



# MISTLEY PARISH COUNCIL

## Minutes of the full Parish Council Meeting held on Thursday 28<sup>th</sup> January 2019 in the Village Hall, Shrubland Road at 7.30pm

### **Councillors Present:**

Councillor M Rayner (Chairman of the Council)  
Councillors A Birch (Vice Chairman)  
Councillor B Burton  
Councillor G Carter  
Councillor J Chaplin  
Councillor F Fairhall  
Councillor C Howell  
Councillor I Peacock

### **In Attendance:**

Mrs Susan Clements – Parish Clerk  
Mr Andrew Lee – Temporary Parish Clerk  
District and County Councillor Guglielmi  
Three members of the Public were present

1. **Welcome and Apologies for Absence** – Apologies for absence were received from Parish Councillor Kent and District Councillor Coley.
2. **Declarations of Interest** – None were made at this point in the Meeting.
3. **Public Voice** – One Member of the Public raised his concerns about anti-social behaviour near to the Village Hall and the potentially dangerous activity of some young people. He also raised his concerns about possible damage to the new fence. Councillor Rayner advised that these issues have been escalated to the local Police and that the PCSO makes regular, unannounced visits to the area in order to spot check some of this unacceptable activity.
4. **District and County Councillors Reports** – The written Reports were received and noted. Councillor Rayner went through each subject heading on the Reports. District and County Councillor Guglielmi updated the Meeting with regard to the Tendring District Council Budget and the imminent voting on approval of this at an appropriate Meeting on the 5<sup>th</sup> February 2019. The Band D equivalent expected increase was discussed. He spoke about the financial strategy to manage central funds which is spread over around 10 years and that there will be joined up as ongoing priorities for the new District Council from April 2019. The Precept (council tax) with regard to the Police and Fire Services was discussed, including the Policing Review. A query was raised regarding a child having insufficient bus fare and being turned away by a bus driver. District and County Councillor Guglielmi kindly agreed to liaise outside of the Meeting regarding this to establish if it is a County Council matter or not.
5. **Minutes of the last full Parish Council Meeting held on the 10<sup>th</sup> December 2018** – These Minutes were received, considered and approved following the vote.
6. **Update/Matters Arising from Previous Minutes held on the 10<sup>th</sup> December 2018** – There were no updates or matters arising from the last Meeting.
7. **Councillors to Report on External Meetings attended** – Councillors received a brief update as follows:
  - Police and Crime Commissioner for Essex Meeting – 16<sup>th</sup> January 2019 – Councillor Rayner reported on his attendance (with Councillors Burton and Chaplin) at this Meeting where Mr Roger Hirst – the Police and Crime Commissioner for Essex and Mr Darren Deex – Tendring Police Inspector were present. It was noted that discussions at the Meeting included; Policing cuts and

the promotion of endeavouring to achieve a greater Police presence whilst working within the budget cuts. This includes the recruitment of Special Constables.

- Public Meeting – Manningtree Library held on the 18<sup>th</sup> January 2019 – Councillor Rayner advised that he had attended this Meeting, along with Councillors Burton, Chaplin and Howell. District Councillor Coley and District and County Councillor Guglielmi were also in attendance. A full and detailed discussion ensued. It was noted that the Library has been classified as a Tier 3 by the County Council, which means it is at the highest tier level of risk and is likely to close. No details or rationale have been received from Essex County Council (ECC) about how this classification has been arrived at. Little or no data or statistics have been shared in relation to the business case for the Tier 3 banding. Various issues were raised including, the nearest Library is around 10 miles away, parts of South Suffolk use the Library at Manningtree because of the close proximity of the boundaries between Essex and Suffolk, the Library Consultation document is flawed and preconceived, Tier 2 is more workable with voluntary assistance as a possible new business model, that although there is a Mobile Library which visits Mistley about twice per month – the stock is very limited, that the Library is costing the County Council some £18,000 per annum excluding staff costs, the adverse social impact of any closure in particular on Mistley, Manningtree and Lawford. It was agreed following the vote, that Councillor Rayner will write a letter on behalf of the Parish Council, strongly objecting to the Tier 3 classification which should be Tier 2. The reasons for the change in Tier are; the location/catchment area which includes parts of Suffolk, the importance of other services offered within the Library not just borrowing books, Reading (educational) Clubs for local Children during School Holiday periods, Vulnerable User Groups, Disability access is offered at the Manningtree Library – but not at the Colchester facility which is around 10 miles away, the Library offers services for a wide socio-economic sector in the community, the population is rapidly growing – Mistley is expected to increase in the next 5 years, the County Council has just spent around £25,000 on a semi-automated system and so volunteers could be trained to operate this, there is a distinct lack of definition by the County Council about this service, the loss of infrastructure services will have an adverse affect on the footfall and the High Street and its vitality and viability will be lost, and the Library is only open on a part-time basis. (The Parish Council noted the closed Meeting between Manningtree Town Council, Mistley Parish Council and Lawford Parish Council on the 6<sup>th</sup> February 2019 at 6.30pm. Councillors Burton, Chaplin and Rayner will attend as representatives of this Parish Council). Councillors also noted that the deadline is the 20<sup>th</sup> February 2019 for responses to the Consultation on Essex Future Library Services Strategy 2019-2024.

**8. Parish Council Polices – All of the following were received and considered.**

- \*Personnel/HR Committee’s Terms of Reference – It was agreed following the vote to adopt the Terms of Reference.
- Equal Opportunities Policy - It was agreed following the vote to adopt this Policy.
- Health and Safety at Work Policy - It was agreed following the vote to adopt this Policy.
- GDPR – General Data Protection Regulation Policy - It was agreed following the vote to adopt this Policy.
- GDPR – The Clerk explained that it was necessary for the Parish Council to write to all Staff, Contractors, Tenants, including Allotment holders, Mistley Rugby Club, Ramsey and Mistley Football Club to advise what data the Parish Council holds, that this is up to date and relevant, the reasons for holding the data and the data subjects legal rights. This was agreed following the vote, including a letter to all Volunteer Litter Pickers.
- Terms of Reference for Cemetery Committee – It was agreed following the vote, subject to removing points 4, 5 and 14, to bring the draft details to the next Cemetery Committee Meeting which is scheduled to take place on the 18<sup>th</sup> February 2019.
- Terms of Reference for Finance Committee – It was agreed following the vote, to bring the draft details to the next Finance Committee for consideration and recommendation to the full Parish Council.
- Terms of Reference for Planning Committee – It was agreed following the vote, to bring the draft details to the next most appropriate Planning Committee for consideration and recommendation to the full Parish Council.
- Council Risk Assessments (Cemetery, Play Area etc) – The template for the Cemetery will be passed to the Cemetery Committee at its next Meeting on the 18<sup>th</sup> February 2019. The Council considered that it was not necessary for it to have any other visual and written Risk Assessments, in particular for the Play Area as other Risk Assessments are in place. This was all agreed following the vote.
- Lone Worker Policy & Risk Assessment - It was agreed following the vote to adopt page one only which is the Lone Worker Policy. However, the Council considered that actual Lone Worker Risk Assessments are not necessary.
- Publication Scheme and Schedule (FOI – Freedom of Information) - It was agreed following the vote to adopt this, subject to changing the ICO (Information Commissioner’s Office) wording in the first paragraph and sentence on page one to “modification”.
- Document Retention Policy – Following the vote, it was agreed to defer this Policy to the next Meeting as amendments are necessary in accordance with the latest NALC (National Association of Local Councils) Legal Topic Note.

- \*Complaints Procedure/Policy - It was agreed following the vote to adopt this Policy, which is in conjunction with the approved Personnel/HR Committee Terms of Reference (above).
- Council Email Policy - It was agreed following the vote to adopt this Policy.
- Press and Media Policy - It was agreed following the vote to adopt this Policy, subject to removing all references to "The Clerk" and change these to the "Chairman of the Council".
- Assets Register (in conjunction with the Council's Insurance) – The Council received an update on the revisions made by the new Clerk, but it was noted that further revisions are needed and the Clerk and Temporary Clerk will work on this and bring the Register back to another appropriate Meeting for consideration and approval.

**9. Clerk's Report** – The Clerk provided an update on the following matters:

- Woodland Management Plan for Furze Hill – The Clerk advised the Council that she had endeavoured to obtain 3 quotations. JS Forestry is the only contractor who has responded back to date. He has advised that a survey was drawn up for Furze Hill Woods with a set of management plans, including a map of the trees approximately 15 years ago. If a new survey is prepared then the Council may consider looking at making up to date recommendations for work needed on the veteran trees or possibly thinning work on competing, surrounding trees. Any new survey would be undertaken in two stages. Firstly a visit when there are no leaves, plus a separate visit when the crown is in leaf, therefore, a 2 day survey/plan. The cost of this is likely to be around £400.00 per day. (If the original plans which were drawn up 15 years ago are not sourced, then the survey/plan will cost more). It is probably also prudent to make provision for a bat survey. The Council may wish to undertake tree safety surveys. A Felling Licence would need to be applied for, together with planning applications for the TPO (Tree Preservation Order) work. Grants may be available via the Forestry Commission. Following the vote, it was agreed to ask the Clerk to liaise with Mr M Appleton to seek his advice and assistance for the way forward.

**10. Finance Reporting Matters**

- Finance Committee Meeting Minutes held on the 20<sup>th</sup> December 2018 – These Minutes will be considered by the next Finance Committee. They were simply noted by the Council.
- BUDGET AND PRECEPT 2019-2020 – The Parish Council received, considered and agreed to RESOLVE the Precept and Budget for the 1<sup>st</sup> April 2019 – 31<sup>st</sup> March 2020 of £61,000.00 following the vote and it also agreed all of the recommendations of the Finance Committee Meeting held on the 20<sup>th</sup> December 2018.

*District and County Councillor Guglielmi left the Meeting at this point.*

- Schedule of Accounts for Payment – This schedule was received, considered and agreed following the vote for payments in the sum of £7,716.78 as follows.

1st Jan	A J Lighting	376.00
22 <sup>nd</sup> Jan	Affinity Water (Swan)	171.26
22 <sup>nd</sup> Jan	Affinity Water (Allots)	141.17
31st Jan	Pete Irving Tree Services	250.00
15 <sup>th</sup> Jan	A J Lighting	262.02
31 <sup>st</sup> Jan	S Clements (Stationery)	23.49
31 <sup>st</sup> Jan	LGPS	207.90
31 <sup>st</sup> Jan	Salaries - All Staff	1,336.24
31 <sup>st</sup> Jan	Bruce Landscapes Ltd	738.00
31 <sup>st</sup> Jan	John O'Connell	1,146.00
31 <sup>st</sup> Jan	John O'Connell	2,400.00
31 <sup>st</sup> Jan	S Clements (Allowances)	109.70
31 <sup>st</sup> Jan	Tendring Ass. Local Councils	15.00
		<b><u>£7,176.78</u></b>

- Furze Hill – Muddy Boots Forest Adventures – The Council noted that this arrangement is no longer required by the hirer. (Previously annual charge of £25.00).
  - Essex Wildlife Trust – The Council considered and agreed the annual membership of £40.00 following the vote.
  - Internal Auditor – 3<sup>rd</sup> Quarter – Councillors noted that the Clerk is liaising with the Internal Auditor for the next checks.
  - Council's Bank Account – The Clerk advised the Council that liaison with the Internal Auditor with regard to the 3<sup>rd</sup> Quarter Report and the bank reconciliation for December 2018 is currently “on hold” as the Clerk still does not have access to the Council's bank statements up to the 31<sup>st</sup> December 2018, as the bankers are currently processing the change of Clerkship.
  - Essex County Council (ECC) Local Service Fund – The Clerk updated Councillors about this scheme. They noted that the fund is a revenue grant aimed at paying a person a salary to provide a new service in their community. The Clerk explained however, that the scheme has not as yet been agreed for the next financial year by the County Council. A discussion ensued, where it was felt that once the Fund has been confirmed, it would certainly be worth applying for this valued funding stream to assist the Village.
  - Adoption and Transfer of Playing Fields and Allotment Land south of Harwich Road (Section 106) – The Clerk advised the Council that the Solicitor has advised that this transfer is likely to be completed at the end of March 2019.
  - Canon UK Ltd – The Clerk updated the Council on the correspondence received. They noted that there is an audit trail proving that the Parish Council terminated this agreement on the 8<sup>th</sup> August 2018 as the service was no longer needed from the 31<sup>st</sup> May 2018.
  - Other Finance Matters – There were no other matters.
11. **Casual Parish Councillor Vacancy** – The Clerk advised that a local resident had been in contact and showed an interest in this vacancy. However, he is not currently on the electoral role and is not therefore, not currently eligible to apply.
12. **Correspondence** – Councillors noted the following:
- Letters of thanks for Section 137 Grant made to: the Autumn Days Club.
  - Rural Community Council of Essex 2019 – Essex Village of the Year Competition – Prizes of £150-£500. (Deadline for applications 8<sup>th</sup> March 2019). It was agreed following the vote, not to apply due to the workload of other Council projects.
  - St Mary & St Michael Church – The Council received and considered this correspondence. A request for some funding towards the cost of CCTV inside the Church was discussed, also the request for assistance with work to Yew Trees, together with a query about emptying bins at the Burial Ground and Churchyard. Following the vote, it was agreed to ask for further details about the CCTV prices, to instruct a contractor (Pete Irving Tree Services Limited) to attend to the Yew Trees and associated work and to advise the Church that the District Council is the appropriate authority for emptying of bins.  
The Clerk will liaise with Mr C Dawson the District Council's Tree Officer to establish the status of the Yew Trees with regard to the proposed work and any possible TPO (Tree Preservation Order).
  - Water Supply Quotation – The Council received and considered the correspondence received. Councillors advised the Clerk that other quotations were to hand, where this matter will be brought back to the next full Parish Council Meeting with all of the prices.
  - EALC (Essex Association of Local Councils) – Adult Mental Health First Aid Training – Free of charge - March 2019 – Councillors noted the information.
13. **Dates of Next Meetings**
- 7.30pm in the Village Hall. Planning Committee – 7<sup>th</sup> February 2019 and Full Parish Council – 11<sup>th</sup> March 2019 – These dates were noted.
  - Schedule of Meetings for 2019 – The Schedule was received, considered and agreed following the vote.

*All three Members of the Public left the Meeting at this point.*

14. **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 is asked to consider and agree to exclude

the Public and the Press, since publicity would legally prejudice commercial sensitivity and confidentiality. This was agreed following the vote.

15. **Staff Sickness/Absence Return Template** – The Council is asked to consider and agree this form.

16. **Real Time Information (RTI)** – The Council is asked to receive, consider and agree.

*At this point in the Meeting Councillors Birch, Carter, Peacock, and Rayner all declared non-pecuniary Interests in their respective roles as Trustees of the Village Hall Committee.*

17. **Staffing**

- Staffing Matter - The Council is asked to receive an update from the Clerk at the Meeting and to consider and agree the next steps;
- NEST (National Employment Savings Trust) – The Council will receive an update from the Clerk and is asked to consider and agree the next steps.

*There being no further business the Chairman closed this part of the Meeting in order to facilitate the closed, confidential part of the Meeting.*

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