



TOWN COUNCIL MEETING

**Meeting held on Thursday 14th September 2023 at 7pm in the Council Chambers,
10 Melrose Road, West Mersea, Colchester CO5 8JD**

£ = Expenditure decision 🗑️ Resolution made

In attendance:

Cllr. S. Weaver (Mayor)	Cllr. S. Jarvis (Deputy Mayor)
Cllr. C. Powling	Cllr. B. Holmes
Cllr. R. Jenkins	Cllr. T. Gibbons
Cllr. M. Parsons	21 Members of the public
Karen Kuderovitch, CILCA – Locum Town Clerk	Cllr. J. Jowers (CCC)
Cllr. R. Davidson (CCC)	

23/192.	<p>RECORDING OF MEETING</p> <p>Chairman requested anyone present to identify their intention to record the meeting. Town Clerk recorded the meeting.</p>
23/193.	<p>DECLARATIONS OF INTEREST</p> <p>All Members are to be reminded that they must disclose any interests (pecuniary/nonpecuniary) they have in items of business on the meeting's agenda either at this point or during the agenda item. They are reminded that they will need to repeat their declaration at the appropriate point in the meeting and leave the room if the interest is a prejudicial one. Unforeseen interests must be declared similarly at the appropriate time. If not already done so, they are also obliged to notify the Monitoring Officer of the interest within 28 days of the meeting.</p> <p>Cllr. Powling identified himself as a Colchester City Councillor.</p>
23/194.	<p>APOLOGIES FOR ABSENCE 🗑️</p> <p>Clerk to report and Councillors to vote on the absence and the reasons given. Cllr. Hart- apologies received.</p>
23/195.	<p>RESIGNATION/APPOINTMENT OF DEPUTY MAYOR 🗑️</p> <p>Following the resignation of Paula Moore, Councillors to consider the appointment of the Deputy Mayor position. Vote to be taken. The Mayor praised Cllr. Jarvis for his efforts and support of her.</p> <p>Cllr. Jarvis was proposed by the Mayor. Cllr. B. Jenkins seconded. All in favour. Congratulations were given to Cllr. Jarvis who thanked the Mayor for her nomination. Cllr. Jarvis signed the Declaration of Acceptance of Office.</p> <p>Clerk reported on the publication of the Notice of Casual Vacancy. The Clerk reported that she had received notification from Colchester City Council that an election had been called and details would be published.</p> <p>Cllr. Jarvis asked the Clerk how much budget should be allocated for the associated costs, the last election costing £3,500. The Clerk recommended £6,000 be allocated. Cllr. Jarvis asked the Clerk to explain the process, in that 10 electors would have signed to call the election.</p>
23/196.	<p>STANDING ORDERS 🗑️</p> <p>Motion – Cllr. S. Jarvis.</p> <p>To allow MOPs to speak for up to 3 minutes on any subject.</p> <p>The Clerk gave the following advice:</p> <ul style="list-style-type: none"> • The Clerk stated that It is not in the NALC Standing Orders Model to allow members of the public to speak on items not on the Agenda, which the Clerk delivers on behalf of the EALC. Therefore she would not be comfortable going against models prepared by the NALC Legal Team.

	<ul style="list-style-type: none"> • Scenario – what if the public session (15 mins) is taken up by members of the public on items not on the agenda. There could be members of the public with essential information about business on the agenda who may not get an opportunity to share that information, if the time is not used wisely. It was up to Councillors to consider and decide. • The Clerk related the many opportunities for members of the public to make contact with the Council (i.e. email, calling, contact us on web page, meeting with the Clerk etc.) and stated that an urgent issues are reported by the Groundsman or members of the public calling into the office. <p>Councillors shared their views, recognising the advice from the Clerk together with the importance of members of the public being allowed to be heard. After discussion, it was resolved unanimously to hear from members of the public with information relating to items on the agenda as a priority. Standing Order addition Item. Priority will be given to members of the public wishing to share information relating to items on the agenda.</p>
23/197.	<p>PUBLIC PARTICIPATION</p> <p>A period of up to 15 minutes (maximum of 3 minutes per person) for members of the public to ask questions or submit comments about items on the agenda.</p> <ul style="list-style-type: none"> • A number of residents from Oysters Close expressed their serious concerns about anti-social behaviour. A resident relayed information that had been supplied to Essex Police. The Mayor advised that the Town Council would assist in any way they can. It was agreed to hold a meeting with the residents and the Town Clerk/Councillors to explore further what action can be taken. • A member of the public relayed the issue with overgrown footpaths and disappearing footpaths. In particular, Sandlings Reach, Cross Lane (footpath sign in bush). Poisonous plants were also raised as an issue. The Clerk would obtain photos and investigate. The Mayor stated that footpaths were the responsibility for Essex County Council Highways and the Town Council will be taking the issue up with them. • A member of the public raised the issue previously raised for white lines to be repainted at dangerous roads i.e. Firs Chase. No stop lines bottom of Victory Road faded. Granny’s garden – a hope the original fence would not be removed. Agenda item 23/209 – pleased it was happening. Brierley Paddocks – top end of access road not completed yet, public using exit through to Sea View. Cllr. Powling reported he had had a report from Essex County Council about the white lining – 2 white lining teams and Mersea is on the agenda to be done. Cllr. Powling will continue to follow up. • A member of the public made a point on the public participation section. In connection to 23/204, it was hoped that the Action Plan could be clearly publicised for the residents and expressed his disappointed that the document had not been put out for public view. Section 106 monies – how was this being spent in the community and suggested residents should have input. The Town Clerk responded that when the meeting reached agenda item 23/204 an explanation would be given. • A member of the public enquired as to Phase 1 completion date at the bottom of The Lane and the completion dates had not been met (off site by end of January 2023). The MOP relayed there were broken barriers and general state of disrepair in a conservation area. When can residents expect completion of Phase 1. Cllr. Jarvis responded that himself and the Town Clerk had met with Dave Chapman 10 days ago. An update was due imminently with an estimated time for completion (8 weeks on site). Phase 2 would have a complete review. <p>The Mayor thanked the residents for their enquiries.</p>
23/198.	<p>COUNTY AND CITY COUNCILLORS REPORTS</p> <p>Cllr. John Jowers reported the following:</p> <ul style="list-style-type: none"> • Anti-social behaviour – meeting with Jane Gardener (Deputy Police & Crime Commissioner) to bring issues on Mersea to her attention. • Footpaths – every footpath has a definite map – offered to relay concerns to Essex County Council and footpaths would not be lost. Essex County Council - weed spraying programme twice a year – next one due September 21st 2023. • Flood defence, The Lane – would be pursuing with Essex County Council. • Boundary reviews – possibility of Mersea & Tiptree to Mersea & Stanway.

	<ul style="list-style-type: none"> • Sunken yacht removed yesterday. • Relayed information on public sessions at Colchester City Council allow any subject/Essex County Council system is pre-advised of the question, but in both cases if vexatious and impudent MOPs are barred from speaking and no direct attacks on Councillors permitted. • White lines – Firs Road – been done 15 times does not stand up to salt water. Dawes Lane required too. <p>Cllr. Robert Davidson (CCC)</p> <ul style="list-style-type: none"> • Pleased Cllr. Jowers was in contact with Police Commissioner. Environment Health at Colchester City Council welcomed any information on the anti-social behaviour. • Clear sacks – started being delivered and can be ordered on Colchester City Council website and then collect from WMTC Office. Possibly the last year they will be issued. CCC already £1.3 million overspend in current financial year. £3 million predicted deficit from April 2024. Garden waste being charged for (non-statutory service). Council Tax has a limit of 3% increase on a Band D property. Consultation due for MOPs. • Local Plan – five year review starting in the Autumn. At present Mersea should not get any more sites in next 5-10 years. <p>Cllr. Poulter reported that he was in contact with Housing Officer in respect of Oyster Close and would report back. Cllr. Poulter also reported on the initial meeting of the Waterside Forum and he would Chair that Committee and invite all affected parties.</p>
23/199.	<p>APPROVAL OF MINUTES 🖱</p> <p>a) Cllr. Jarvis proposed, Cllr. Weaver seconded. <i>It was resolved</i> unanimously to approve the minutes of the Council meeting of 3rd August 2023.</p> <p>b) Cllr. B. Holmes proposed, Cllr. Powling seconded. <i>It was resolved</i> unanimously to confirm the minutes of the Extraordinary Council Meeting of 17th August 2023</p>
23/200.	<p>PLANNING APPLICATIONS 🖱</p> <p>a) To consider planning applications received.</p> <p>PLANNING APPLICATIONS</p> <p>(a) <u>231891</u> Extension to existing garage to front elevation of property. Oyster Reach, 8 Grove Avenue, West Mersea – Plan link 231891 <i>TC Comment: No objections. Proposed Cllr. Powling Seconded Cllr. Holmes. All in favour.</i></p> <p>(b) <u>231897</u> Single storey rear extension following removal of conservatory, garage conversion to form annexe and home gym. 3 Farthings Chase, West Mersea – Plan link 231897 <i>TC Comment: No objections. Proposed : Cllr. Jenkins Seconded Cllr. Holmes. All in favour.</i></p> <p>(c) <u>231999</u> Single storey flat roofed extension to rear of property porch extension to front of property. Lingwood, 13 Kingsmere Close, West Mersea – Plan link 231999 <i>TC Comment: No objections. Proposed : Cllr. Powling Seconded Cllr. Parsons. All in favour.</i></p> <p>(d) <u>232056</u> Application for removal or variation of a condition 2 following grant of planning permission (230119). 25 Mersea Avenue, West Mersea – Plan link 232056 <i>TC Comment: Proposed : Cllr. Powling Seconded Cllr. Holmes. All in favour.</i></p> <p>(e) <u>232071</u> Proposed installation of 2no. velux Cabrio to front elevation. 7 Grove Avenue, West Mersea – Plan link 232071 <i>TC Comment: Proposed : Cllr. Powling Seconded Cllr. B. Holmes. All in favour.</i></p> <p>(f) <u>232087</u></p>

Single storey rear extension utilising the footprint/brickwork of existing conservatory. Internal changes to provide open plan living, kitchen dining area.

75 Seaview Avenue, West Mersea – [Plan link 232087](#)

TC Comment: Proposed : Cllr. B. Holmes Seconded Cllr.Parsons. All in favour.

PLANNING DECISIONS

Applications passed

(a) [223105](#)

Single storey front and rear extensions and alterations (revised plans received).

6 High Street, West Mersea – [Decision link 223105](#)

(b) [230876](#)

Erection of dwelling with associated landscaping, vehicular access.

Creek Houses, 39 The Lane, West Mersea – [Decision link 230876](#)

(c) [223114](#)

Proposed detached bungalow on land adjacent to no. 1 Firs Road.

Land adjacent to, 1 Firs Road, West Mersea - [Decision link 223114](#)

(d) [231503](#)

Proposed two storey extension over existing garage.

9 Empress Drive, West Mersea - [Decision link 231503](#)

(e) [231573](#)

Conversion and extension of existing garage to annex.

1 Queensbury Close, West Mersea - [Decision link 231573](#)

(f) [231680](#)

Application for variation of condition 2 following grant of planning permission of application 190198.

21 Prince Albert Road, West Mersea - [Decision link 231680](#)

(g) [231525](#)

First floor extension and porch as approved, ref 230561, with new small side dormer.

10 Kingsland Close, West Mersea – [Decision link 231525](#)

(h) [230954](#)

Proposed two storey side extension with single storey rear element (revised description).

51 East Road, West Mersea - [Decision link 230954](#)

(i) [231235](#)

Roof and rear extension, similar to previous approval ref COL/02/0008

15 Suffolk Avenue, West Mersea - [Decision link 231235](#)

b) To receive notification of planning decisions.

Application refused

(a) [231665](#)

Proposed 3 bedroom house.

9 Brickhouse Close, West Mersea - [Decision link 231665](#)

23/201.

CLERK'S REPORT

- Finance – change to Financial Regulation for approval, Internal Controls procedures, Edge being brought up to date. Suggest Finance Committee meeting before next Council Meeting. Web site will be updated as soon as possible with all finance information. Specific finance page being created (foc) with clear subsections. Next Edge training to be completed by the Town Clerk on 22/9/23.
- Cemeteries – site visits taken place and some recommendations for improvements to be considered.
- Open Spaces – Groundsmen working hard on annual cuts together with daily issues arising and various maintenance tasks.
- Special thanks to Cllr. Powling & Hayley Powling for their efforts with the toilet cleaning.
- Action Plan 23-24 – to be discussed at Council meeting – then released for public viewing (includes as current and future projects).
- 4 new Councillors co-opted, had a 1:1 session with Town Clerk and all paperwork completed. 1 vacancy due to resignation. Deputy Mayor position to be filled.



	<ul style="list-style-type: none"> • Reports from WMTC in Mersea Life & Mersea Courier. • New policies agreed and new ones for consideration. • Photos taken of all overgrown footpaths – ready to send to ECC highlighting residents concerns. • Glebe Car Park resurfacing – works progressing well. • All Monkey Beach Benches have been sponsored by residents, the Cemetery Clerk was commended for her work on this. • Emergency lighting completed at the Town Council Office & Lock up. • Draft Newsletter ready for approval (to be sent to all residents by hand). • Town Clerk attended Clerk forums run by Colchester City Council for key information on Waste Management, Bio-diversity. • Essex Association of Local Councils Conference 23rd September 2023 – open to all, Town Clerk attending. • Mayor & Town Clerk are meeting with local community groups, allotments site visit, BANGS meeting, Proud of Mersea. • Town Clerk has had a large number of Freedom of Information requests. Some requests have been redacted. • Held 2 productive staff meetings, voice mail changed for better direction to the correct staff member, HR Contract ready for consideration, e-mails changed to staff names, better office signage. All signage to be reviewed. • Site visit held at the Allotments, agreements to be reviewed and new lease due. • Election – the Town Clerk received notice at 5pm on 14/9/23 that this has been called by 10 residents. Cllr. Powling asked the Town Clerk for an idea of the associated costs in relation to the Election. The Town Clerk recommended £6,000 be allocated in the budget. • Waste Management survey to be posted on web/Facebook.
23/202.	<p>MAYOR'S REPORT</p> <ul style="list-style-type: none"> • Welcome to the new Councillors and good to have a team working together. Thanks to all staff for their hard work and in particular the Town Clerk in getting up to speed. Special thanks to Cllr. Powling & Hayley Powling and the Groundsman going over and above assisting in the recent toilet issues. • Glebe car park due to finish on 15/9/23 and a new sign has been erected. Meeting held with MISA and moving forward in a positive manner. • Action Plan developing nicely – working document. • Monkey Beach Benches installed and look good. • Boardwalk plank fixed – replacement project will be moving forward. • Village Green 241 – sign up. • Productive meeting at the Allotments.
23/203.	<p>COMMITTEES/WORKING GROUPS/REPRESENTATIVES 🙌</p> <p>a) Members reviewed the document provided by the Town Clerk. Councillors reviewed the document, Councillors removed and added themselves to Committees. All in favour. Committees members as follows:</p> <p>COMMITTEES</p> <p>Community Assets/Facilities Committee – Cllr. Jarvis, (Chair) Cllr. Weaver, Cllr. Holmes, Cllr. Powling, Cllr. Gibbons, Cllr. Jenkins</p> <p>Environment & Community Services Committee - Cllr. Weaver (Chair), Cllr. Holmes, Cllr. Parsons, Cllr. Jenkins</p> <p>Finance & Strategy Committee - Cllr. Weaver (Chair), Cllr. Powling, Cllr. Jarvis, Cllr. Jenkins, Cllr. Holmes</p> <p>Planning & Highways - Cllr. Holmes (Chair) – Cllr. Weaver, Cllr. Parsons, Cllr. Gibbons</p>

	<p>Personnel - Cllr. Weaver (Chair), Cllr. Jarvis, Cllr. Jenkins, Cllr. Holmes</p> <p>WORKING GROUPS</p> <p>D-Day 80 Working Group - tbc</p> <p>Glebe Pavillion Working Group - Cllr. Jarvis/Cllr. Powling</p> <p>REPRESENTATIVES</p> <ol style="list-style-type: none"> 1. CALC representatives – Cllr. Weaver 2. Allotments - Cllr. Powling/Town Clerk 3. Health & Safety – Town Clerk 4. Essex Native Oyster Restoration Initiative – Cllr. Powling 5. Flood Defence Scheme representative – Cllr. Powling/Cllr. Jarvis 6. MISA representative – Cllr. Powling/Cllr. Jarvis 7. Play Parks representative – Cllr. Holmes 8. Police & Neighbourhood Watch representative- Cllr. Jenkins 9. Car Park representative – Cllr. Powling <p>b) Members to approve the Terms of Reference for all Committees – deferred.</p>
23/204.	<p>ACTION PLAN 🗳️£</p> <p>The Town Clerk explained that the Action Plan was a new document in order to provide residents knowledge of what the Town Councils intentions are. The plan was being regularly updated up to the meeting date, which is the reason it was not published with the Agenda. The Clerk reported it is good practise (not a legal requirement) to publish supporting documentation with Agendas and that once her backlog has been cleared, the Council will in the future publish all allowable and relevant documents. One objection had been received, and the Clerk stated it was her decision not to publish it. An Action Plan not reviewed and agreed by the Council would serve no purpose to the members of the public in its current form. The Clerk stated she welcomed any future comments once Council had debated it.</p> <p>Members reviewed the draft Action Plan and shared their thoughts. The Town Clerk was thanked for her hard work. Cllr. Powling thanked the staff for their outstanding work, especially the recent weekend toilet issues. Cllr. Jenkins asked for the reintroduction of campaigning for a further Community Special Constable. Cllr. Parsons raised concerns about the staffing capacity to fulfil the delivery of the plan. The Town Clerk responded that in due course, she would be in a position to advise the Personnel Committee on the situation. 2 members of the public were allowed to ask questions about the skate park and Section 106 monies. Cllr. Jenkins asked the Clerk to make a diary note for October to make contact in relation to parking income. After discussion, it was suggested that the plan would not be published and would be considered at a separate meeting in line with the budget.</p> <p>Proposed: Cllr. Jarvis Seconded: Cllr. Weaver. <i>It was resolved</i> unanimously to hold a separate meeting.</p>
23/205.	<p>FINANCE 🗳️</p> <ol style="list-style-type: none"> a) Payments were approved and signed by 2 Councillors (separate document). b) To appoint new signatories to the Unity Trust Bank & to consider the use of Unity Trust Bank as the main account for expenditure/income. Barclays Bank – Cllr. Jenkins appointed as an additional signatory. Unity Bank – Town Clerk to be given admin permission to load payments on the system. Cllr. Powling and Cllr. Jenkins appointed as signatories. NS&I – Cllr. Jenkins appointed. c) To consider the opening of a Unity Trust Bank No 2 Account – deferred to Finance & Strategy Meeting. d) Town Clerk to report on External Audit – some queries answered, due back soon. e) Members to review the following: <ul style="list-style-type: none"> - Granny’s Garden Improvement Project – expenditure of £2,400 for metal fencing works - approved. The Town Clerk gave a report on a recent meeting and highlighted the dangerous spikes on the fencing. Cllr. Jarvis/Clerk suggested the area had been previously agreed by a previous Town Council to take over the responsibility for maintenance. Cllr. Parsons shared some information on the Localism Act. Ideas were considered for fence work & painting/new benches (sponsored), trees cut etc. – <i>it was resolved</i> unanimously to further discuss with the owners. Clerk will arrange a further site visit. Cllr. Jarvis proposed a budget of £6,500, seconded by Cllr. Powling – all in favour. Cllr. Jenkins asked the Town Clerk to investigate Section 106 availability. - MISA – expenditure of £795 (condition survey) & £750 (measured floor ground survey) – <i>it was</i>



	<p>resolved unanimously to proceed.</p> <ul style="list-style-type: none"> - Newsletter – Members considered a quotation for design & print. After discussion, it was resolved unanimously to proceed, with an expenditure of £1,260 for design & print. Distribution costs unknown at present. The Town Clerk to prepare the Newsletter content – Cllr. Parsons offered to proof read, final sign off by the Mayor. - Erection of metal fence at WMTC Office - £1434.92 & VAT – deferred. - Repairs to zip wire £1309.16 & VAT – approved. - Provision of sanitary bins in 5 public conveniences £2,232 & VAT – approved. - Replacements of litter bins @ Firs Road & Feldy View Cemeteries £2,600 & VAT – approved. - Provision of 2 tablets for Groundsmen @ £130 each - approved. - Installation of 3 bins @ Cemeteries @ £1,050.00 – approved. <p>f) To agree the Hedge Cutting Tender Document – ready for issue on Contracts Finder- deferred.</p>
23/206.	<p>POLICY & PROCEDURE REVIEWS 🖱️</p> <p>A discussion took place on the policies. After discussion, it was resolved unanimously as follows:</p> <ul style="list-style-type: none"> a) Financial Regulations (amendment) – deferred b) Vexatious Policy (amendment) - deferred c) Community Engagement (new) - adopted d) Delegated Powers (new) - adopted e) Internal Controls (new) - adopted f) GDPR General Privacy Notice (new) - adopted g) Press & Media Policy (new) - deferred
23/207.	<p>CONTACT FROM RESIDENTS/FREEDOM OF INFORMATION REQUESTS</p> <p>The Town Clerk reported that she had serious concerns relating to the amount of FOI requests received since April 2022 and the costs involved, in particular with one member of the public’s requests reaching nearly £10,000 in public funds. The Town Clerk stated she had no issue with reasonable FOI requests. Some requests had been recently redacted.</p> <p>The Town Clerk reported many positive comments received from residents on the visual improvements the Council has made and that the Council is now perceived and a forward thinking and productive Council.</p>
<p>EXCLUSION OF PRESS AND PUBLIC 🖱️</p> <p>To RESOLVE that due to the confidential nature of the business to be transacted the public and press be excluded pursuant to Section 1 of the Public Bodies (Admission to Meetings) Act 1960.</p>	
23/208.	<p>PERSONNEL 🖱️ £</p> <ul style="list-style-type: none"> a) Report from Town Clerk – it was resolved unanimously to change the title of William Boswick to Senior Groundsman with immediate effect. The Town Clerk to review all staff contracts in due course. b) Discussions took place in relation to the Town Clerk role. c) HR Contract – the Clerk made a recommendation. It was resolved unanimously to appoint Worknest on a 5 year contract @ £1,998 + vat with a 12-month clean break clause. Proposed: Cllr. Jarvis, Seconded, Cllr. Powling. All in favour. d) A date to be set for the next Personnel Meeting – Town Clerk to send suggestions.
23/209.	<p>LAND PURCHASE – COAST ROAD 🖱️ £</p> <p>Documents reviewed & signed of legal documents (2 Councillors). Associated cost were approved.</p>
23/210.	<p>GROUNDS MAINTENANCE CONTRACT 🖱️</p> <p>Clerk to report. Members to agree on any actions to be taken – deferred.</p>