



MISTLEY PARISH COUNCIL

Minutes of the full Parish Council Meeting held on 23rd September 2019 in the Village Hall, Shrubland Road at 7.30pm

Councillors Present:

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

In Attendance:

Mrs S Clements – Parish Clerk/Responsible Financial Officer
Parish, (Lawford) District and County Councillor C Guglielimi
Parish (Lawford) and District Councillor V Guglielimi
Mr R Horlock – Volunteer Tree Warden
Mr R Passmore – Ramsey & Mistley Football Club
Two 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 Councillors Kent and Turner. Also, District Councillor Coley.
2. **Declarations of Interest** – Councillor Howell declared a non-pecuniary interest in Minute Number 11 g) Clerk and RFO – Fencing, as her brother is one of the contractors providing a quotation for the Council to consider and agree.
3. **Public Voice** – One Member of the Public (also the Volunteer Tree Warden) spoke about the Milestone which is at The Quay and his request that this historic monument be repaired, where a specialist conservation contractor is likely to charge around £1200.00. He also asked about the repair to the brick wall at The Green. It was suggested that an advisory/working group could possibly be set up to investigate these two potential projects more fully.

Mr Passmore from the Ramsey and Mistley Football Club introduced himself to the Council and provided an update about the Club, including that there are 6 teams and 220 members, that £3,500.00 refurbishment work has been carried out and that work continues to progress, grants have been applied for and sponsorships achieved, a lower league of football is played as a result of the condition of the pitch and another pitch would be desirable.

Councillor Howell reported on behalf of a local resident the complaint about “No Parking” sprayed onto the road by 3 California Road by contractors which has not been removed and also some graffiti on the pavement about halfway along The Walls. The Clerk advised the Meeting that she has already reported these issues.

Councillor Carter on behalf of local residents raised the issues regarding bin collections and recycling at California Road and Shrubland Road. District Councillor Coley has already escalated these issues to Tendring District Council.

Councillor Chaplin on behalf of local residents raised the ongoing and protracted matter regarding the Harwich Road street light (subject of an insurance claim).

The Clerk advised the Meeting that UK Power Networks have completed the power transfer to the lighting column lantern, but unfortunately they have failed to connect the incoming fuse to that of the Parish Council's contractors' equipment, (who maintain' the street lights). A site visit is scheduled by the Parish Council's contractors on the 24th September 2019 to investigate further, with a view to rectifying this matter shortly.

4. **District and County Councillors Reports** – The written reports were received and noted.

Councillors noted the District Councillor Report included Waste and Recycling, the 79th Anniversary of the Battle of Britain, the Self-Service Customer Portal, Carbon Reduction, the Tendring Jobs and Careers Fair, Walton, Frinton and Clacton Seawater Sampling, Silver Employer Recognition Scheme Silver Awards, and Creating Communities for Future Generations.

Councillors noted the County Councillor Report included the new look Essex Lottery, Free School Meals, Nominations for the 2020 Essex Teaching Awards, Internationally known artist coming to Cressing Temple Barns, the Stars in Hard Hats feature in the Government Road Heroes Campaign and Essex Trading Standards urging residents to be careful about rogue traders and doorstep scammers.

District and County Councillor Guglielimi spoke in great detail about the issues with waste and recycling bin collections. He advised that more resources will shortly be in place at the call centre to cope with the numerous local residents complaints. District and County Councillor Guglielimi accepted that some of the staff responding to callers have not been helpful and that the refuse and recycling collection teams have changed routes and are not familiar with the new routes. The issues' with dog bins not being emptied were noted. He responded to queries and listened to the concerns escalated from local residents via Parish Councillors and asked that local residents continue to provide District Councillors with feedback, such that this can be escalated to the relevant Members and Officers. The Clerk was also asked to write to the Head of Operational Services at Tendring District Council.

District and County Councillor Guglielimi spoke in great detail about the application for a Goods Vehicle Operators Licence by TW Logistics, Port of Mistley, 40 High Street, Mistley, Manningtree, CO11 1HA. He will formulate a response and share this with the Parish Council and also raise concerns with the local MP, the local press and ask the Traffic Commissioner's Officer for an extension to timeframes for the consultation. The Parish Council has received correspondence and representations from local residents/land owners and their respective objections to the Goods Vehicle Operators Licence. The Parish Council raised its concerns about the Licence having an adverse affect on the nearby Grade 1 Listed monument – Mistley Towers which needs to be preserved and protected as part of our history, heritage and culture. The Clerk will write to the Traffic Commissioner's Office and English Heritage/Historic England raising the concerns of the Parish Council and its objections to the proposed Licence.

5. **Policing Update** – Councillors received and noted the Report from PCSO Pat Smith. They noted the incidents which have been reported in Mistley and Manningtree during the period of 1st August – 20th September and which include:

Theft from a motor vehicle in Forrester Road, Mistley, criminal damage to motor vehicles in High Street, Manningtree, theft from a motor vehicle in California Road, Mistley, a burglary from the business and community in Factory Lane, Manningtree, criminal damage to a motor vehicle in South Street, Manningtree, damage to a residential property in Stourview Avenue, Mistley, a residential burglary in Colchester Road, Manningtree, and also California Road, Mistley and criminal damage to a motor vehicle in Hilton Close, Manningtree.

6. **Minutes of the last full Parish Council Meeting held on the 19th August 2019** – These were received, considered and approved following the vote.(Proposed by Councillor Nutter and seconded by Councillor Cambridge). (Copy in Minute Book).

At this point Parish, District and County Councillor C Guglielimi and Parish and District Councillor V Guglielimi left the Meeting.

7. Update/Matters Arising from Previous Minutes held on the 19th August 2019 –

- Minute Number 9. c) – Clerk and RFO – Section 106 Developer Land Contribution Mistley Rugby Club (& Allotments) – Councillors received an update from Councillor Cambridge. They noted that with regard to the Sports Pitches and the Section 106 Developer contribution of land that there is a huge amount of work involved in order to achieve getting this area “fit for purpose” for handover. The said Agreement states “recreational use” which is quite vague. With regard to the Allotments and the Section 106 Developer contribution of land, Futureways are still looking into the drainage situation as there may need to be a redesign due to the proximity between underground chambers and the road. There is the possibility that if a solution cannot be found, then a section of the phase 1 allotments may need to be given back to Futureways whilst work to install the chambers is completed. Councillor Cambridge has spoken to representatives of Futureways about this as well as the developer’s architect. As this point there are no updates. A vehicular access gate at The Pound has been requested by MALGA (Mistley Allotment and Gardeners Association) where they would like the original gate reinstalled. However, the final decision will be with Essex Highways who have to take into account the new access road. It was noted that the Clerk will be liaising with Essex Highways about this and also the street lighting column which the Futureways would like to be removed.
- Minute Number 9. g) – Clerk and RFO – Village Hall Maintenance – The Council noted that the Mistley Village Hall Management Committee has confirmed that the sound barrier door work is deemed to be interior and so the Management Committee will deal with and pay for this work.
- Minute Number 15 – Mistley Village Hall Management Committee AGM (Annual General Meeting)– 30th September 2019 – The Council noted that in accordance with the constitution of the Management Committee, only two Parish Councillors can be represented. Given that Councillor Burton has been co-opted back onto the Council, Councillor Representatives will therefore be Councillors Burton and Peacock.

8. Councillors to Report on External Meetings Attended – Brief verbal updates were received as follows:

- a) Bespoke Councillor Training – 16th September 2019 – The Council noted the success of this session. Subjects covered included an introduction to local Councils, powers and duties, roles and responsibilities, finance, “let the community decide” and training and development for Councillors. Those who attended found the session refreshing, informative and interesting. Packs will be distributed by Councillor Howell to those Councillors who were unable to attend.
- b) Site Meeting with Futureways – (Reference Minute Number 7 above). Councillor Cambridge advised the Council that he had met with the developer on the 13th September 2019 and that the developer will prepare all the area behind the bund wall as a usable recreational area. An area of approximately 110 x 90m will be left ‘more flat’ than the rest (for a sports pitch), however, the rest will still have a gradient/slope on it due to the size of the area. The top soil issues were noted.
- c) Manningtree and District Chamber Meeting – Councillor Nutter reported on his attendance at this Meeting. Cotton bags are proposed to get away from plastic bags, an approach for funding will be made to the District Council and the Chamber is looking into camera systems linked to the shops. Also, a grant of £250 has been agreed towards the Library Street Party.

9. Speeding and Parking Issues in Mistley – Councillors noted that Mr D Blackiston the Coordinator from the Safer Essex Road Partnerships Volunteers has stepped down as Coordinator, but he is still involved in the scheme and will attend the next Meeting to give a presentation, as he has sent his apologies for this particular Meeting.

10. Furze Woodland Management Phased Plan – The Council received a short presentation from Mr Horlock, the Council’s Volunteer Tree Warden and Councillor Nutter, who have met with Mr Ellis the tree specialist. Some areas where safety needs addressing have been identified along various paths where there are large branches. Mr Horlock has very kindly already carried out some minor work. A representative of the Rugby Club has offered to assist as he has a suitable vehicle and equipment to make pathways through the woods safer. A Section 137 Grant of £250 was suggested. Halving of the veteran trees is required in order to give these trees more space around the canopy.

Thinning is required as trees are too close together and new trees need to be allowed to grow. The project should be carried out in phases and as budgets allow. Wood could be sold.

The £500 ring-fenced budget towards this work was noted. Mr Horlock explained that trees need to be marked for the feasibility study. Following the vote, it was agreed that the Rugby Club should email/write to the Council requesting a Grant of £250. It was agreed that the safety work should be carried out when the trees are not in leaf, i.e. during October/November. Mr Horlock and Councillor Nutter were thanked for their hard work with this project. Mr Horlock was also thanked for his work with clearing the holly bushes and ivy at The Pound.

At this point in the Meeting, Mr Horlock the Volunteer Tree Warden left the Meeting. Mr Passmore the representative from Ramsey and Mistley Football Club also left.

11. 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 Burton and agreed following the vote, that the accounts in the sum of £6,902.73 be paid. (Copy in Minute Book).
- b) Grounds Maintenance Volunteer Group – Councillor Nutter advised the Council that he and his small volunteer group have been working with the Rotary Club and have carried out some work at Mistley Place Park. Various suggestions for work around Mistley were made by Councillors including Stourview Avenue near the steps, around the Village Hall, near Atlas Autos, California Road near the Parish Council's street light and the bramble hedge opposite 18 Harwich Road.
- c) Village Hall Maintenance – There were no new updates.
- d) Litter Bin request – Near Mistley Towers – Councillors considered the request received from one local resident for a bin on the memorial island near The Towers. Following the vote it was agreed (proposed by Councillor Cambridge and seconded by Councillor Frost) that the local resident be asked to please remove the metal, temporary bin at this location and that the Parish Council will look into a more permanent litter bin as a budget bid during the budget/precept planning for 2020/2021.
- e) Dog Bin request – Councillors considered the request for a dog bin at the end of the Park where it goes into the footpath to Green Lane. Following the vote it was agreed (proposed by Councillor Burton and seconded by Councillor Peacock), to arrange for a litter bin (as opposed to a dog bin), in a slightly different location – this being at the end of the footpath that leads from the park, just on Green Lane.
- f) Cycling Event – Furze Hill – Councillors considered the request received from the Colchester Rovers Cycling Club Cyclocross racing to use Furze Hill on the 20th October 2019. Following the vote, it was agreed to (proposed by Councillor Howell and seconded by Councillor Peacock) to allow this event, provided there is no damage to the sports pitches.

At this stage of the Meeting the Vice Chairman of the Council – Councillor Chaplin took the Chair, as the Chairman – Councillor Howell has a non-pecuniary interest in the following item. (See Minute Number 2 above). Councillor Howell took no part in the subsequent discussion and vote. She abstained.

- g) Fencing – Village Hall Area – The Council received and considered the three revised quotations. Following the vote it was agreed (proposed by Councillor Cambridge and seconded by Councillor Frost), to accept the lowest price – JH Fencing Services.

The Chairman – Councillor Howell resumed the Chair for the Meeting.

- h) Financial Regulations 2019 – The Council received and considered the updated version of the Council's Financial Regulations following NALC (National Association of Local Councils) recommendations from July 2019. The changes were noted. Following the vote the Council agreed (proposed by Councillor Burton and seconded by Councillor Nutter), to accept and adopt the revised Financial Regulations 2019.
- i) Barrier – Car Park – The Council discussed the possibility of erecting a barrier to the car park to the Village Hall to assist with mitigating anti-social behaviour. (A previous barrier can be sourced at little/no cost to the Council).
Discussions included locking and unlocking the barrier, together with allocated key holders, and a charging structure for those who get locked in. Following the vote, it was agreed that Councillors Cambridge and Nutter carry out a mini feasibility study into this proposal and report back to the Council with their suggestions.

- j) Street Lighting Insurance Claim – Harwich Road – Councillors were pleased to note that the Council’s insurer has claimed the £250 excess from the third party and that this credit has been credited to the Council’s bank account.
- k) External Auditor – Councillors were pleased to receive and note successful completion of the AGAR (Annual Governance and Accountability Return) for the year ending 31st March 2019.
- l) Insurance Renewal – The details were received and agreed, (within the Schedule of Accounts for Payment) following the vote.
- m) Generic Parish Councillor Email Addresses – Councillors this matter. They noted that the cost of the “one-off” domain registration fee is £10. To set up generic email accounts for each Parish Councillor is £60 per annum, with unlimited email addresses. The contractor’s “one-off” fee for setting up the necessary accounts is £25. This will assist the Council to continue to comply with the GDPR (General Data Protection Regulation) 2018 and they noted that it is good practice/recommended. It was noted that a gov.uk email set up would be more appropriate and is recommended by EALC (Essex Association of Local Councils). Following the vote, this was agreed, (proposed by Councillor Frost and seconded by Councillor Nutter), to proceed with this, where Mistley Computers the Council’s ICT contractor will assist. Councillor Howell and Mistley Computers will jointly be administrators for the Parish Council’s Facebook page.
- n) Grounds Maintenance Contracts/SLA (Service Level Agreements) – Councillor Cambridge queried the position with regard to the Council’s contracts/SLA for it’s the closed churchyard, cemetery and all other areas of cutting. The Clerk agreed to look into this matter and bring the matter back to the next Parish Council Meeting for a formal review and possible sealed tender.

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

- a) Manningtree Benefice (PCC – Parchical Church Council) – St Mary & St Michael, Mistley with Manningtree – Councillors received and noted the letter from the PCC where support has been declined for the protracted “Church Meadow” water supply project, as although the PCC felt that there may be some community benefit, it considered that there could be some risks and potential disruption to the Church.
- b) Highways England – A120 Wix Bypass – The Council noted the works from 23rd September 2019 from 8pm – 6am for approximately 3 weeks.
- c) The Rotary Club of Manningtree Stour Valley – The Council received and considered the request to use Furze Hills for the Mayflower Walk/Run on the 17th May 2020. This was agreed following the vote.
- d) New Allotments – The Council received and noted the correspondence regarding vehicular access to the site and pathways and dealt with under Minute number 7 above.
- e) Public Toilet – Councillors received and considered the request via Councillor Turner. Following the vote, it was agreed that the Radar scheme would not be possible as the toilet is for the use of all and there is just one toilet. Keys cannot be issued to local residents. However, the opening times will be reviewed.
- f) Goods Vehicle Depot – TW Logistics – The Council received and considered the correspondence received from local residents. This matter was addressed in Minute Number 4 above.

It was agreed following the vote, to temporarily suspend the relevant Standing Order such, that the Meeting may continue beyond 9.30pm.

g) Other Correspondence –

- Tendring District Council regarding its new Corporate Plan 2020-2024 – Councillors received and noted these details, where comments are invited by the 21st October 2019.
- NHS Foundation Trust - Essex Partnership – Annual Members’ Meeting – 16th October 2019 – 2.30pm-4pm – Chelmsford – Councillors noted the details.

13. **Co-option of Parish Councillor Applications** – Councillors noted that no formal applications have been received. This matter will be considered again at the next Meeting.

14. **Litter Picking Event** – Saturday 19th October – 10am-11.30am. Meet at 9.45am at the Village Hall – These details were received and noted.

15. **Street Lighting Column – Middlesfield Road to Harwich Road – Futureway Homes** – Councillors noted that this matter is still outstanding and that Essex County Highways is liaising with the Clerk on behalf of the Parish Council.

16. **Parish/Town Council Meetings with Tendring District Council (TDC) – Friday 8th November 2019 – 1.30pm** – the Essex Hall, Clacton Town Hall – Councillors considered the invitation to this Meeting

regarding TDC's budget/precept process 2020/21 and any matters that the Parish Council would wish to discuss at the Meeting. Following the vote it was agreed that Councillors Chaplin and Howell should attend.

17. **Tendring District Association of Local Councils** – Councillors are aware that Councillor Chaplin is the Council's current representative. Councillor Chaplin advised that she would wish to open up the opportunity for other Councillors to attend these Meetings with her or on her behalf.
18. **Community Rehabilitation Scheme** – Councillors noted that projects need to be identified, that the Probation Office would then carry out a risk assessment and that a toilet and hand washing facilities need to be near the site. The Clerk advised that some work is required on the new allotment plots, which include weeding and hedge cutting. Thereafter, another possible project would be clearing brush from Furze Hill after felling/thinning, which would be left in heaps. Following the vote, it was agreed (proposed by Councillor Howell and seconded by Councillor Frost) that the Probation Office be approached suggesting work at the new allotment site in the first instance.
19. **Dates of Next Meetings** – The following were noted.
 - Full Parish Council Meeting – Monday 28th October 2019 at 7.30pm in the Village Hall.
 - Planning Committee – Thursday 3rd October 2019 at 7.30pm.
 - Schedule of Meetings 2020– Councillors received, considered and discussed holding Planning Committee Meetings from 6.30pm – 7.30pm on Monday evenings before Parish Council Meetings with effect from January 2020. Following the vote, it was agreed to retain Planning Committee Meetings on Thursday evenings. For full Parish Council Meetings, the Annual Parishioners Meeting will be held before the April Parish Council Meeting, there will be no August Parish Council Meeting and the budget/precept December Meeting will replace the Finance Committee Meeting.
20. **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 (proposed by Councillor Frost and seconded by Councillor Peacock), following the vote, to exclude the Public (the Press were not present), since publicity would legally prejudice commercial sensitivity and confidentiality.
21. **Confidential Minutes of the full Parish Council Meeting held on the 19th August 2019** – The Council is asked to receive, consider and agree these Confidential Minutes.
22. **Update/Matters Arising' from the Confidential full Parish Council Minutes held on the 19th August 2019** – The Council is asked to receive and note any updates/matters arising.
23. **Staffing** – The Council is asked to receive any updates and consider and agree any matters.

The two remaining Members of the Public left the Meeting at this stage.

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

Signed

Chairman

Date