



MISTLEY PARISH COUNCIL

Minutes of the full Parish Council Meeting held on 22nd July 2019 in the Village Hall, Shrubland Road at 7.30pm

Councillors Present:

Councillor C Howell (*Chairman of the Council*)
Councillors J Chaplin (*Vice Chairman of the Council*)
Councillor J Cambridge
Councillor Carter
Councillor R Frost
Councillor P Nutter
Councillor Peacock

In Attendance:

Mrs S Clements – Parish Clerk/Responsible Financial Officer
District Councillor A Coley
Mr K Garwood – Volunteer Footpath Warden
Mr R Horlock – Volunteer Tree Warden
6 Members of the Public were present.

1. **Welcome and Apologies for Absence** – The Chairman welcomed everybody to the Meeting. Apologies for absence were received from Parish Councillors Kent and Turner. These were agreed. Also, District and County Councillor Guglielmi.
2. **Declarations of Interest** – Under 9 c) Village Hall - Councillors Carter and Peacock declared non-pecuniary interests as they are on the Village Hall Management Committee.
3. **Public Voice** – A local resident asked about the precept/budget for a PCSO (Police Community Support Officer) and the partnership funding scheme which proved abortive during 2014 following Essex Constabulary's Policing review and new model. He made reference to the precept not being reduced at that time and considered that the electorate should have been consulted and asked that the Parish Council now ask local residents for their views about this and request that they write to the Council. Two members of the public spoke about nesting Swifts, where they had also visited Lawford Parish Council and Manningtree Town Council. Councillors noted that Swifts migrate to Africa. The request for local people to get involved by putting up nest boxes was requested. Nest boxes cost around £16 each. The Parish Council agreed to support publicity about this initiative by putting posters onto its notice boards and uploading information onto its website. It was noted that a few local builders will join in supporting this, including retaining wildlife meadow areas so that these corridors can be used. A local resident from Lawford asked for an update about the Parish Council's website. A Mistley local resident asked for an update about Mistley Place Park, where he noted that this will be covered under an agenda item later on during this Meeting. Councillor Carter asked about the issues near the Bowls Club, New Road where cut vegetation had been left over the water meters. Mr Garwood and the Clerk advised that these issues have now been dealt with. Councillor Nutter made reference to the dangerous parking near to EDME and some near-misses generated by commuter parking. Councillor Howell made reference to the excellent work of Swan Watch and its upcoming charity quiz.

Two Members of the Public left the Meeting at this point.

4. **District and County Councillors Reports** – The written joint District Councillor report was received and noted. District Councillor Coley spoke about the draft joint Local Development Plan where there was a District Council Meeting last week which covered consideration of the conditions of part 1 of the Plan. Following the Inspector's concerns about sustainability an additional sustainability appraisal has been carried out. The details were agreed at the full District Council on the 16th July 2019. A statutory 6 weeks consultation process will follow and then this will go back to the Inspector. District Councillor Coley provided an update regarding the Land Supply figures and the latest position. He also spoke about the current Public Inquiry relating to Lawford and the imminent Public Inquiry (6th August 2019) for Mistley. District Councillor Coley responded to various questions and points of clarification.

5. **Policing Update** – Councillors received and noted the written report and update from PCSO Pat Smith, which the Chairman read for the benefit of all those present at the Meeting. The recent graffiti incidents were noted, incidents with youths and anti-social behaviour in local play/recreational areas – where the Police will patrol these areas in the coming weeks and about 30 moored boats being cut free at Mistley. Councillor Nutter reported that he had recently met PCSO Smith at the Coffee with Cops event on the 19th June 2019.

6. **Minutes of the last full Parish Council Meeting held on the 24th June 2019** – These were received, considered and approved following the vote. (Copy in Minute Book).

7. **Update/Matters Arising from Previous Minutes held on the 24th June 2019** –
 - Minute Number 10 – BMX Bike Track – Councillors noted that there is no budget provision for this project and that the area in question is too near to gas and that nearby neighbours may be opposed to any proposal.

8. **Councillors to Report on External Meetings Attended** – Brief verbal updates were received as follows:
 - a) Sports Pitch/overspill Car Park Site Meeting – Councillors received an update from Councillors Cambridge and Chaplin following their recent site meetings regarding this area. They noted that the developer's idea is just for a 110m x 90m rectangle for the proposed pitch, whereas this is not what is expected of the developer within the Section 106 Agreement. The developer is legally obliged to ensure that all of the area given to the Parish is handed over at a standard which is fit for purpose to be used as a playing field. Councillors noted that there is no financial provision for an access road or BMX cycle use. There is an exclusion zone where it is not possible to dig. The Parish Council considered that the sports pitch in question should be dealt with in an open, fair and transparent manner and that all local voluntary clubs and organisations are given the opportunity to utilise this space. The future maintenance of the grounds was also briefly discussed.
 - b) Allotments, Shrubland Road – Councillors received an update from Councillors Cambridge and Chaplin following the Meeting with MALGA (Mistley Allotment and Gardeners Association) on the 8th July 2019. The noted that phase 1 of the allotment land was handed over in a very poor condition, where it was not fit for purpose. For phase 2 it is hoped that Tendring District Council will ensure that the developer adheres to the conditions set out in the Section 106 developer agreement. It was felt that the Parish Council should have a wider discussion with Tendring regarding the Section 106. Councillor Cambridge has been in contact with the developers architect regarding the manhole covers and soakaways which are below ground level, where the drainage is in place. Councillors noted that a planning application has been submitted by the developers architect to change the fencing to 1.8 meters high in order to offer more security and screening for the allotments. With regard to vehicular access off of Pound Corner as requested by MALGA, the Council noted that Essex Highways has already confirmed that this would not be possible due to its close proximity to the public highway, i.e. Harwich Road. Councillors Cambridge and Chaplin advised that an existing gate will be reinstated and that another gate has been requested.
 - c) Mistley Place Park – A positive Meeting was held on the 2nd July 2019 between the Parish Council, the developers McCarthy and Stone and Mr and Mrs Taylor's planning consultants, where a potential retirement residential scheme was discussed. It is proposed that this will be the western end adjoining the woods for around 54 dwellings designated for retired people. The developers are very aware of the sensitivity around this site. The developers are proposing utilising around 10% of the site, to include car parking. The owners propose retaining a fenced off area of the land and they propose gifting the rest of the land to Mistley for the benefit of local residents as a public open space. The woodland area would be tidied and the pond dredged. The developers propose holding an engagement/consultation session during September 2019. The Parish Council would thereafter hold an Extraordinary Parish Council Meeting so that it can be reflective and represent the majority of its electorate and their wishes and intentions regarding this site. The developers are currently in preliminary discussions with Tendring District Council which is the local planning authority for Mistley.
 - d) Other Meetings – No other Meetings were attended.

9. **Clerk and RFO (Responsible Financial Officer) Matters**
 - a) Schedule of Accounts for Payment – The schedule of accounts was received, considered and agreed in the sum of £3,888.10, including temporary transfers from the Council's bank accounts to facilitate these payments. (Copy in Minute Book).

- b) Bespoke Councillor Training – It was noted that this session be held on Monday 16th September 2019 from 6-8pm in the Village Hall and that one new Councillor from both Lawford Parish Council and Manningtree Town Council be invited to join Mistley Parish Council Councillors at this session.

A representative from MALGA arrived at this point in the Meeting.

- c) Mistley Village Hall – Councillors Carter and Peacock declared non-pecuniary interests as they are on the Village Hall Management Committee. (See Minute number 2 above). Councillors received and considered the quotations received for the rotten fire door. Following the vote, (proposed by Councillor Howell and seconded by Councillor Cambridge), it was agreed to accept the quotation received from John O’Connell for this work. For the other work, the Clerk explained that although only one quotation had actually been received, she had sought three additional other prices. She will endeavour to obtain further new quotations from other contractors.
- d) Website Quotations – Councillors received and considered the details and the three quotations received. Following the vote it was agreed to accept the quotation provided by Mistley Computers, firstly for the work to bring the website up to a fit for purpose standard and secondly for a monthly price of £25 in order to match the cheapest quotation received and due to the good local reputation of Mistley Computers. A small advertisement could also be included on the website for this company, as a goodwill gesture for the price reduction required for this service.
- e) Website Accessibility – Councillors considered the arrangements for carrying out an audit of its Website, where the deadline for legal compliance is September 2019. It was agreed (proposed by Councillor Carter and seconded by Councillor Nutter) and following the vote that the Clerk will conduct this audit.
- f) Grants Policy – Following the vote (proposed by Councillor Cambridge and seconded by Councillor Peacock), it was agreed that this policy be adopted.
- g) Council’s Bankers – Councillors noted that following the complaint to the Council’s bankers that compensation of £75 has been offered by the bank. Following the vote, it was agreed to accept this and offer this to Swan Watch as a grant.
- h) Rural Community Council of Essex – Councillors considered if membership is required at a cost £72.60 per annum. Following the vote, it was agreed that the Clerk asks this organisation what engagement has taken place with the Parish Council over the last 3 years and how this has offered value and benefit to Mistley and the Council.
- i) Audit of Keys (Parish Council and Village Hall) – The Council noted that the padlock at Church Meadow jammed and a new one was purchased. The Clerk has a copy of this new key. Also copies of the Brunswick Site allotment keys. The Clerk has a key for the Swan Basin and she has been advised of the code for gate at The Green. Additional keys have been cut for the storage building next to the public toilet.
- j) Canon – Councillors noted that the Clerk has again written to this company regarding the previous service agreement for the previous RFO which was no longer needed on the 31st May 2018, but that an invoice has been received for £97.20 relating to May-July 2018. The Clerk has asked again for Canon to update its records and to progress and finalise this dispute at an early opportunity. It was proposed by Councillor Nutter, seconded by Councillor Howell and agreed following the vote that the Clerk be given delegated powers to progress this dispute for the best outcome for the Council.
- k) Finance Matters – There were no urgent matters.

10. **Correspondence** – To note/agree the following:

- a) Citizens Advice Tendring – Residents awareness of specialist debt advice service. Councillors received and noted the information.
- b) Silver Birch Tree Location – Following the vote, it was agreed that this sapling should be planted in memory of VE Day on the 75th Anniversary and that the Volunteer Tree Warden should be asked to suggest suitable planting locations.
- c) Volunteer Footpath Report – The details were received and noted. The Footpath Warden confirmed that most walks are fine, but that he had cause to cross farmland as not all land owners are keeping public footpaths clear. This refers to footpath number 14. The Clerk advised that she has raised this with the Public Rights of Way department at the County Council. Councillor Chaplin agreed to speak with the landowner in question. The Parish Path Partnership scheme was noted. The Parish Council expressed its gratitude to the Volunteer Tree Warden for his sterling work. It was noted that Mistley Place Park, New Road needs to be maintained by the owners.
- d) Highways England – Upcoming Works A12 J29-32 – prior notification of works. The details were received and noted.
- e) Essex County Council – Adult Mental Health Training – Course is free of charge. Would need to book Mistley Village Hall (cost implication). Minimum of 8 and maximum of 25 people. Half day. This information was received and noted and will be passed to the local St John’s Ambulance team.

- f) Essex County Council Highways – via Futureway Homes. Councillors noted the request to remove the Parish Council's lamp column in the Public Right of Way link from Middlesfield Road to Harwich Road. The Public Right of Way has now been diverted to follow the access road into the new development and the lamp column is now located within the road construction. Following the vote, this was agreed, subject to the Parish Council not incurring any costs. With regard to the provision of additional street lighting after removal of this column, it was also agreed that Councillors Cambridge and Chaplin be given delegated powers to check if this is needed.
- g) Cemetery – Councillors were pleased to note the letter of thanks regarding grounds maintenance works at the Cemetery following some additional clearance works.
- h) Other Correspondence – No other details were received after the agenda was distributed to report on.
11. **Co-option of Parish Councillor Application** – Councillors received and noted the resume received for previously for consideration, where it was noted that a by-election has not been called. It was agreed following the vote, that an interview will be set up with this applicant and Councillors Cambridge, Chaplin, Frost, Howell and Peacock one Friday evening at 6pm (date and venue to be confirmed).
12. **Furze Woodland Management Phased Plan** – It was noted that a site meeting was held with Mr Horlock the Volunteer Tree Warden and Councillors Chaplin and Nutter at Furze Woodland. Mr C Dawson the Tree Officer from Tendring District Council has previously met with Mr Horlock on site. The main health and safety issues were looked at, including cutting down trees around the larger trees, especially Old Knobbly. Mr Horlock has met twice with the Woodland Trust where unfortunately no funding is available. He advised that there are 16 trees of note at Furze Woodland. Mr Horlock also advised the Council that the Forestry Commission has said that the group of trees is too small for any funding provision to be available. The Forestry Commission has recommended the services of Mr Clive Ellis from Polstead, Suffolk to survey the trees. The cost would be £40 per hour for these professional services. Some of the timber which is felled could be utilised and the work is likely to cause some disruption. A representative from the Rugby Club may be able to assist with cutting back of brambles in this area. A felling licence may be needed and it is suggested that the work is phased. The £500 ring-fenced pot was noted following the outcome of previous funding for Old Knobbly. It was proposed by Councillor Nutter, seconded by Councillor Cambridge and agreed following the vote that the Parish Council engages the services of Mr Ellis. Mr Horlock was sincerely thanked by the Council for his very hard work and time expended with progressing' this project further.
13. **Maintenance Team – Volunteers – Hedgerows/Vegetation** – Councillor Nutter updated the Parish Council about this proposed arrangement. He provided an update about the Parish Path Partnership via Essex County Council.
- The Council noted that safety equipment has been purchased including gloves and goggles. Councillor Nutter advised that the hedge at the Welcome Home Field has been cut. Following the vote, it was agreed that Councillor Nutter will lead with a small group of Volunteers, details of which will be advertised on the Parish Council's website.
14. **Precept 2014-2015 & 2015-2016** – The Council noted the provision of a PCSO (Police Community Support Officer) during 2015 in partnership with Lawford Parish Council and Manningtree Town Council, but unfortunately Essex Constabulary withdrew the scheme following a policing review and new model. Mistley Parish Council utilised the said budget for another community project – play equipment and there was a virement in the budget. A full and detailed discussion ensued. Following the vote, it was agreed that the Parish Council would issue a press release inviting any member of the public to contact the Parish Clerk in writing if they had any concerns about this virement during 2015.
15. **Speeding in Mistley, including along The Walls** – Councillor Chaplin expressed her concerns about speeding vehicles along The Walls. The Council noted that the Clerk has been in contact with PCSO Pat Smith and Essex County Council Highways asking for advice about any possible mitigation measures. Councillors noted that the Co-ordinator for the local Community Speed Watch and the small group of Volunteers regularly monitor speeding vehicles at The Walls, Harwich Road, High Street and New Road. Following the vote it was agreed to defer this matter and speeding and parking issues generally in Mistley, to the next Parish Council Meeting.
16. **Dates of Next Meetings** – The following were noted.
- Full Parish Council Meeting – Monday 19th August 2019 7.30pm in the Village Hall. Planning Committee – Thursday 15th July 2019 7.30pm.

The remaining Members of the Public, including the MALGA representative left the Meeting at this point. District Councillor Coley also left the Meeting.

17. **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 following the vote, to exclude the Public (the Press were not present), since publicity would legally prejudice commercial sensitivity and confidentiality.
18. **Confidential Minutes of the full Parish Council Meeting held on the 24th June 2019** – The Council is asked to receive, consider and agree these Confidential Minutes.
19. **Update/Matters Arising' from the Confidential full Parish Council Minutes held on the 24th June 2019** – The Council is asked to receive and note any updates/matters arising.
20. **Community Governance Review** – The Parish Council is being asked if it wishes to conduct a Community Governance Review (in terms of a potential amalgamation of the three parishes of Lawford, Mistley and Manningtree).
21. **Lawford, Mistley and Manningtree Emergency Plan** – (Deferred from last Meeting). The Council is asked to consider and agree Volunteers.
22. **Staffing** –
 - a) Parish Clerk – The Council will receive an update regarding the probationary period.
 - b) Other Staff – The Council will receive any updates and be asked to agree and consider any matters.
 - c) *Community Governance Review – The Council will consider this matter and is asked to agree any potential staffing implications.

There being no further business this part of the Meeting closed to facilitate the closed/confidential session.

SignedChairman Date