



MISTLEY PARISH COUNCIL

Minutes of the full Parish Council Meeting held on 21st September 2020 at 7.30pm via the Zoom Platform

Councillors Present:

Councillor B Burton
Councillor J Cambridge
Councillor G Carter (*up to Minute Number 10j*)
Councillor J Chaplin (*Vice Chairman of the Council*)
Councillor S Coiley
Councillor R Frost (*up to Minute Number 10j*)
Councillor F Kent (*from end of Minute Number 7*)
Councillor P Nutter
Councillor C Smith (*from Minute Number 2 to end of Minute Number 10*)

In Attendance:

Mrs S Clements – Clerk
District Councillor Coley (*from end of Minute Number 3 to end of Minute number 10*)
Two Members of the Public (*to end of Minute Number 3*)

1. **Welcome and Apologies for Absence** – In the absence of the Chairman of the Council, the Vice Chairman – Councillor Chaplin chaired the Meeting. She welcomed everybody to the Meeting. Apologies for absence were received from Councillor Howell (holiday) and Councillor Peacock (technical issues after abortive attempts to join the Meeting). These apologies were agreed by the Council. District and County Councillor Guglielmi and District Councillor V Guglielmi sent apologies as they are attending the Lawford Parish Council Meeting.
2. **Declarations of Interest and Register of Interests** – There were no declarations of interest at this point in the Meeting.

Councillor Smith joined the Meeting at this point following technical difficulties.

3. **Public Voice** – A Member of the Public addressed the Meeting about Pesticides and the initiative to make Mistley a Pesticide Free Village. She spoke on behalf of PACE (Practical Action, Climate and Environment). It was noted that PACE have been in touch with Lawford Parish Council and Manningtree Town Council. The group are concerned about the use of pesticides in residential areas and would wish to see some form of alternative, for example, members of the public/volunteers manually weeding. Another Member of the Public spoke about Plastic reduction in the Village and single use plastic. The two Members of the Public responded to questions from Councillors.

District Councillor Coley joined the Meeting at this point, following his partial attendance at Lawford Parish Council's Meeting via Zoom.

4. **District and County Councillors Reports** – The District Councillors written report for August/September 2020 was received and noted. The report contained details about Acorn Village and £3,000 assistance from all three local District Councillors to assist, COVID-19 Support where the District Council continues to support the most vulnerable in the District with many Staff still being diverted from their normal tasks to provide vital support, the spike in COVID-19 in Clacton and Harwich at the beginning of August, Council Meetings which are being held remotely and national guidance about Meetings continues to be followed, and Planning and Development matters.

This includes 20/00662/FUL – The Anchor Public House and the change of use application and the proposal to convert this into two residential dwellings, 20/00648/FUL -Crown Building (Former Secret Bunker) and the request to vary conditions, 20/00782/OUT – Land South of Long Road and a further 76 dwellings on

this cross-boundary application and various Lawford planning applications. The District Councillors written report also included details about the Government White Paper consultation and changes to the planning system, the Local Government Reform and the imminent White Paper about Devolution and Recover and possible changes in services and support as a result of COVID-19 and Anti-Social Behaviour and Criminal Damage in the area, including the mindless vandalism at Manningtree High School.

The District Councillors written report for September/October 2020 was received and noted. The report included details about the Planning White Paper which focuses on Growth Areas, Renewal Areas and Protection Areas. The report also included details about Changes to Local Plans where Plans should set clear rules rather than general policies for development. It was noted that Section 106 Developer Agreements and CIL (Community Infrastructure Levy) will be abolished and replaced with a new nationally set Infrastructure Levy. The report made reference to the Local Government Reform White Paper which is likely to come out in autumn 2020 and also the report made reference to planning applications in Mistley and Lawford. The additional update relating to the latest information and changes regarding COVID-19 for September/October were received and noted.

District Councillor Coley advised that one of the Silver Birch Trees received from HM The Queen will be planted in the grounds of local Almshouses.

The County Councillor written report for August was received and noted. The report included details about the Local Government Reform paper and the future of Local Government, the Registration Services, the County Council being awarded the COVID-19 funding from the Youth Endowment Fund and the Potholes Repair programme.

The County Councillor written report for September was received and noted. The report included details about the Essex Lottery supporting good causes recovering from Lockdown, Secondary School Admissions and September 2021 places, the A120 Upgrade by Highways England, The Essex Mental Health and Wellbeing Team and the highest number of referrals since it was established and the latest Government COVID-19 announcement and the new "rule of six".

5. **Minutes of the Parish Council Meeting held on the 20th July 2020** – These Minutes were received, considered, and approved following the vote. (Proposed by Councillor Nutter and seconded by Councillor Coiley). (Copy in Minute Book).
6. **Update/Matters Arising from Previous Minutes held on the 20th July 2020** – There were no new updates or matters arising.
7. **Councillors Report on External Meetings** – Verbal updates were received as follows:
 - **Footpaths & Highways – Mistley** - Councillor Burton reported on liaison with County Councillor Guglielmi regarding the uneven, dangerous footpath at Rigby Avenue/Harwich Road where trip hazards are evident. The Council raised other issues including blocking of visibility splays on the public highway at Pound Corner, Swan Court, Beckford Road, Harwich Road and High Street. It was suggested that a list of all footway and highway issues be sent to County Councillor Guglielmi and his Highway Liaison Officers who may be able to assist with solutions to remedy some of the problems.
 - **Policing Meeting** – Councillor Burton reported on issues raised at the recent Meeting. She advised that Essex Constabulary are dealing with any breaches of current COVID-19 restrictions, that the recent cyber-bullying has been dealt with and parking concerns at Beckford Road/Harwich Road and the junction are being looked into.
 - **Furze Hill Play Area Meeting** – Councillor Burton advised the Council that she had met with Playforce on site and that prices have been received for gym equipment and a basket ball court in

this area for inclusion on the Section 106 list – developers agreements with Tendring District Council which has been sent to the District Council.

Councillor Kent arrived to the Meeting at this point.

8. **Councillors Working Party Meetings** – There were no Meetings to report on.
9. **Clerk and RFO (Responsible Financial Officer) and Finance Matters**
- a) Schedule of Accounts for Payment (August and September 2020) – The schedule was received, considered, and agreed following the vote for payments in the sum of £14,415.38. (Proposed by Councillor Burton and seconded by Councillor Carter). (Copy in Minute Book).
 - b) Land South of Harwich Road – The Council noted that 9 of the 25 bungalows have been sold and are occupied and in addition to this the affordable bungalow will soon be passed by the District Council to the English Rural Housing Association. The £15,015 will be paid to the Parish Council when there is 80% occupancy of the total number of dwellings.
 - c) Bank Reconciliation – July 2020 and August 2020 – These were received and agreed following the vote. (Proposed by Councillor Nutter and seconded by Councillor Cambridge).
 - d) External Auditor Report 2019/2020 – AGAR (Annual Governance and Accountability Return) – The Council received and considered the External Auditor Certificate. The Certificate was agreed by the Council following the vote. (Proposed by Councillor Nutter and seconded by Councillor Cambridge).
 - e) COVID-19 Matters – The Council noted that its reopened play equipment with suitable signage displayed about COVID-19 safety guidelines is still compliant and in accordance with the latest government guidelines. The broken see-saw at the Welcome Home Trust (where the Parish Council is sole trustee) has broken off at the base. A contractor will be coming to inspect the see-saw to see if it can be repaired. Councillor Nutter has sealed the sharp edges with tape and moved the equipment away from the play area.
 - f) Street Lighting – LED Lanterns Phased Programme – The Council received an update from Councillor Cambridge and considered this matter further following the last Parish Council Meeting held on the 20th July 2020. It noted that the Clerk has pursued external funding from 7 different sources, but that all of these funding streams are currently only assisting with COVID-19 related funding. Following the vote, it was agreed to review the figures at the next Meeting. It was also agreed to include a budget bid for 2020/21 so that a ring-fenced budget is allocated under an ongoing programme of works. (Proposed by Councillor Nutter and seconded by Councillor Cambridge).
 - g) Chainsaw Training – The Council considered this further following on from the Parish Council Meeting held on the 22nd June 2020. They noted that training is around £550-£700 and that the Warden has agreed to attend any training. The Clerk has looked into grants with 5 different sources but that training grants are not eligible. Following the vote, (proposed by Councillor Nutter and seconded by Councillor Cambridge), it was agreed to defer the training until after COVID-19 and after further funds are within the training budget.
 - h) Local Council Award Scheme – Foundation level – The Council noted that the application papers will shortly be submitted. The Council received and agreed the Community Action Plan/Business Plan following the vote. (Proposed by Councillor Nutter and seconded by Councillor Cambridge). The Clerk was thanked for her work with this evolving document.
 - i) Suffolk Accident Rescue Service (SARs) – The Council received and considered the Section 137 Grant request. It noted that SARs assists/has assisted Mistley residents even though it is a Suffolk based charity. Following the vote, it was agreed to offer a grant of £50.00. (Proposed by Councillor Nutter and seconded by Councillor Burton).
 - j) The Swan Basin – Third party insurance claim damage. The Council noted receipt of the insurance payment of £895.00 for this work. The Clerk was asked to check the position regarding the flower baskets which were part of the original railings.
 - k) Furze Hill Wood – Work to Oak Tree – near to the WW2 Huts – The Council received and considered the 5 quotations received for this work to the Oak veteran which is around 300/400 years old. The prices varied from £595-£3,000 for the same specification. Following the vote, it was agreed to accept the lowest quotation from Dedham Vale Tree Surgery of £560 (reduced from the original £595 price). It was felt that following the site visit that this company was more professional and experienced. The LPA (Local Planning Authority) asked for 5 days notice to be given but because this work is for health and safety reasons a TCA (Tree Conservation Area) planning application would not be required. The Council thanked Councillor Nutter for leading with this work and also thanked the volunteers who assisted. The remaining quarter of the tree will remain and will provide a haven for insects, butterflies and wildlife etc. Councillor Nutter advised the Council that the thinning tree work in the Wood will commence in November 2020 and a notice about this imminent work will be included in the next edition of the local Intouch publication.

- l) Litter Picking Event – The Council noted the details. Saturday 17th October – From 10am – 11.30am. Meet at the Village Hall at 9.45pm. (Socially distanced COVID-19 and numbers compliant). Champions will lead 5 other volunteers. The grant of £500 was noted, which will be utilised to purchase the Parish Council's own litter picking equipment so that it does not need to borrow equipment from the District Council.
- m) Silver Birch Tree Planting – Welcome Home Field – Saturday 17th October – Approximately 12 noon. (Following the Litter Picking Event). The Council agreed these arrangements. Councillors Howell and Chaplin (Chairman and Vice Chairman) and Councillor Nutter *(Interim Tree Warden) (see Minute Number 10 f below), will meet at the Welcome Home Field at around 12 noon. Town Councillors Stocks and Taylor (the Mayor and Deputy Mayor from Manningtree Town Council), and District Councillor Coley will attend the tree planting ceremony. The Council's Warden will dig a suitable hole a few days prior to the event. Photographs will be taken and shared with the local press and media and a letter of thanks will be sent after the event to HM The Queen.
- n) Village Hall Management Committee –
 - Following the vote, the Council agreed to the cost of repairing the collapsed floor, (9 inches square area) which amounts to 3 hours of the Warden's time and cement mortar in the sum of £10.74. (Proposed by Councillor Cambridge and seconded by Councillor Coiley). The Warden was thanked for this work.
 - Following the vote, it was agreed that Councillor Chaplin will be the Parish Council representative with Councillor Peacock. (Proposed by Councillor Carter and seconded by Councillor Frost).
- o) Insurance – Following the vote, the Council agreed to the 3-year contract so that the premium is fixed for future payments during this period. (£3,325.19 p.a. including the Welcome Home Field where the Trust reimburses the Council). (Proposed by Councillor Smith and seconded by Councillor Kent).
- p) Essex Playing Fields Association – Following the vote, this annual subscription of £30 p.a. was agreed, where it was noted that membership could tap into small grants sources. (Proposed by Councillor Cambridge and seconded by Councillor Burton).
- q) Dog Waste Bin – Green Lane (end of Park) – The Council considered the request received. It noted that the bin will cost around £90 and that the District Council would need to include emptying of this bin within its schedule of emptying, where the service cost would be around £20/£30 per annum extra. It was however, noted that the District Council's contractors drive past this area as part of their existing schedule of emptying. Following the vote, it was agreed to purchase the bin. (Proposed by Councillor Frost and seconded by Councillor Carter). The Council's Warden will be asked to install the bin.
- r) Urgent Finance Matters – There were no matters.

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

- a) Policing – The Council noted that no updates have been received as yet. The littering incident where a youth left his name and mobile phone number within his takeaway rubbish which he was seen dropping was noted.
- b) WW2 Huts – The Council noted that the small volunteer group will be meeting with Historic England on site on the 29th September 2020 and that work is progressing well.
- c) Trout Pit – The Council received and considered the details about this project and also the 1875 map and a synopsis of the history of this pit in relation to Lord Rigby. The Council also noted that Historic England will be visiting this site on the 29th September 2020. The Council is aware that this land is privately owned by a local Farmer. The Council cannot publicise any private project.
- d) Food/Drink Vendors – The Walls – The Council received and considered the correspondence received a local resident. The Council also raised its own concerns. A discussion ensued. Following the vote, it was agreed that the Clerk will send letters again to the vendors reiterating the position regarding the tables and chairs as part of the licensing agreement. Any continued breaches will result in the Council advising the District Council's licensing department that the said licenses should not be renewed. This was proposed by Councillor Burton and seconded by Councillor Smith.
- e) The Milestone – The Council considered and discussed the best site for this monument. The back of the Swan Basin/Fountain inside the railings was suggested. A discussion ensued. Following the vote, this site was agreed. (Proposed by Councillor Burton and seconded by Councillor Smith).
- f) *Volunteer Tree Warden – The Council noted that this role is vacant following the resignation of Mr Horlock. Mr Horlock was thanked for his sterling work. The Council asked Councillor Nutter if he would be prepared to fulfil this role. Councillor Nutter agreed. Following the vote, (proposed by Councillor Carter and seconded by Councillor Kent), the Council formerly agreed that Councillor Nutter will be appointed as the Volunteer Tree Warden for the ensuing year.
- g) Manningtree and District Frankenberg Association – 50th Anniversary Visit – 7th – 10th October 2021 – The Council received and noted the dates and the plans to hold a civic ceremony over the weekend of the 7th-10th October 2020. The Council considered its own involvement in this event. Following the vote, it was agreed to send representatives from the Parish Council and to ask the Association what it is planning in more detail.

- h) Allotments – (Mistley Residents only)
- Site Meeting – The Council received a verbal update following on from the Meeting at the Railway Plots between Councillors Chaplin, Howell and Nutter. Some sites were well maintained but some were not and it is disappointing to see that old carpets are being used to assist with weed growth, some plots are laid to lawn for entertainment spaces and one even has a swing ball. Allotments should be used primarily for growing produce like vegetables, fruits and flowers. The Council agreed that some draft rules and regulations should be compiled for consideration at the next Meeting.
 - Railway Plots – The Council considered a tenancy where the tenant has now moved to Manningtree (full plot). A very full and detailed discussion ensued. Following the vote, it was agreed to carry out a full audit and review of the allotments and report back to the next Meeting with a proposal from the working group comprising of Councillors Burton, Cambridge, Chaplin, Coiley, Kent and Nutter. The Chairman of MALGA (Mistley Allotment and Gardeners Association) will be asked to join the site meeting with the working group.
 - Railway Plots – The Council is aware that two longstanding tenants live in Lawford (one full and one half plot). This will form part of the audit and review.
 - Phase 2 – Brunswick, Shrubland Road/Harwich Road – The Council noted that advertising boarding on plots 1 and 2 will be removed by the developers so that these two plots can be brought up to a fit for purpose allotment condition.
- i) Essex Honours Awards – The Council received and noted the details. It was agreed following the vote, to nominate Alex Smith from Swan Watch for her amazing work with Mistley Swans over about 25 years. This was proposed by Councillor Chaplin and seconded by Councillor Frost.

At this point the Council agreed following the vote, to temporarily suspend its relevant standing order such that it can continue with its business after 10pm.

- j) Pesticide Free Village – The Council received and considered the request. It was noted that the Council's own contractors use some limited pesticides to control weed growth. Manual weeding would not be cost effective. The details from the District Council about Glyphosate Herbicide were received and noted. Councillor Nutter had researched this matter prior to the Meeting and had also liaised with the Council's grounds maintenance contractors as well as checking the science around pesticides. Following the vote, the Council agreed that it was not practicable or cost effective to declare the Village Pesticide Free at the current time. However, the Council would welcome a suitable and viable alternative once it is available, where it is aware that alternatives are being developed currently. (Proposed by Councillor Nutter and seconded by Councillor Coiley).

Councillor Carter left the Meeting at this point.

Councillor Frost left the Meeting at this point.

- k) Plastic Reduction – In Village – The Council noted that single use packages are desirable but that this has been affected by the restrictions of COVID-19. As a retired Retail Manager, Councillor Nutter spoke about this matter where retailers know that plastic reduction makes sense, but that what customers require, and shelf life are other factors to consider. Following the vote, it was agreed to support the initiative in principle as far as the Council can. However, the Council will be guided by what it can practicably do with some realistic options to encourage this initiative. (Proposed by Councillor Nutter and seconded by Councillor Coiley).
- l) Footpath Warden Report – The Council received and noted the report. The Council thanked the Warden for his hard work.
- m) Other Correspondence – The Council noted and considered the following:
- Metal Detecting Request – WW2 Huts, Furze Hill Wood – The request was noted. The Clerk asked the correspondent for more details which were not forthcoming. The Council agreed that any requests should be refused for a number of reasons, but in particular because of the dangers of possible ammunition given that this is a WW2 site.
 - Essex Highways - Bench – Pound Corner, Harwich Road – The Council received and considered the request asking for its bench in this area to be moved slightly as it appears to be on the line of a proposed new footway. Following the vote, it

was agreed to give consent. (Proposed by Councillor Cambridge and seconded by Councillor Kent).

District Councillor Coley left the Meeting at this point.

Councillor Smith left the Meeting at this point.

11. **Dates of Next Meetings**

- Full Parish Council Meeting – Monday 19th October 2020 at 7.30pm – Virtual/Remote Meeting via the Zoom platform – The Council noted this Meeting.
- Planning Committee – Thursday 1st October 2020 at 7.30pm – Virtual/Remote Meeting via the Zoom platform – The Council noted this Meeting.
- Schedule of Meetings – 2021 – The Council received, considered, and agreed the schedule following the vote. (Proposed by Councillor Cambridge and seconded by Councillor Coiley).

12. **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 if present), since publicity would legally prejudice commercial sensitivity and confidentiality. (Proposed by Councillor Cambridge and seconded by Councillor Kent).

13. **Local Government Pay Deal Agreement** – The Council is asked to agree the NJC (National Joint Council) pay award in the normal way for its two Staff members (backdated to April 2020).

There being no further business, the Meeting closed to facilitate the confidential part of the Meeting.

Signed Chairman

Date