



# MISTLEY PARISH COUNCIL

## Minutes of the full Parish Council Meeting held on 19<sup>th</sup> October 2020 at 7.30pm via the Zoom Platform

### **Councillors Present:**

Councillor B Burton  
Councillor J Cambridge  
Councillor G Carter  
Councillor J Chaplin (*Vice Chairman*)  
Councillor S Coiley  
Councillor R Frost  
Councillor C Howell (*Chairman of Council*)  
Councillor F Kent  
Councillor P Nutter (*Up to Minute Number 9b*)  
Councillor I Peacock (*Up to Minute Number 9b*)

### **In Attendance:**

Mrs S Clements – Clerk  
District Councillor Coley  
76 Members of the Public  
Two Representatives from the Press

1. **Welcome and Apologies for Absence** – An apology for absence was received from Councillor Smith (working). This was agreed by the Council. District and County Councillor Guglielmi and District Councillor V Guglielmi sent apologies for absence as they are attending Lawford Parish Council's Meeting.

<u>Name of Councillor</u>	<u>Details of Interest</u>	<u>Minute Number</u>
Councillor Kent	She is on the allotment waiting list	10 c)
Councillor Frost	She is involved with the Rugby Club who offer refreshments	10 f)

2. **Declarations of Interest and Register of Interests** – There were no declarations of interest at this point in the Meeting. However, the above interests were declared under the relevant agenda items.
3. **Public Voice** – On behalf of a hirer at Mistley Village Hall Management Committee, a Member of the Public addressed the Council about the said hire. Various other Members of the Public raised their concerns about the hire agreement/contract with the Management Committee. Two Members of the Public spoke on behalf of PACE (Practical Action, Climate and Environment). A paper was received to the Council on the 19<sup>th</sup> October 2020 from PACE prior to the Meeting.
4. **Mistley Village Hall Management Committee** – (Agenda item 10 e) Correspondence - It was proposed by Councillor Cambridge, seconded by Councillor Carter and agreed following the vote to bring this matter forward for the Council to discuss. The correspondence received from a Trustee of the Village Hall Management Committee who is also a Trustee of the Club who hire the Village Hall was received and considered.

Councillor Howell advised that the Village Hall Management Committee manages the Village Hall and not the Parish Council, that the Committee is a Charity and is registered with the Charity Commission, that the Committee has recently carried out an internal review, including its hire charges and that any loss made by

the Committee will ultimately be carried by Mistley tax payers. Following the vote, proposed by Councillor Chaplin and seconded by Councillor Cambridge, it was agreed that representatives of the Parish Council will meet with Mistley Village Hall Management Committee and a representative from the Club (the hirer), given that it is not appropriate to go into the detail about one hirer at this public Meeting due to GDPR and possible confidentiality relating to the hire agreement between one hirer and the Committee.

5. **District and County Councillors Reports** – The District Councillors written report was received and noted. The report contained details about planning applications, including the Anchor Public House and the Parish Council's application for an Asset of Community Value (ACV) on the Public House which was considered by the District Council's Cabinet Meeting on the 9th October 2020. The copy letter from District Councillor Coley regarding the Tendring Farms, Long Road/Clacton Road planning application was noted. Councillors also noted the groundworks for the construction of 48 apartments in High Street, Mistley and the County Council's temporary footpath, Halloween Celebrations and Plastic Waste, Tree Planting and the £43,000 grant from the Tree Council to the District Council for planting trees, and Shopping Safely for Christmas in Tendring.

District Councillor Coley advised that a private Meeting will be held on the 20<sup>th</sup> October 2020 with the elected County Councillor for Essex County Council and representatives from Mistley Village Hall Management Committee and Kid's Club.

The County Councillor written report was received and noted. The report included details about the County Council encouraging Local Businesses to share their COVID-19 experiences to help its future Business Support Strategy, £5,000 Grants for Householders to reduce Energy Bills and tackle Climate Change and the Government's Green Homes Grant, Residents encouraged to share their priorities for COVID-19 Recovery, Essex Trading Standards and the issuing of a warning about the Test and Trace scam.

6. **Minutes of the Parish Council Meeting held on the 21<sup>st</sup> September 2020** – These Minutes were received, considered, and approved following the vote. (Proposed by Councillor Burton and seconded by Councillor Coiley). (Copy in Minute Book).
7. **Update/Matters Arising from Previous Minutes held on the 21<sup>st</sup> September 2020** – There were no new updates or matters arising.
8. **Councillors Report on External and Working Party Meetings** – Verbal updates were received as follows:
- Litter Picking Event – Saturday, 17<sup>th</sup> October 2020 – 10am – Councillor Howell was delighted to report on this community event (socially distanced and COVID-19 compliant) and thanked all those involved and a huge and heartfelt thank you to DeAths Bakers for donating the delicious sausage rolls and doughnuts for the volunteers.
  - Welcome Home Tree Planting Event – Saturday 17<sup>th</sup> October – 12 noon – Councillor Howell reported on this event, which she attended with Councilor Chaplin (Vice Chairman), Councillor Nutter (Tree Warden) and the Mayor and Deputy Mayor of Manningtree Town Council. A Silver Birch Sapling as donated by HM The Queen was planted. The Council's Warden was thanked for the planting preparatory work together with Councillor Nutter. A letter of thanks will be sent to HM The Queen.
9. **Clerk and RFO (Responsible Financial Officer) and Finance Matters**
- a) Schedule of Accounts for (October 2020) – The schedule was received, considered, and agreed following the vote for payments in the sum of £7035.16 (Proposed by Councillor Howell and seconded by Councillor Burton). (Copy in Minute Book).

*Councillors Nutter and Peacock left the Meeting at this point.*

- b) Land South of Harwich Road – The Council noted that there are currently insufficient dwellings occupied. The £15,015 will be paid to the Parish Council when there is an 80% occupancy percentage of the total number of dwellings.
- c) Bank Reconciliation – September 2020 – This was received and agreed following the vote. (Proposed by Councillor Howell and seconded by Councillor Burton).

- d) 2<sup>nd</sup> Quarter Finance Report – This was received and agreed following the vote. (Proposed by Councillor Howell and seconded by Councillor Burton).
- e) COVID-19 Matters – There were no new updates other than Mistley now being in tier 2.
- f) Street Lighting – LED Lanterns Phased Programme – The Council received and considered the information again as obtained by Councillor Cambridge and considered at the last Meeting held on the 21<sup>st</sup> September 2020. Following the vote, it was agreed to include a budget bid for 2021/20 so that a ring-fenced budget is allocated under an ongoing programme of works. (Proposed by Councillor Howell and seconded by Councillor Burton).
- g) Bulb Planting – Village – The Council agreed to defer this item as information is not to hand. Planting would be during this month for spring. Following the vote, (proposed by Councillor Howell and seconded by Councillor Burton).
- h) Signage – The Council discussed areas where updated or new signage is required. Following the vote, the Council agreed to set up a working group comprising of Councillors Burton, Cambridge, Chaplin, and Coiley to look into appropriate dog signage at Furze Hill and the Welcome Home Field. Recommendations will be brought back to the next Meeting for consideration. (Proposed by Councillor Howell and seconded by Councillor Burton).
- i) Welcome Home Field Play Area (Parish Council is sole trustee) – The Council received and considered the quotations received. The specification of works was discussed. Following the vote, (proposed by Councillor Howell and seconded by Councillor Burton), it was agreed that Councillor Burton will obtain a quotation for a new see saw and then the Council can compare the cost of renewing this equipment as opposed to repairing it at the next Meeting.
- j) Willow Tree – Shrubland Road – The Council received and considered the request for tree work received from a local resident. The observations of the District Council’s Tree and Landscape Officer were also received and considered. The Officer advised that the tree is growing in boggy ground and appears to be leaning towards Shrubland Road, but that it was impossible to predict if the tree is likely to fall. The apparatus near to the tree owned by British Telecommunications (BT) was noted, where it was agreed (proposed by Councillor Howell and seconded by Councillor Burton) that if BT consider that its equipment is at risk, then the works can be carried out under an exception from the usual requirement to serve a Section 211 Notice on the local planning authority as contained in The Town and Country Planning (Trees) (England) Regulations 2012. This allows statutory undertakers like BT to maintain their apparatus in safe condition and without delay. BT can meet any costs not the Council.
- k) Volunteer Tree Warden – The Council noted that UK Power Network need to cut back some branches as a preventative measure to protect power lines. The Tree and Landscape Officer from Tendring District Council has agreed this work, subject to the Parish Council’s approval. UK Power Network would like to stack branches in habitat piles. This will be similar to the thinning work where branches are stacked. Following the vote, (proposed by Councillor Howell and seconded by Councillor Burton), this work and the stacking was agreed.
- l) Essex and Herts. Air Ambulance – Section 137 Grant – The Council received and considered this request. Following the vote, (proposed by Councillor Howell and seconded by Councillor Burton) it was agreed to offer a grant of £50. Future grant requests may be considered if there is a surplus towards the end of the financial Council year.
- m) Age Concern Colchester and North East Essex – Section 137 Grant – The Council received and considered the request and noted that Age Concern currently support 9 Mistley residents. Following the vote, (proposed by Councillor Howell and seconded by Councillor Burton), it was agreed to offer a grant of £50.
- n) The Walls – Vendors – The Council noted the current terms and conditions of the operating licenses, and the arrangement for each vendor trading at The Walls being allowed to have up to 2 tables and 4 chairs (8 chairs in total) at each pitch out on the greensward from 1st March - 31st October each year. For conformity, food vendors are asked to use tables and chairs in a dark colour and these should not be intrusive or invasive along The Walls. Some vendors are not complying and a letter has been sent to all vendors reminding them of the terms and conditions. Following the vote, it was agreed that a formal review will take place at the beginning of 2021 in readiness for March – October 2021. (Proposed by Councillor Howell and seconded by Councillor Burton).
- o) Second Half Precept Payment 2020/2021 – The Council noted receipt of £38,000.
- p) Parish Council Credit Card & Amazon Card – Following the vote, these cards were agreed, (proposed by Councillor Howell and seconded by Councillor Burton), as this will help financially with reclaiming VAT charged to the Council.
- q) Woodland Trust Trees – The Council considered the 105 native species, medium sized trees which will be delivered in November 2020. Following the vote, it was agreed that a working group comprising Councillors Burton, Coiley, Howell and Nutter. (Proposed by Councillor Howell and seconded by Councillor Burton).
- r) Local Council Award – Foundation Level – The Council received and considered the statements for the accreditation panel showing that the Council delivers value for money, that it meets its duties in relation to bio-diversity and crime and disorder, that it provides leadership for the future of the community, that it manages the performance of the Council as a corporate body and that it manages the performance of each individual staff member to achieve its community action/business plan. This was resolved/agreed following the vote. (Proposed by Councillor Howell and seconded by Councillor Burton).

- s) Asset of Community Value (ACV) – The Council noted from the local press the successful outcome of the application to make the Anchor Public House an asset of community value, following the District Council’s Cabinet Meeting on the 9<sup>th</sup> October 2020. However, the Parish Council has not as yet received any communication from the District Council.

*At this point the Council agreed that District Councillor Coley could speak. He confirmed that the District Council’s Cabinet has approved the AVC.*

Following the vote, it was agreed to set up a working party comprising of Councillors Cambridge, Coiley and Frost to consider the next steps and bring a recommendation back to the next Meeting. (Proposed by Councillor Howell and seconded by Councillor Burton).

- t) Second-hand Filing Cabinets – The Council considered and agreed following the vote, to accept the donation of these two filing cabinets for storage of the Council’s archive documents and files. This was proposed by Councillor Howell and seconded by Councillor Burton. The filing cabinets will be stored at Mistley Village Hall following kind permission of the Village Hall Management Committee. Councillor Howell will contact Great Waldingfield Village Hall Management Committee to convey the Parish Council’s thanks for donation of these cabinets.
- u) Urgent Finance Matters – Following the vote (proposed by Councillor Howell, seconded by Councillor Burton), it was agreed to make a Section 138b grant of £100 to the RBL (Royal British Legion) under the Poppy Appeal.

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

- a) Policing – The Council received and noted the last report.  
b) WW2 Huts – There were no new updates.

*Councillor Kent declared an interest in the next item, as she is on the allotment waiting list. She abstained from the discussions and subsequent vote.*

c) Allotments

- Working Group – The Council received and considered the written report. Verbal updates were received from the working group – Councillors Burton, Cambridge, Chaplin and Coiley. The site visit to allotments at nearby Capel St Mary was noted as a good example of local allotments. The site visit to all of the Council’s allotment land was noted, including the plot at the Railway allotments which has corrugated tin and old carpet in situ. These materials need to be removed as soon as practicable. Some sorts of carpet emit toxic chemicals. Other allotments are not being kept neat and tidy. The Clerk was asked to write to all allotment tenants.
  - Rules and Regulations – The draft details were received and considered. MALGA have been consulted. A discussion ensued. Following the vote, (proposed by Councillor Chaplin and seconded by Councillor Cambridge), it was agreed to accept the rules, subject to changing the relevant condition stipulating that plots for new tenants must be in a neat and tidy condition, where the time period will be within six months of taking on the tenancy. The Clerk was asked to send the final version of the rules and regulations to all existing and new tenants. The Council thereafter, will review its rules and regulations on an annual basis.
  - Railway Plots – Tenant moving from Mistley – Following the vote, (proposed by Councillor Burton and seconded by Councillor Coiley), it was noted that the tenant would like to continue with just half a plot. Having considered this particular case on its individual merit, where the tenant had an original, older tenancy agreement, prior to the new agreement being introduced, in this particular case, it was agreed to allow the tenancy to continue.
  - Railway Plots – Tenants who live in Lawford (before the ruling to live in Mistley) – Following the vote, (proposed by Councillor Burton and seconded by Councillor Coiley), it was agreed to ask the tenants if they wished to continue. One tenant will be then asked if he wishes to continue with half of the plot and will be advised that the plot needs to be attended to and tidied.
  - Phase 2 Brunswick – The Clerk advised that these allotments should be available to let by the middle of November 2020, following the hard work of the Chairman of MALGA (Mistley Allotment and Gardeners Association).
- d) The Milestone – The Council received and considered the correspondence from a resident asking for financial assistance towards this project, (with other partners), (in addition to the Parish Council eventually adopting the asset, insuring and maintaining it). Following the

vote, it was agreed to ask for further information about financial contributions from the County Council and any fund-raising initiatives, to ensure that the project is viable.

- e) Mistley Village Hall Management Committee – See Minute Number 4 above.

*Councillor Frost declared an interest in the next item, as she is involved with the Rugby Club who offer refreshments for fund raising. She abstained from the discussion and subsequent vote.*

- f) Crumb and Brew – The correspondence received from a Manningtree resident about the request to rent a space in the Village Hall's car park (owned by the Parish Council) for the operation of a commercial mobile coffee business was considered and discussed. Following the vote, (proposed by Councillor Coiley and seconded by Councillor Burton), it was agreed to permit this operation, subject to receipt of any necessary licenses and certification from the District Council as the licensing authority, receipt of appropriate public liability insurance for the Parish Council's approval, that all litter will be removed by the operator, a charge of £10 per session will be paid in advance of each session by bank transfer payment to the Parish Council and that the operation will be formerly reviewed in three months time.
- g) Other Correspondence – There were no further details.

11. **Remembrance Event** – Sunday 8<sup>th</sup> November 2020 – It was agreed that the Chairman of the Council – Councillor Howell with the Vice Chairman of the Council – Councillor Chaplin will attend the War Memorial at 11am on Sunday 8<sup>th</sup> November to lay a wreath on behalf of the Parish Council. (Socially distanced/COVID-19 compliant). The Warden will be cleaning and tidying the Memorial and the surrounding area during the next few weeks.

12. **Dates of Next Meetings**

- Full Parish Council Meeting – Monday 16th November 2020 at 7.30pm – Virtual/Remote Meeting via the Zoom platform – The Council noted this Meeting.
- Planning Committee – Thursday 5<sup>th</sup> November 2020 at 7.30pm – Virtual/Remote Meeting via the Zoom platform – The Council noted this Meeting.

13. **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 considered and agreed following the vote, to exclude the Public and the Press, since publicity would legally prejudice commercial sensitivity and confidentiality. (Proposed by Councillor Howell and seconded by Councillor Coiley).

*\*As the time was nearing 10pm, it was proposed by Councillor Frost and seconded by Councillor Coiley to temporarily suspend the relevant Standing Order, such that the Council can continue with its business beyond 10pm.*

*District Councillor Coley, the Public and the Press left the Meeting at this point.*

14. **Confidential Minutes – Parish Council Meeting 21<sup>st</sup> September 2020** – The Council received, considered, and agreed the Minutes following the vote. (Proposed by Councillor Coiley and seconded by Councillor Cambridge).

15. **Update/Matters Arising from Confidential Minutes – Parish Council Meeting 21<sup>st</sup> September 2020** – There were no new updates.

*\*There being no further business, the Meeting closed at 10.03pm*

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