



# MISTLEY PARISH COUNCIL

## Minutes of the full Parish Council Meeting held on 21<sup>st</sup> December 2020 at 7.30pm via the Zoom Platform

### **Councillors Present:**

Councillor J Cambridge  
Councillor G Carter (*Up to the end of Minute Number 8 b*)  
Councillor J Chaplin (*Vice Chairman*)  
Councillor R Frost (*Up to end of Minute Number 8. o*)  
Councillor C Howell (*Chairman of Council*)  
Councillor P Nutter (*from Minute Number 7 b*)  
Councillor I Peacock

### **In Attendance:**

Mrs S Clements – Clerk  
District Councillor Coley (*from Minute Number 7.c*)  
One Member of the Public – Mr M Lawry – Co-option Parish Councillor applicant

- 1. Welcome and Apologies for Absence** – Apologies for absence were received and accepted from Councillor Coiley (community Christmas work) and Councillor Kent (family). District and County Councillor C Guglielmi and District Councillor V Guglielmi sent apologies for absence as they are attending Lawford Parish Council's Meeting.
- 2. Declarations of Interest and Register of Interests** – Councillor Chaplin declared a non-pecuniary interest under Clerk and RFO under Minute Number below 8. j) as she is a member of Swan Watch. Also, non-pecuniary interests were made under Clerk and RFO Minute Number 8. n) for Councillors Frost and Howell. Councillor Frost knows one of the contractors who has quoted, and Councillor Howell is related to one of the contractors.
- 3. Public Voice** – There was one Member of the Public present, but he did not wish to speak at this point. Councillor Howell reported on positive feedback from a Member of the Public about the new dog bin at Green Lane, although this is currently full to overflowing and needs to be emptied by the District Council. The Clerk will follow this up again.
- 4. District and County Councillors Reports** – The District Councillors' written report was received and noted. The report contained details relating to COVID-19 and the most recent Lockdown (now finished) and the rules for Tier 2, COVID-19 figures, Town Centre Ambassadors to keep the Tendring District safe as High Streets re-open, which have been funded by a government grant, the current Vaccine site which is Colchester Hospital, where it is anticipated that further sites will open up in the coming weeks. Changes to the Christmas and New Year Waste collection services, Planning and the Anchor Public House change of use application, Land East of New Road and the variation of condition 13 and Land East of Long Road – The Heath Centre, car park and new access – all of which are awaiting the relevant agenda for the Planning Committee of the District Council, the High Street, Mistley and the groundworks for construction of 48 apartments which is ongoing and the footway still remains closed, various planning applications relating to Lawford and Manningtree and Brunswick Gardens, Mistley and the newly built 3 bedroom bungalow where the District Council will take possession of this as part of the Section 106 Developer Agreement for affordable housing.

The County Councillor written report was received and noted. The report included details about the Emergency Food Bank, the Christmas Support funding application, the vaccine for COVID-19 where local arrangements are awaited, COVID-19 and Tier 2 restriction details, the latest COVID-19 figures, the Essex Energy Switch initiative, the Essex Climate Action Commission, Community Energy Waste, the Love Essex competition, Active Travel and Safer, Greener and Healthier Travel, the Essex is Green Group, The Commission in the Media, Commissioner activity, and that the County Council are to secure £100m from the Government's Housing Infrastructure Fund.

5. **Minutes of the Parish Council Meeting held on the 16<sup>th</sup> November 2020** – These Minutes were received, considered, and approved following the vote. (Proposed by Councillor Cambridge and seconded by Councillor Carter). (Copy in Minute Book).
6. **Update/Matters Arising from Previous Minutes held on the 16<sup>th</sup> November 2020** – There were no new updates or matters arising.

7. **Councillors Report on External and Working Party Meetings** – Verbal updates were received as follows:
- a) Allotment Working Group – Hopkins Homes (Section 106 Developer Agreement with Tendring District Council) & Other Allotments – (Councillors Cambridge, Chaplin and Coiley) – Councillor Cambridge reported on his site visit with Councillor Coiley to view the proposed allotment land via Hopkins Homes. Councillors noted that the land in question is very big and more like the size of a football pitch as opposed to the size for allotment land and that it is likely to be around 18 months before the asset could be transferred to the Parish Council.
- b) Asset of Community Value Working Group – (Councillors Cambridge, Coiley and Frost) – Councillor Cambridge reported on a draft release that he has drafted with the Clerk which was received, considered, and agreed by the Council. Councillor Cambridge reported that a Member of the Public is interested in assisting with this project. It was agreed that in addition to this release, that a briefer set of words is desirable for displaying around the Village. The timeframes were noted.

*Councillor Nutter joined the Meeting at this point.*

- c) Signage Working Group – (Councillors Cambridge, Chaplin and Coiley) - The Council received and considered the suggested wording for signage at Furze Hill and the quotation where each sign would be £65. A full and detailed discussion ensued. Following the vote, (proposed by Councillor Howell and seconded by Councillor Carter), it was agreed to purchase signage for each entry point, where erection at the car park points should be just above the fence and at eye line so that vehicles do not obstruct the signage, that the words “after yourself” be removed and the Council’s Warden will be asked to erect the signage. It was also agreed to discuss signage at the next Meeting regarding the car park barrier.

*District Councillor Coley joined the Meeting at this point.*

- d) Woodland Trust Trees Working Group – (Councillors Coiley, Howell and Nutter) - The Council noted that the Working Group met on the 21<sup>st</sup> November 2020 and identified suitable sites for the 105 saplings – this being primarily along the new bungalows’ boundary at Harwich Road, that these should be planted in a staggered fashion, i.e. not in a straight line, and that a small group will be organised for the planting. The Council agreed to this. District Councillor Coley kindly agreed to look into sourcing other trees for planting.
- e) McCarthy and Stone Meeting (Mistley Place Park) – Councillor Howell reported on the recent Meeting where the developers have changed the layout following the public consultation held at the beginning of this year. A frank exchange of views took place at the said Meeting and the Council raised various issues. The recent sale of McCarthy and Stone to a private equity group was noted. The Council has concerns about how the developer can fully engage with Mistley residents via a remote virtual session. When a planning application is received, the Parish Council will organise an Extraordinary Public Meeting, but sadly in the current COVID-19 climate this will need to also be a virtual Meeting.

8. **Clerk and RFO (Responsible Financial Officer) and Finance Matters**

- a) Schedule of Accounts for (November 2020) – The schedule was received, considered, and agreed following the vote for payments in the sum of £6714.31. (Proposed by Councillor Frost and seconded by Councillor Cambridge). (Copy in Minute Book).
- b) Land South of Harwich Road –
- Playing Field - The Council received an update following the recent Meeting with Go Develop/Ultimate Holdings, Futureway Homes (the latter who are no longer operational), Councillors Cambridge and Howell with the Clerk regarding arrangements to make the playing fields area “fit for purpose” for transferring the asset to the Parish Council. The Council noted that legally the pumping station has incorrectly been transferred to the Council and this is apparently holding up the sale of one of the bungalows. The Clerk was asked to ensure that the pumping station apparatus has been adopted by Anglian Water, and to ask Go Develop/Ultimate Holdings to agree to pay the Parish Council’s capped legal costs and subject to this, to arrange for signing the legal transfer document, such that the pumping station does not belong to the Council in relation to the transfer for the allotment land only. Following the vote, (proposed by Councillor Cambridge and seconded by Councillor Nutter), this was agreed.

*Councillor Carter left the Meeting at this point, (technical issues).*

- Street Light - Following the vote, (proposed by Councillor Howell and seconded by Councillor Cambridge), it was agreed to accept Essex County Council Highways (new developments) offer for an LED luminaire for the street lighting column on this site.
- c) Allotments –
- Phase 1 & Phase 2 Brunswick Sites & Railway Site – The Council noted that Phase 1 is full, that Phase 2 is full following new tenancies which commenced on the 4<sup>th</sup> December 2020, that the Railway site is full. The waiting list currently consists of the following Mistley Residents: - One resident who would prefer to wait until she feels more comfortable with COVID-19, and two residents who are waiting for a plot at the Railway Site only, with one of these residents taking up a plot at the beginning of February 2021.
  - Phase 2 Brunswick Site – The Council received and considered the details for the request for the erection of a shed by the Tenant from Plot Number 25 (half plot). The Council noted that the shed cannot be any more than 6ft by 4ft. MALGA (Mistley Allotment and Gardeners Association) consider that the shed should be on the southern boundary to avoid overshadowing any other plot. Following the vote, this was agreed, (proposed by Councillor Nutter and seconded by Councillor Cambridge), subject to the shed complying with the Tenancy Agreement and the Council's Allotments Rules and Regulations, i.e. being no more than 6ft by 4ft and being on the southern side of the plot.
  - Phase 2 Brunswick Site - Plot Number 16 – The Council received and considered the request for planting fruit trees (half plot). The Council noted that up to five apple trees are proposed all based on M26 dwarf root stock and once mature will reach a maximum height of about 9ft and a spread of 6ft and planting would be on the eastern and southern sides of the plot near to fencing. MALGA has raised no objections to this request. Following the vote, (proposed by Councillor Nutter and seconded by Councillor Cambridge), this was agreed subject to the trees complying with the Tenancy Agreement and the Council's Allotments Rules and Regulations.
- d) Bank Reconciliation – November 2020 – This was received and agreed following the vote. (Proposed by Councillor Frost and seconded by Councillor Peacock).
- e) Recycling Bottle Banks – Shrubland Road – The Council noted that the current three recycling bottle banks on the site in the Village Hall car park are filling up and need emptying each fortnight. The Council noted that the District Council would be prepared to site a further three recycling bottle banks free of charge and that recycling credits based on around 3 tonnes per quarter would achieve £50 per quarter for the Council. However, following the vote, the Council agreed that an additional three banks would be undesirable and asked the Clerk to establish if the District Council could change the current banks for slightly bigger ones which are easier to access and empty by the contractor. The Clerk was asked to look into this and report back.
- f) COVID-19 Matters – The Council is aware of all the implications of Tier 2. Councillor Nutter advised that signage will be erected to ensure that users of the Village Hall are not in higher tiers than Tier 2.
- g) **BUDGET 2021 2022 AND PRECEPT** – The Council received, considered, and **RESOLVED** the Precept and Budget for the 1<sup>st</sup> April 2021 – 31<sup>st</sup> March 2022 in the sum of £95,000 and agreed the recommendations of the Finance Committee Meeting held on the 18<sup>th</sup> November 2020. (Proposed by Councillor Cambridge and seconded by Councillor Frost).
- h) Finance Committee – 18<sup>th</sup> November 2020 – The Council received and considered the Minutes and following the vote, agreed all recommendations, (proposed by Councillor Nutter and seconded by Councillor Chaplin). The recommendations included disbanding the Cemetery Committee/Sub-Committee and the annual increases of the Council's Land Permissions leases/tenancies for allotments only. Councillor Nutter will liaise with the Mayor of Manningtree Town Council – Town Councillor Stocks regarding disbanding the Cemetery Committee.
- i) Swan Watch - Feeding Swans in Mistley – Section 137 Grant – Following the vote, (proposed by Councillor Frost and seconded by Councillor Cambridge), it was agreed to offer a grant of £500 (this is within the budget). It was also agreed that if Swan Watch require more assistance to feed the Swans, then another application can be made to the Council.
- j) Tending District Council Christmas and New Year Closing Period – The Council noted closure from the 24<sup>th</sup> December 2020 at 4pm to the 4<sup>th</sup> January 2021.
- k) EALC (Essex Association of Local Councils) – The Council noted closure from the 24<sup>th</sup> December 2020 to the 4<sup>th</sup> January 2021.
- l) Street Lighting 3<sup>rd</sup> Party Insurance Claim – The Clerk advised that a claim has been made with the third party's insurer following a road traffic accident. A quotation has been obtained and the Council's own insurer has agreed to this and the work. If the 3<sup>rd</sup> party's insurer has not settled the matter by the end of January 2021, then the Council's own insurer will intervene.
- m) Updated Policies and Procedures – The Council received, considered, and agreed the changes following the vote, (proposed by Councillor Cambridge and seconded by Councillor Frost), the Email, Text and WhatsApp Policy, GDPR Policy, General Privacy Notice, Media Policy and Subject Access Request Policy which relate primarily to the inclusion of WhatsApp.
- n) See-Saw – Welcome Home (Parish Council is sole Trustee) – The Council received and considered the quotation for a new see-saw in comparison to prices for the repair of the old equipment. Following the vote, it was agreed that the Clerk will now obtain quotations for a picnic table/seating as some residents considered that this would be preferable to a see-saw.

*Councillor Frost left the Meeting at this point, (family).*

- o) The Rigby and Berry Trust – The Council noted that Ms B Burton has resigned from this Charity. Following the vote, proposed by Councillor Chaplin and seconded by Councillor Peacock, it was agreed that Councillor Howell will join Councillor Cambridge as a Trustee.
- p) Urgent Finance Matters – There were no matters.

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

- a) Policing – The Council noted that PCSO Smith has been unable to access the relevant IT systems. She will provide an update when she is able to get into the system.
- b) Beverley Burton – The Council noted this resignation and that the Chairman of the Council – Councillor Howell has corresponded with Ms Burton who has been thanked for her service to the Council during her term of office.
- c) Co-option of Parish Councillor – The Council noted that a bye-election has not been called. It received and considered the resume from Mark Lawry. Following the vote, (proposed by Councillor Nutter and seconded by Councillor Peacock), it was resolved that Mark Lawry be co-opted as a Parish Councillor. The Clerk will correspond outside of the Meeting with all necessary papers.
- d) WW2 Huts – The Council received and considered the latest correspondence and the request to erect an information board – similar to the one on the trim trail board with a plan and brief outline of the history of the WW2 Huts, where the project organisers hope to have a designated WW2 Huts website. The Council noted that the Historic England survey is awaited. Following the vote, (proposed by Councillor Howell and seconded by Councillor Cambridge), the request was agreed in principle. The Council asked for a thumbnail sketch in due course for consideration of the wording and content, together with the precise location.
- e) WW2 Huts Metal Detector - The Council received and considered the latest correspondence. Following the vote, (proposed by Councillor Chaplin and seconded by Councillor Peacock), the Council declined the request.
- f) The Milestone – (The Swan Basin/Fountain - The Council noted the financial contribution of £1,000 from EDME towards the cost of this project. It also noted that one of the volunteers from the working group has drafted a listed building/monument planning application and the Clerk will check the content of this proposal. It was noted that the Milestone should not touch the wall at the back of the Swan Basin/Fountain within the planning application proposal.
- g) Census 2021 – The Council received and noted the correspondence received.
- h) Openreach Contractor (Morrisons) – Willow Tree – Shrubland Road – The Council received and considered the further correspondence relating to the tree. Following the vote, (proposed by Councillor Cambridge and seconded by Councillor Peacock), it was agreed that there is no new information relating to the Council's previous resolution and that the resident should be asked to liaise with Openreach again about any proposed tree work, which should be undertaken and paid for by Openreach in order to protect its telecommunications equipment and subject to further consents from the Parish Council and the Tree and Landscape Officer from the District Council. (Proposed by Councillor Cambridge and seconded by Councillor Peacock).

*At this point, the Council considered and agreed to temporarily suspend its relevant Standing Order, such that the Meeting may continue beyond 10pm to finish the Council's business.*

- i) Other Correspondence – There were no further details.

10. **Dates of Next Meetings**

- Parish Council Schedule of Meetings – 2021 – The Council noted that the schedule (already agreed), fits in with Lawford Parish Council and by District and County Councillor C Guglielmi and District Councillor V Guglielmi.
- Parish Council Meeting – Monday 25<sup>th</sup> January 2021 at 7.30pm – via the Zoom platform – The Council noted this Meeting.
- Planning Committee – Thursday 7<sup>th</sup> January 2021 at 7.30pm – via the Zoom platform – The Council noted this Meeting.

*There being no further business, the Meeting closed at 10.02 pm. The Chairman wished everyone good wishes during the festive period and for a safe and healthy new year.*

Signed .....

Chairman

Date .....

