



# MISTLEY PARISH COUNCIL

## Minutes of the full Parish Council Meeting held on Monday 17<sup>th</sup> February 2020 in the Village Hall, Shrubland Road at 7.30pm

### **Councillors Present:**

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

### **In Attendance:**

Mrs S Clements – Parish Clerk/Responsible Financial Officer  
District Councillor A Coley  
Three Members of the Public were present

- Welcome and Apologies for Absence** – The Chairman welcomed everybody to the Meeting. Apologies for absence were received from Parish Councillors Kent and Peacock. Parish Councillor Kent is on family/maternity leave and Councillor Peacock is unwell.
- Declarations of Interest** – The following interests were made:

<u>Name of Councillor</u>	<u>Details of Interest</u>	<u>Minute Number</u>
Councillor G Carter	Non-pecuniary interest	11 – Mistley Rugby Club
Councillor R Frost	Non-pecuniary interest	11 – Mistley Rugby Club

- Public Voice** – No Members of the Public wished to speak.
- District and County Councillors Reports** – The written District Councillors Report was received and noted. The Report contained details on Planning' application 19/01956/OUT – New Road, Mistley and the Planning Inquiry APP/P1560/19/3238064 - Land to the South of Harwich Road. The Report also contained details about the Consultation relating to Protecting Bird Life around the Coastline from house building, Approaches to Tackling Homelessness, the North Essex Garden Communities and the cash boost from Government, The District Council convicting the director of a theatre for fraud through the courts, Budget Spending Plans, Enforcement Action led by the Housing Team, the National Award Nominations and Freeport Status for Harwich.

District Councillor Coley reported on the new one bedroom first floor Flat in Forrester Road, Mistley via the Lawford Enterprise Trust which will be available from April 2020 at £400 per calendar month. He responded to questions relating to planning and development in Mistley.

The written County Councillor Report was received and noted.

The Report contained details on Budget proposals for action on Climate Change, Essex Energy Switch for gas and electricity bills, Essex 2020 – Science and Creativity, Applying for the EU Settlement Scheme, Apprenticeships across the County, and Children’s Mental Health Week.

5. **Minutes of the last full Parish Council Meeting held on the 20<sup>th</sup> January 2020** – The Minutes were received, considered and approved following the vote. (Proposed by Councillor Burton and seconded by Councillor Cambridge). (Copy in Minute Book).
  
6. **Update/Matters Arising from Previous Minutes held on the 20<sup>th</sup> January 2020** – The Council noted the following:
  - Minute Number 9 – Furze Woodland Management Phased Plan – The LPA’s Tree Officer has finished marking the trees for thinning and has assisted with a footpath sign to update the public. He has also noted the badger sett and bat roosts, the contract arrangements, the position regarding bramble growth, new light levels, good protection for seedlings, nesting birds, insects and flowers. Brash and deadwood for the woodland floor is recommended and clarification relating to health and safety. Work is scheduled to commence during July 2020. The Council will ensure that advance warning is given to the Public about the work, including signage.
  - Minute Number 12 b) Clerk and RFO – Grounds Maintenance Sealed Tenders – The Council agreed that Marvan’s (the second cheapest sealed tender) be awarded the Mistley Other Areas contract. This is because Mortimer Contracts Limited advised that they are only prepared to accept both contracts, i.e. for the Mistley Other Areas and the Cemetery and Closed Churchyard. However, the Council has advised Mortimer Contracts Limited that this would be illegal and contrary to the formal sealed tender process, which demonstrates fairness, openness and transparency.
  - Minute Number 12 g) – Clerk and RFO - A & J Lighting – The Council noted that the guard has been fixed to the Street Lighting lantern at California Road/Shrubland Road for £145.00.
  - Minute Number 13 c) – Correspondence Cemetery Committee – The Clerk confirmed that she met with the ex-officio Chairman/Member of the Public on the 31<sup>st</sup> January 2020.
  - Minute Number 13 d) – Correspondence -Bridleway – The Clerk advised that any modifications of the definitive map would cost the Parish Council around £3,000.00, where there is no budget allocated for this financial year or the next financial year. She explained that the process is an application to Essex County Council Highways, after consent has been sought from the landowner. A full public consultation process would then be undertaken including notices around the Village. The Highways Department would need to be satisfied with the application. If there are any objections within this process, then the Secretary of State’s Office would become involved.
  - Minute Number 13 j) – Other Correspondence – Village Hall – See Minute Number 16 below. Further details are required from the Mistley Village Hall Management Committee about the arrangements with the Parish Council.
  
7. **Co-option of Parish Councillors** – The Declarations of Acceptance of Office were jointly signed by the new Councillors and the Clerk/Proper Officer of the Council. The Council welcomed its two new Councillors – Councillors Stephen Coiley and Chris Smith.
  
8. **Councillors to Report on External Meetings Attended** – Brief verbal updates were received:
  - a) VE Celebrations Working Group Meeting – 4<sup>th</sup> February 2020 – Councillor Chaplin provided an update. Councillors noted that Bradfield and Lawford Parish Councils will now join in with the Celebrations. Rose Builders are to assist with the collection and return of the hired tables and chairs, St John’s Ambulance will be booked and any help will be gratefully received by the Working Group.
  - b) Site Meeting – Open Spaces Areas - Dog Signage – 4<sup>th</sup> February 2020 – The Council noted that the Working Party (Councillors Burton, Cambridge and Chaplin) had viewed the signage at Bradfield with Councillor Nutter. Councillors received and noted the various signs. Councillors Cambridge and Chaplin kindly agreed to look at the design detail and report back.
  - c) Meeting with ICT Contractor – There were no new updates.  
(It was agreed that photographs will be taken at the next Parish Council Meeting for uploading onto the Council’s Website).
  - d) Other Meetings Attended included:
    - Welcome Home Trust Meeting – 24<sup>th</sup> January 2020 – Councillor Howell reported on this Meeting. The Council noted that in order to support the Bowls Club to raise its profile in the community, the Parish Council will partake in a Quiz Evening on the 22<sup>nd</sup> February 2020 and a Bowls Match on the 16<sup>th</sup> May 2020.
    - Meeting with Town Mayor – Manningtree Town Council – The Chairman of the Parish Council – Councillor Howell reported that she had met with the Mayor - Town Councillor Stocks – primarily about the Cemetery Committee.

- Manningtree Business Region Chamber General Meeting – 3<sup>rd</sup> February 2020 – Councillor Nutter updated the Council on the Friday/Saturday Markets, the Foodie Friday Market, the Vintage and Collectable Market, the Easter Trail, the VE Day Parade, the arrangements to take down the Christmas Lights and he advised that the Website and also the Accounts are both being progressed.
- Rigby and Berry Trust Meeting – 17<sup>th</sup> February 2020 – Councillor Cambridge advised that Trustees had agreed two grants to two local families in the Village.
- Pride of Tendring Awards Evening – Friday 28<sup>th</sup> February 2020 – The Council noted that the Chairman and Vice Chairman of the Parish Council will attend.

**9. 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 Frost seconded by Councillor Cambridge and agreed following the vote, that the accounts in the sum of £3,177.11 be paid. (Copy in Minute Book).
- b) Legal and Governance – Tendring District Council - Section 106 Developer Agreement – Land South of Harwich Road – Open Space and Allotment Land – The Clerk advised the Council that the Developer has registered the Parish Council as owner of the land with the Land Registry. The Clerk has been in a protracted series of correspondence with the Local Planning Authority (LPA) about the Section 106 Developer Agreement requesting that the Developer be asked as part of the original planning conditions to ensure that the Open Space and Allotment Land is in a fit for purpose state before formal handover. Councillors are aware that the Section 106 is based on a section of (The 1990 Town and Country Planning Act) made between the LPA and the Developer and as attached to the planning permission, its conditions and its planning obligations. The District Council advised that the land has been in the Parish Council's ownership since November 2018 where the previous Parish Council and Chairmanship must have made a decision to accept the Open Space and Allotment Land in accordance with the Section 106 Agreement dated the 21<sup>st</sup> August 2017. The Pumping Station should not have been transferred to the Parish Council therefore the documentation that the Parish Council has received is to transfer the additional piece of land back to the Developer. The Clerk will investigate this matter more fully and report back to the Council.
- c) Litter Picker – Following the vote, it was agreed to the purchase of a litter picker for £20.99 for our Volunteer Footpath Warden to assist him with his sterling volunteer work around Mistley.
- d) Finance Matters – There were no other matters.

**10. Correspondence –**

- a) Policing Update – Councillors noted the update received from PCSO Pat Smith via email and the latest crime in Mistley since the last report. There was one reported crime - the theft of a bicycle from Free Rodwell House, School Lane. The crime reports for Lawford, Little Bentley, Manningtree and Tendring were also noted.
- b) Natural England – The Council received and noted the consultation details where it noted that this exercise ends on the 18<sup>th</sup> March 2020. The Coastal Access Reports are for improved access to the coast between Harwich and Shotley Gate. The Council also noted that there are details online and paper copies at various local Libraries.
- c) Other Correspondence – No additional items were received.

**11. Mistley Rugby Club –** The Clerk advised that there were no recent issues.

**12. Councillor Kent –** Councillor Howell provide an update regarding Councillor Kent's family/maternity leave, where the Council was pleased to hear that Councillor Kent has advised that she wishes to continue as a Parish Councillor. The Council noted that the family/maternity leave and the extended leave are now at an end. Councillors felt that Councillor Kent should be asked which Parish Council Meetings she can commit to. Councillor Howell agreed to contact Councillor Kent.

**13. Local Council Award Scheme (Foundation Level) –** The Council considered working towards this Award and level. The Clerk advised that the Council can already demonstrate all requirements for the Foundation level. The Clerk also advised that the registration fee for this Scheme will cost £50.00. She advised that the Council is near to meeting the second and third levels, namely Quality and Gold, subject to a 3 year Action Plan being in place (suggest a 3 year Business Plan), Councillor photographs and profiles being on the website and also if the Council has at least two thirds of Members who elected as opposed to co-opted. The Clerk suggested that the Council works towards the foregoing, i.e. a 3 year Business Plan, Councillor photographs and profiles, such that these requirements are then in place for all three levels of the Award Scheme and for the Quality and Gold to be applied for in two years time, provided there are at least two thirds of Councillors who are elected. Following the vote, it was agreed/resolved that the Clerk should pursue the application as the Council considered that it meets the Foundation Level, that this status will enhance the professionalism of the Council, that it will be seen to be more cohesive and to enable it to continue to improve its standards.

14. **Mistley Village Hall Management Committee** – The Council noted that information from the Committee regarding the relationship with Parish Council – for example – the Council as sole trustee to the Village Hall, its constitution, its accounts, its finances, and bookings system will follow shortly from Councillor Nutter who is now the Vice Chairman of the Committee.
15. **Document Retention Policy** – Councillors reviewed this policy. (Annual review due March 2020). It was noted that currently Register of Councillors Interests are retained for an indefinite period. Following the vote, it was agreed to follow the District Council’s policy on this and to amend the Retention Policy, such that the Register of Councillors Interests are only retained whilst Councillors remain in office.
16. **Litter Picking Community Event** – The Council noted that the next event is on Saturday 21<sup>st</sup> March 2020 from 10am – 11.30am. (Meet at Mistley Village Hall at 9.45am). All are welcome.
17. **Dates of Next Meetings** – The following were noted.
  - Full Parish Council Meeting – Monday 16th March 2020 at 7.30pm in the Village Hall.
  - Planning Committee – Thursday 5<sup>th</sup> March 2020 at 7.30pm in the Village Hall.

*There being no other business, the Chairman closed the Meeting at 9.02pm.*

Signed .....Chairman Date .....