attends in a different role*).

9. Terms of Reference – Committees – These were received, considered and agreed for the ensuing year. (Cemetery Committee and Planning Committee).

10. Annual Review of Policies – These were received, considered and agreed for the ensuing year, including Publication Scheme, Lone Working Risk Assessment Policy, Document Retention Policy, Health and Safety Policy, GDPR (General Data Protection Regulation) Policy Statement, Equal Opportunities Policy Statement, Email Policy, Complaints Policy/Procedure, Press and Media, including Social Media Policy, Community Engagement Policy, and Staff Handbook, including HR (Human Resources) Policies.

11. Standing Orders and Financial Regulations 2019 2020– These were received, considered and agreed/adopted for the ensuing year, including the revisions/legal updates.

12. Code of Conduct – Following the vote, it was agreed to continue to adopt the Code of Conduct for the four-year period.

13. Public Voice – A Member of the Public asked who the Council's Responsible Financial Officer is. The Chairman responded by advising that this role is undertaken by Mrs Clements the Parish Clerk/Proper Officer of the Council. A Member of the Public raised concerns relating to the overgrown trees on Mistley High Street. Councillor Cambridge kindly agreed to assist with looking into this matter and to establish the ownership of the trees. Another Member of the Public considered that the Clerk should just print copies of the agenda for the public and not the minutes from the last Meeting. The Council asked that the Clerk in the future should just print agendas and one copy of the minutes in the event that a member of the public may wish to have a copy. Concerns were raised about the recent graffiti incidents around Mistley and Manningtree. The Clerk confirmed that arrangements are in hand for the District Council's relevant department to clean and remove this. Councillor Howell advised the Meeting that the next Mistley Litter Picking event will be on Saturday 29th June 2019 during the morning.

Arrangements are in hand for organising this community event, including collection of the litter picking equipment from the District Council, organising refreshments for the volunteer litter pickers' and liaison with the local primary School. Councillor Carter kindly agreed to liaise with the Primary School.

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

14. District and County Councillors Reports – The District Councillors report was received and noted. District Councillor Coley congratulated Councillor Howlett in relation to being the new Chairman of the Council. He then went through his joint report which had previously been circulated to Parish Councillors in

advance of the Meeting. District Councillor Coley made reference to the different areas and wards, where future reports will cover the 3 parishes, i.e. Lawford, Manningtree and Mistley, issues regarding the Manningtree Library and the imminent Expression of Interest, new model and business case and community asset, planning applications and appeals, attending LPA (Local Planning Authority) Planning Committees where some applications have been refused, some have gone to appeal, the District Councillors commitment to continue to support its 3 parishes with planning and development matters, Mistley Place Park which is ongoing, the 5 year housing land supply, Planning Inspector/Secretary of State decisions in relation to the 5 year housing land supply and an update on the Lawford Housing Enterprise Trust.

15. **Minutes of the last full Parish Council Meeting held on the 23rd April 2019** – These Minutes were received, considered and approved following the vote.
16. **Update/Matters Arising from Previous Minutes held on the 23rd April 2019** – There were no updates or matters arising.
17. **Councillors to Report on External Meetings attended** – Councillors noted that Councillor Carter and the Clerk with Mr A Lee the Temporary Charity Secretary attended a Welcome Home Trust Meeting on the 13th May 2019. The Trust Deed was agreed and will be brought to this Council and Manningtree Town Council for their respective June Council Meetings.
18. **Co-options** – The Council considered and agreed following the vote to co-opt by casual vacancies following the May 2019 uncontested Election.
19. **Co-opted Casual Vacancies** – Three resumes were received, considered and noted. Two of the applicants gave short verbal presentations at this point in the Meeting. The Clerk read the resume of the third applicant. It was agreed following the vote, to defer this item to the closed part of this Meeting.
20. **Clerk and RFO (Responsible Financial Officer) Matters**
 - Schedule of Accounts for Payment – The schedule was received, considered and agreed following the vote for payments in the sum of £5076.75. (Copy in Minute Book and available upon request).
 - Annual Internal Audit Report 2018-2019 – Annual Governance and Accountability Return – The Council received, considered and agreed following the vote, by Resolution acceptance of this Report and also the Internal Audit sign-off for year-end.
 - Annual Return for the Year Ended 31 March 2019 – Annual Governance and Accountability Return The Council received, considered and agreed following the vote, by Resolution acceptance of this and all accompanying reports and documents. Section 1 of the Annual Governance Statement 2018/19 and Section 2 Accounting Statements 2018/19 were jointly signed by Councillor Howell, Chairman of the Council on behalf of the Council and Mrs S Clements the Clerk/Proper Officer and Responsible Financial Officer of the Council.
 - New Allotments – Land off of Pound Corner – It was noted that the developer is progressing a planning application as required by the LPA (Local Planning Authority) under the Section 106 Developer Agreement and a request for Discharge of Conditions for the erection of the more enhanced 6 foot high fencing which will be more secure and provide better screening. The cost of this fencing will be paid for by the Developer as part of the Section 106.
 - Essex County Council (ECC) Community Initiatives Fund – The Council noted that a bid has not been made as the more enhanced allotment fencing will be funded by the developer as a part of the Section 106 developer agreement.
 - Furze Hill Fencing/Wire Netting – Main Car Park – The Clerk advised that she had sought several quotations for this. However, it has been established that this fencing is likely to be reinstated by the developers when they leave this site. Councillors advised that this is not the area of fencing where quotations are needed, but it is the area near to the Village Hall and car park. The Clerk will obtain further prices.
 - Bank Signatories – Following the vote it was agreed that Councillor Carter should remain as a signatory, with Councillors Burton and Howell.
 - Street Lighting Insurance Claim – The Council was pleased to note that the Council's insurer agreed on the 26th April 2019 to pay for the reconnection fees of £789.00. The protracted electricity reconnection should be taking place during the next two weeks.
 - Acorn Village – Councillors received and considered this grant request. Following the vote it was agreed that this organisation be asked to apply again in the autumn when the Parish Council considers and agrees its 2019-2020 Section 137 Grants, as Acorn Village has already received a grant for the period 2018-2019.

All of the above was proposed by Councillor Burton, seconded by Councillor Peacock and agreed following the vote.

21. **Correspondence** – Councillors noted the following:

- Networking Meeting – Chairman of Mistley and Lawford Parish Councils and Manningtree Town Council with District Councillors and County Councillor – Councillors noted the Meeting on the 22nd May 2019 at 10am at Lawford Parish Council's Meeting Room for the new Chairman of Mistley Parish Council. It was agreed following the vote that the Vice Chairman of the Council Councillor Chaplin will attend future Meetings on behalf of Councillor Howell the Chairman of the Council.
- Correspondence from Local Resident – Councillors received, noted and acknowledged the views of a local resident with regard to a budget allocation for a PCSO under the Precept during December 2013. The legal advice taken by the Parish Council via EALC (Essex Association of Local Councils) was also referred to. A discussion ensued. It was agreed that the Parish Council in hindsight could have publicised this outcome more fully to the electorate so that they were fully aware of the virement in the budget and that the new Parish Council has learned from this. The Council wished to reiterate that all projects and any expenditure are for the benefit of the Village and maintaining and improving on facilities and services. The Council has in place arrangements for effective financial management and the preparation of accounting statements, all of which are in the public domain and are available for inspection at reasonable times.
- Legal Advice – Websites: Accessibility Requirements – The Clerk advised Councillors that it will need to consider The Public Sector Bodies Accessibility (Websites and Mobile Applications) (No 2) Regulations 2018 ("Regulations") before September 2019. This is about local residents, particularly those with disabilities, gaining better access to public services. An assessment will need to be undertaken with the Council's website reviewed and the Parish Council must publish an accessibility statement. The Equality Act 2010 and the Disability Discrimination Act 1995 need to be considered.
- Essex County Council Member-led Footway Repair Programme 2019-2020 – Councillors considered this scheme as received via County Councillor Guglielmi. Following the vote, it was agreed to submit footways in the following areas: both sides of New Road and Stourview Avenue. Councillors felt that local residents may also have some suggestions for another further three sites in Mistley.
- University of Essex – Annual Meeting and Summer Reception – Friday 21st June 2019 – 2pm – Councillors received and noted this invitation. Following the vote, it was agreed that the Vice Chairman – Councillor Chaplin will attend with Councillor Cambridge.
- Essex County Council (ECC) – Salt Bag Partnership Scheme – 2019/20 – Councillors received and considered the details of this scheme. Following the vote it was agreed to establish a suitable store for the bags in the first instance. Councillor Cambridge kindly agreed to assist with this.

22. **Manningtree and Mistley Cemetery Committee** – The Council received, considered and agreed following the vote, the recommendations, including the increased scale of fees.

23. **Dates of Next Meetings**

- 7.30pm in the Village Hall. Planning Committee – 30th May 2019 and Full Annual Parish Council - 24th June 2019. (All Councillors have a copy of the schedule of meetings).

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 to exclude the Public since publicity would legally prejudice commercial sensitivity and confidentiality.

District Councillor Coley and the 5 remaining Members of the Public left the Meeting at this point.

25. **Confidential Minutes of the full Parish Council Meeting held on the 23rd April 2019** – The Council is asked to receive, consider and agree the Minutes. (Confidential Minutes attached – Parish Councillors only).

26. **Update/Matters Arising from the Confidential full Parish Council Minutes held on the 23rd April 2019**
– The Council is asked to receive and note any matters.
27. **Emergency Plan** – The Council is asked to consider and agree the latest draft for Lawford, Manningtree and Mistley (Copy attached).
28. **Co-opted Parish Councillors** – The Council is asked to consider the applications received under Minute Number 19. The Council agreed to defer this matter and consider the details in the closed session.

There being no further business the Chairman closed this part of the Meeting in order to facilitate the closed, confidential part of the Meeting.

SignedChairman

Date