



# ST OSYTH PARISH COUNCIL



## Minutes of the Ordinary Meeting of the Council held in the Village Hall, St Osyth on Thursday 17<sup>th</sup> August 2017 at 7.15 pm

**PRESENT:** Chairman: Cllr. Sonia Grantham, Vice-Chairman: Cllr. John Kemp  
Cllr's Alma Blockley, David Cooper, Mandy Kelly, Jean Smith,  
Michael Talbot, Michele Thomas, Julie Ward & John White

Cllr. Alan Goggin, Essex County Councillor (Arrived at 8.35 pm)

**APOLOGIES:** Cllr. French (Holiday)  
Cllr. Peverell (Post Surgery Recuperation)

**MINUTES:** Neil Williams

**PUBLIC PRESENT:** One

### **G-17-075 MEMBERS DECLARATION OF INTEREST:**

The Chairman advised Councillors, that under Section 31 of the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, they had a responsibility to declare any Pecuniary or Non-Pecuniary Interests in any matter to be discussed.

Cllr's Grantham, Kemp and Smith declared a Non-Pecuniary Interest in respect of Planning Application 17/01197/FUL.

### **G-17-176 CHANGE OF AGENDA ORDER / ADDITIONAL AGENDA ITEMS:**

The Chairman requested the permission of the Council to defer agenda Item 16b (Cemetery Pest Control) until the September meeting. The Chairman subsequently requested the permission of the Council to add the following items to the agenda, to which all Councillors agreed:

- a. The naming of a road as part of Phase 1 of the Westfield development, 16/00656/FUL refers.
- b. Correspondence from Tendring District Council in respect of St Osyth Priory.

### **G-17-077 PLANNING APPLICATIONS:**

	<b>APPLICATION &amp; ADDRESS</b>	<b>PROPOSAL</b>
a)	17/01059/FUL Mr Harry Parrish 2 Seaview Parade Seaview Road St Osyth	Proposed front covered canopy (including part demolition of protruding part of arcade), new signage over canopy and proposed loft conversion with front and rear dormers to create 1 no. new dwelling.  No objections.

b)	17/01166/FUL Mr & Mrs Barker 3 Dumont Avenue, St Osyth	Single storey side extension.  No objections.
c)	17/01170/FUL Mr M Berry Land adjacent Linley Farm Greenland Grove, St Osyth	New dwelling with cart lodge and associated parking.  No objections.
d)	17/01197/FUL Park View Nursery c/o Stanfords St Johns Plant Centre Earls Hall Drive Clacton on Sea	Improvements to Earls Hall Drive.  Strong objections on the basis that this application does nothing to mitigate against the traffic queues along St John's Road, especially when the car park is full.  The sale which commenced on 17 <sup>th</sup> August, and which is due to continue until 23 <sup>rd</sup> August, has already had a considerable impact on traffic approaching from Clacton. The lack of sufficient parking spaces at the site and the lack of a formal junction has meant that in some cases residents have been stuck in traffic for up to an hour, whilst others have been waiting for considerable lengths of time. Whilst the widening of the lane would allow for a two way flow of traffic in and out of the site, the main issue of the lack of a formal junction has not been addressed, as traffic travelling from Clacton would still back up whilst waiting for cars to turn into the site on Earls Hall Drive.  Photographs have been forwarded to the District Council via email. Furthermore, it is felt that the applicant is putting the 'cart before the horse' in that they are submitting an application to expand access when in fact they do not have permission for the retail enterprise already operating.
e)	17/01208/FUL Mr Robert Clarke Lee Wick Farm Lee Wick Lane St Osyth	Siting of a cabin for use as self-catered holiday accommodation.  Objections on the basis that a similar Planning Application, 14/01772/FUL (15/00037/REFUSE) was dismissed at Appeal (APP/P1560/W/15/3035655 refers). The Parish Council has concerns that any development of this site will extend the developed part of the farmstead into the countryside. Additionally, having visited the site, Councillors are mindful of the impact that this cabin will have on the privacy of the neighbouring property (The Barn). Should Tendring District Council be minded to approve the application, the Parish Council would request that the application is put before the Planning Committee.

f)	17/01242/FUL Mr A Kingston 42 Tower Estate Point Clear Bay	Addition of balcony to south elevation.  Whilst the Parish Council has no objections, there are concerns that this is clearly a retrospective application, despite there being no reference to this on the application itself.
g)	17/01249/TCA James Choat Robins Acre 70 Colchester Road St Osyth	T1 - False Cypress - raise crown by removing sub-laterals only. T2 - Purple plum - reduce crown by 1.5 - 2 m. T3 - Plum - Raise crown to 2m. T4 - Scots Pine - Thin crown by 10%. T5, T6 - Greengage - remove stem causing damage to fence. T7 - Ash - Remove low sub-laterals on neighbours side.  The Parish Council refers this application to the TDC Tree & Landscape Officer for consideration.
h)	17/01334/TPO Ms Jane Byrne Tan Cottage, Daltes Lane St Osyth	T1 Magnolia - reduce by 30%.  The Parish Council refers this application to the TDC Tree & Landscape Officer for consideration.
i)	17/01336/TPO Mr John Dawson The Old Cottage, Daltes Lane St Osyth	T2 - Magnolia - reduce by 30%.  The Parish Council refers this application to the TDC Tree & Landscape Officer for consideration.
j)	17/00634/FUL Mr R.A, T.R, D.R, A.I Sargeant St Osyth Priory The Bury St Osyth	Variation of condition 3 of planning permission 16/00671/FUL - To allow the re-location of Lake House North and South Lodge.  No objections.
k)	17/01175/FUL Mr R.A, T.R, D.R, A.I Sargeant St Osyth Priory The Bury St Osyth	Variation of condition 3 of 16/00656/FUL to allow amendments to the elevations and layout of Phase 1.  At this time the Parish Council is unable to comment as it is unclear whether the application includes plans for the additional 8 dwellings as indicated at the City & Country Presentation & Stakeholder Session held on 4 <sup>th</sup> July 2017. Furthermore without an obvious comparison of the amendments, it is difficult to ascertain exactly what the changes, as permitted in condition 3, actually consist of.

**G-17-078 APPROVAL OF MINUTES:**

**RESOLVED:** That having been previously circulated, the minutes of the Ordinary Meeting of the Council of 20<sup>th</sup> July 2017 be verified for accuracy by the Council and signed by the Chairman as a true and accurate record. The motion was proposed by Cllr. Kemp and seconded by Cllr. Thomas. All agreed.

**G-17-079 UPDATE ON SUMMARY OF ACTION:**

- a. G-17-062. The Clerk informed the Council that the crime statistics for May and June 2017 had yet to be published on the Police website.
- b. G-17-063 d i. The Clerk informed the Council that the Capitation Grant payments for the Village Hall and Dumont Hall respectively had been factored into the budget for 2017/2018.
- c. G-17-063 d ii. The Clerk confirmed that both Essex Police and Essex Highways had been informed of the issues of parking and overgrown vegetation in Dumont Avenue.
- d. G-17-067. The Clerk informed the Council that the draft Social Media Policy would be presented to the Council at the September meeting.
- e. G-17-068. The Clerk informed the Council that the draft Policy for Advertising on the Parish Council website would be presented to the Council at the September meeting.
- f. G-17-070. The Clerk reminded the Council that he had yet to receive the preference of training modules from a number of Councillors. Those Councillors present who had yet to submit their choices agreed that they were content to 'go with the majority'. The Clerk stated that he would liaise with the Essex Association of Local Councils (EALC) with a view to arranging a suitable date for training.
- g. G-17-072. The Clerk informed the Council that he had submitted a response to the District Council in respect of the Local Plan.
- h. G-17-073. The Clerk confirmed that he had written to Mr Afqar Dean on behalf of the Council, thanking him for his support and guidance during the recent costs claim against the Council.

**G-17-080 PUBLIC PARTICIPATION: None**

**G-17-081 CORRESPONDENCE:**

The following correspondence was noted:

- a. Tendring District Council (TDC) Notification of Decisions (Determinations) 14<sup>th</sup> July 2017 to 4<sup>th</sup> August 2017.
- b. Correspondence from Essex County Council (ECC) regarding the approval of Planning Application ESS/34/17/TEN.
- c. Correspondence from Maldon District Council regarding the approval of the Maldon District Local Plan by the Planning Inspectorate.
- d. Correspondence from St Osyth Carpet Bowls Club concerning the Annual Parish Grant.

The Clerk added that a number of other Parish organisations had also contacted him, confirming that they were not in need of funds at this time and could wait until the grants were paid in October 2018. The Clerk added that Holland Shore Boxing Club had now been renamed as St Osyth Boxing Club.

- e. Correspondence from Tendring District Council regarding the approval of Tree Preservation Order 17/00009/TPO.

#### **G-17-082 REPORTS FROM WORKING GROUPS:**

- a. **Blooms in St Osyth:** Nothing to report.
- b. **Highways Working Party:** Nothing to report.
- c. **Martins Farm Country Park:** The notes of the meeting of 27<sup>th</sup> July 2017 having been previously circulated, the Chairman invited questions from those present. None were forthcoming.
- d. **Playground, Youth & Open Spaces Working Party:** The notes of the meeting of 13<sup>th</sup> July 2017 having been previously circulated, the Chairman invited questions from those present. None were forthcoming.

#### **G-17-083 REPORTS FROM REPRESENTATIVES:**

- a. **Essex Police:** Having been previously circulated, the Council reviewed the Crime statistics for May 2017.
  - i) Cllr. Kelly informed the Council of offences within Point Clear by location and where practicable the status of the investigation.
  - ii) Cllr. Cooper informed the Council of offences within St Osyth by location and where practicable the status of the investigation.
- b. **Footpaths:** In the absence of Cllr. Peverell, the Chairman informed the Council that where reports had been received, all footpaths had been trimmed. The Chairman continued that Footpath 19 would require the attendance of a working party to be arranged by Essex County Council, as there was a lot of overhanging vegetation.
- c. **Planters & Litter Bins:** Cllr. Ward informed the Council that the bin opposite the Kings Arms was in need of cleaning. She continued that if cleaning did not improve the appearance of the bin, she would look to include funding a replacement in the budget for 2018/2019.
- d. **Tree Warden:** No report given.
- e. **TDALC:** Cllr. Talbot reported that the AGM of the Essex Association of Local Councils was to be held at Great Dunmow on Tuesday 19<sup>th</sup> September between midday and 5.30 pm. Cllr. Talbot requested that the Parish Council agree his attendance as its delegate, as if agreed, it meant that he could take any other member of the Parish Council who would like to attend. All agreed.

f. **District Council Report:**

- i) Cllr. Talbot reported that the matter of greatest importance to St Osyth was the resurrection of the action first taken in September 2012, when chalet properties in Point Clear Bay were served with 'Breach of Conditions' notice with regard to the 1958/59 Planning Permissions for the building of these chalets in the Bay. He continued that at that time, residents had met with himself and Cllr. John White (who was not Chairman of Planning Committee at that time), and a number of meetings organised. During one such meeting involving Council Officers, Cllr's Talbot and White, affected residents and Cllr. Peter Halliday, the latter, who listened to individual circumstances, suggested that such action should NOT be followed up with action in the Magistrate's Court for non-compliance with the Breach notice. Without any public announcement the whole matter then went quiet.

The matter had now been resurrected and a similar 36 notices had been served on residents, for some who owned the freehold of the chalets they occupy, these were their only home in the UK.

Cllr. Talbot then suggested that the District Council should have accommodation in place for residents if evicted. He expressed concern that the area would become a thieves paradise with empty, fully furnished, homes made empty by the Council's action being vulnerable to burglary. It was likely that individuals property insurance would become void if their property was left vacant for a period of time.

Cllr. Talbot added that he was of the view that so much has changed in the last 59 years that the risk of any person being drowned in the Bay, because they did not know a flood was likely, was quite remote. Advances in local radio and TV stations, mobile phones, social media, stand-by emergency bodies and a properly constructed Sea Wall was built circa 1963, showed the improvements made since 1958/9.

Cllr. Talbot concluded that even his wife Marjorie and himself had been evacuated on the 5<sup>th</sup> December 2013, when a policeman knocked on his door advising them to leave!

- ii) Cllr. White stressed that as there were so many different permissions in effect, residents must appeal. This would, hopefully, result in the matter being the subject of a Public Inquiry.

g. **Community Speed Watch:**

- i) Cllr. Kemp informed the Council that during a recent Speed Watch session, some 15 vehicles had been recorded within an hour, all of which were travelling in excess of the speed limit.

- ii) At the request of the Chairman, Cllr. Cooper gave a breakdown of the statistics:

Between 17<sup>th</sup> July 2017 and 14<sup>th</sup> August 2017, there were 71 occurrences of drivers speeding in the village, with an average speed of 38.5 mph.

1. Clacton Road:  
37 recordings with an average speed of 38.4 mph
2. Mill Street:  
34 recordings with an average speed of 38.7 mph

**Total for St Osyth: 71 recordings (average speed of 38.5 mph)**

**G-17-084 REPORTS FROM NOMINATED TRUSTEESHIPS REPRESENTATIVES:**

- a. **St Osyth Almshouse Charity:** Nothing to report.
- b. **Bradwell Power Station:** Cllr. White reported that the site was now clear of material, with much of the intermediate level waste being dissolved in nitric acid, which although maintaining its radiation, reduced the mass of the waste down to 15%, which could then be placed in fewer containers. Cllr. White concluded that he would be in Sellafield for 3 days in September.
- c. **St Osyth Playing Field Charity:** Cllr. Thomas informed the Council that an application for funding for new garage doors, window sills and replacement goalposts was in the final stage of completion. The Chairman added that the clearance of the electricity substation and cutting back of vegetation along the western boundary by staff of the Orchards Holiday Park was on hold until the autumn.
- d. **Point Clear Community Association:** Nothing to report.
- e. **Village Hall Management Committee:** Cllr. Kemp informed the Council that the new door to the Annex had been installed and that the parking of local resident's vehicles at the front of the hall remained a problem.

Cllr. Kemp informed the Council of a recent request by the Chairman of the Council, to the Management Committee, to consider the installation of air conditioning in the office, due to the staff having to endure very hot temperatures whilst working in the Parish Office. The Chairman added that the matter was progressing with the possibility of a portable unit being another option.

**G-17-085 FINANCE:**

- a. Approval of payments as per the circulated lists were agreed by the Council.

- b. The following balances were noted and agreed:

Current a/c	£ 57,372.61
Deposit	£ 49,789.81
Special Project	£ 3,016.15

- c. The Minutes of the Finance meeting of 12<sup>th</sup> July 2017 having been previously circulated, the Chairman invited comments from the Council. None were forthcoming.

**G-17-086 NOTIFICATION OF MOTIONS FOR EALC AGM:**

The Chairman asked for any motions to be put to the EALC AGM, to be held on 19<sup>th</sup> September 2017. None were forthcoming.

Cllr. Talbot was requested to ascertain the status of the motion put forward by the Parish Council in 2015, whereby unelected (co-opted) Councillors be entitled to receive allowances, a motion which had received unanimous support from all present at the 2015 AGM.

**G-17-087 ANNUAL PARISH APPRAISAL:**

The notes of the Parish Appraisal having been circulated, the Chairman gave a brief overview of the report.

**G-17-088 COUNCILLOR'S TRAINING REQUIREMENTS:**

The Clerk reminded the Council that this matter had been actioned earlier in the meeting.

**G-17-089 DUMONT AVENUE PLAY AREA:**

The Chairman reminded the Council of the need for a questionnaire to ascertain the use of the play area. Cllr. Ward added that there were concerns about investing capital in an area which was potentially unused, when in fact only maintenance was required. The Chairman continued that she had recently been approached by a resident who enquired as to the closure of the play area. The Chairman stated that she had informed the resident that the Parish Council was actually seeking to ascertain the usage of the play area. It was agreed that the questionnaire be hand delivered in September.

**G-17-090 PARISH CEMETERY:**

The Chairman informed the Council of the concerns of the Clerk over inappropriate items on or around plots in the Cemetery and suggested a Council 'working party' to remove items. Cllr. Ward added that the items, which the Clerk confirmed included glass vases / bottles, solar lights and wind chimes, were listed within the Cemetery Regulations as not permitted within the Cemetery.

Cllr. Kelly suggested items could be removed by members of the Cemetery Committee during fortnightly inspections. The Chairman replied that the suggestion would assist in the removal of general litter, the removal of unauthorised items would be best dealt with in one go. The Chairman requested that Cllr's Smith and Ward discuss a suitable date for Councillors to meet in September in order to remove items.



Cllr. White informed the Council that someone had been seen disposing of their household waste in the Cemetery bin. The Chairman confirmed that both she and the Clerk were aware and that a sign had been placed on the fence used to screen the bin.

**G-17-091 REPORTS FROM REPRESENTATIVES (ESSEX COUNTY COUNCIL):**

Having arrived at 8.35 pm due to attending the Ordinary meeting of Brightlingsea Town Council, Cllr. Goggin informed the Council of the following:

- a. That during a recent meeting with the Essex County Council Cabinet Member for Highways, the subject of Local Highways Panels (LHP) had been discussed, with the consensus being that there was a great deal of displeasure with how the LHP were being managed. He continued that there were concerns over the effectiveness of Ringway Jacobs, with whom the County Council were committed to a further 4 years of a 10 year contract.
- b. That following an email from Mr Frank Hearn, a resident of Westwood Park, he [Cllr. Goggin] was liaising with Adrian Summons, ECC Infrastructure Development Manager concerning a 'dipping kerb' at the Flag Hill bus stop.
- c. That he had received correspondence from a resident of Brookvale expressing concern as to the lack of a pavement along certain parts of Spring Road. The Clerk requested a copy of the correspondence.
- d. That Brightlingsea Youth Club were looking to hold a fireworks display on 4<sup>th</sup> November, which the Parish Council could join / contribute to if Councillors thought it a good idea.
- e. That the recent visit of the Tornado steam train, which had carried out a number of journeys between Colchester and Walton, had raised in the region of £10,000.00 for St Helena Hospice.

**G-17-092 CO-OPTION OF CASUAL VACANCY:**

The Clerk informed the Council that having followed the correct protocol for casual vacancies, and having been granted authorisation by TDC Electoral Services, the Parish Council was now able to co-opt a new member.

It was agreed that a notice be included in the September edition of the Parish Magazine, with the closing date for interested parties being 21<sup>st</sup> September 2017.

**G-17-093 COUNCIL MAINTENANCE EMPLOYEE:**

At the request of the Chairman, the Clerk informed the Council that the Maintenance Employee, Mr Ray De'ath, had recently undergone a procedure which meant that he was unable to work for the immediate future. The Chairman informed the Council that following a discussion with herself and the Responsible Financial Officer, the Clerk had written to Mr De'ath, confirming the Council's responsibility as an employer, and expressing the best wishes of the Council. The Chairman continued that measures had been put in place to ensure that the weekly litter pick was completed and any maintenance work carried out. Cllr. Talbot commended the actions of the Chairman and Clerk.

**G-17-094 ROCHFORD ROAD FLOWER BEDS:**

The Chairman informed the Council that following an inspection by herself, Cllr. Blockley and Cllr. Ward, it was suggested that the shrubs be removed from the beds, which were in the region of 20 years old, the area be turfed and a single white birch tree planted in the site of each bed. The Chairman continued that recent attempts to revive the beds by Mr Colin Westripp had proven unsuccessful. The Chairman added that having discussed the possibility of the planting of trees with Clive Dawson, TDC Tree & Landscape Officer, the latter had thought it a good idea.

Cllr. Smith suggested that the Council look for a volunteer to 'take on responsibility' for the beds, however, the general consensus was that the removal of the shrubs, to be replaced with white birch trees was a good idea.

**G-17-095 OCCUPANCY RESTRICTIONS:**

The Chairman reminded the Council of the recent issue of 36 'Breach of Condition' notices by the District Council against residents of Point Clear Bay. At the request of the Chairman, the Clerk gave an overview of Flood Zone 3 and how it related to St Osyth Beach and Point Clear Bay, which was presented to Councillors by way of a powerpoint presentation.

Having discussed the 'Breach of Condition' notices at length with Chris Stathers, TDC Enforcement Team leader, the Chairman addressed the Council in respect of the planning / enforcement history associated with Point Clear Bay.

As a resident of Point Clear Bay, Cllr. Kelly informed the Council of the current mix of conditions for a number of the chalet properties within Point Clear Bay. Cllr. Talbot suggested that there were inconsistencies on behalf of the District Council, which on 4<sup>th</sup> August 2017, had granted Bourne Leisure (The Orchards Holiday Village) all year round use of a caravan within Point Clear Bay. He continued by stating that the Environment Agency were not recommending that people be evicted from existing properties but rather that no new properties be built in areas where flooding was possible. Cllr. Talbot concluded by stating that he would look to arrange a meeting with Neil Stock, Leader of Tendring District Council, Parish Councillors and residents of Point Clear Bay.

The Chairman reminded all present of the importance for residents of all affected properties to submit representation to the Planning Inspectorate.

So as not to be considered to predetermine any planning related matter in respect of the Breach of Conditions, Cllr. White, as the Chairman of the District Council Planning Committee, refrained from taking any part in the discussion.

**G-17-096 NAMING OF PHASE 1 OF PLANNING APPLICATION 16/00656/FUL:**

The inclusion of the additional agenda item having been approved by the Council, the Chairman informed the Council of a recent notification from Nina Underwood, TDC Street Naming & Numbering Officer, on behalf of the Sargeant Family, for the naming of the road for Phase 1 of the Westfield development, the suggested name being that of 'Priory Drive'. The Chairman subsequently informed the Council of a recent email from Mr Timothy Sargeant, in which it was suggested that a name to link the Westfield site with the Priory might be acceptable. Following a lengthy discussion as to suitable names, Cllr. Thomas suggested that the road be called 'Westfield Drive'. All agreed. The clerk was requested to notify Nina Underwood of the Council's suggestion.

**G-17-097 ST OSYTH PRIORY:**

The inclusion of the additional agenda item having been approved by the Council, the Chairman informed the Council of a recent correspondence from Mrs Cath Bicknell, Head of TDC Planning Department, in response to the Chairman's letter concerning the proposals detailed by the Sargeant Family at the St Osyth Priory & Parish Trust stakeholder's presentation, held on Tuesday 4<sup>th</sup> July 2017. The Chairman requested that she review the correspondence from Mrs Bicknell with a view to formulating a response. All agreed.

**G-17-098 FURTHER MATTERS:**

- a. At the request of the Chairman and by way of a powerpoint presentation, the Clerk showed Councillors photographs of the recently restored War Memorial and Village sign.
- b. Cllr. White informed the Council that Gary Guiver, TDC Planning Policy Manager, was no longer dealing with planning applications, and was instead focussing purely on the District Local Plan.
- c. Cllr. Kelly informed the Council of the recent removal of an overflow pipe from the 'borrow dykes' within the Orchards Holiday Park. Cllr. Kelly provided the Clerk with a number of photographs. Cllr. Talbot informed all present that he too was aware of this matter and that he had already written to the Environment Agency, a copy of which he would forward to both Cllr. Kelly and the Clerk. The Chairman informed the Council that the Clerk would also write to the Environment Agency on behalf of the Council.

There being no further business the meeting was closed at 9.53 pm.

<b>Summary of 'Action Required' from the Minutes of the Ordinary Meeting held on Thursday 17<sup>th</sup> August 2017</b>		
G-17-079 d	Social Media Policy	Clk to prepare draft
G-17-079 e	Advertising of Events on Website	Clk to prepare draft
G-17-079 f	Cllr's Training	Clk to liaise with EALC
G-17-083 c	Bin opposite Kings Arms	Cllr. Ward to review
G-17-083 c	EALC AGM	Cllr. Talbot to attend
G-17-084 e	Portable Air Conditioning	Clk to research
G-17-086	Cllr's Allowances	Cllr. Talbot to raise at EALC AGM
G-17-089	Dumont Avenue Play Area	Questionnaire to be distributed
G-17-090	Removal of Items from Cemetery	Cllr's Smith & Ward to arrange
G-17-092	Co-Option Notice	Clk to action
G-17-095	Occupancy Restrictions	Cllr. Talbot to arrange meeting
G-17-096	Naming of Road	Clk to liaise with TDC
G-17-098 c	Removal of Overflow Pipe	Clk to write to Environment Agency

Signature: Signed on Original  
SW Grantham  
Chairman