



# ST OSYTH PARISH COUNCIL



## Minutes of the Ordinary Meeting of the Council held in the Village Hall, St Osyth on Thursday 21<sup>st</sup> March 2019 at 7.15 pm

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

Cllr. Alan Goggin, Essex County Councillor (Arrived at 8.15 pm)

**MINUTES:** Neil Williams

**PUBLIC PRESENT:** One

### G-18-219 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. Kelly declared a Non-Pecuniary Interest in respect of Planning Application 19/00219/FUL.

Cllr. Peverell declared a Non-Pecuniary Interest in respect of St Osyth Priory and Planning Application 19/00219/FUL.

### G-18-220 PLANNING APPLICATIONS:

	APPLICATION & ADDRESS	PROPOSAL
a)	19/00219/FUL Mr D Shannon 128 Colne Way Point Clear Bay	Removal of condition 2 of application TEN/119/59 to allow all year occupancy.  The Parish Council would possibly support this application, however, notwithstanding the approval of similar applications in recent years, together with the many variations of planning permissions imposed on similar properties, the Parish Council would request that any decision be deferred until such time as the District Council, or Planning Inspectorate, gives an overall decision in respect of the ongoing occupancy issues.
b)	19/00272/FUL Mr M Low St Osyth Lodge Farm Clacton Road (St John's Road) St Osyth (Clacton on Sea)	Proposed steel framed portal building with fibre cement roof and clad in steel sheeting.  No objections.

c)	19/00294/TCA c/o Paul Bryan Surveyors Mill Court Mill Street St Osyth	1 No. Holly – remove.  The Parish Council refers this application to the TDC Tree & Landscape Officer for consideration.
d)	19/00392/FUL Mr Dobson 115 Point Clear Road, St Osyth	Proposed single storey rear extension.  No objections.
e)	19/00316/COUNOT Mr Greig Martins Grove, Frowick Lane St Osyth	Change of use of agricultural building to dwelling house.  <b><i>Noted - for information only.</i></b>
f)	19/00393/LUPROP Mr Dobson 115 Point Clear Road, St Osyth	Proposed single storey extension.  <b><i>Noted - for information only.</i></b>

#### **G-18-221 PLANNING CORRESPONDENCE:**

The following correspondence was noted:

- a. Tendring District Council (TDC) Notification of Decisions (Determinations) 15<sup>th</sup> February 2019 to 8<sup>th</sup> March 2019.
- b. Correspondence from Tendring District Council regarding Planning Applications 18/01166/FUL, 18/01476/DETAIL & 18/01596/FUL, in respect of St Osyth Priory.
- c. Correspondence from Tendring District Council in respect of Planning Appeal APP/P1560/W/18/3202670 (TDC 16/01770/OUT) Breakers Yard, Cockett Wick Lane, St Osyth.

#### **G-18-222 APPROVAL OF MINUTES:**

**RESOLVED:** That having been previously circulated, the minutes of the Ordinary Meeting of the Council of 21<sup>st</sup> February 2019 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. Lockwood. All agreed.

#### **G-18-223 SUMMARY OF ACTION:**

- a. G-18-209 a iii. The Clerk reminded Councillors to notify him of any sightings of buses using Clay Lane, which were displaying St Osyth Beach.
- b. G-18-213 b. The Clerk informed Councillors that he had written to a resident with regards to the memorial application which had been reviewed by the Council at the previous meeting.
- c. G-18-215 b. The Clerk informed the Council that the Highways Devolution Pilot scheme would be discussed during the meeting.

## **G-18-224 CORRESPONDENCE:**

The following correspondence was noted:

- a. Correspondence from the Parochial Church Council with regards to the grant payment by the Parish Council.
- b. Correspondence from Go East Anglia with regards to Hedingham Bus service No: 79.
- c. Correspondence from Essex County Council with regards to June Transport meetings.
- d. Correspondence from the Essex Association of Local Councils (EALC) with regards to VAT registration.
- e. Correspondence from the NHS Foundation Trust with regards to public meetings.
- f. Correspondence from a resident regarding the provision of a water fountain at Cowley Park.
- g. Correspondence from TDC with regards to the update from the Leader of the Council.
- h. Correspondence from Save Our St Osyth (SOS) regarding fundraising.
- i. Correspondence from the Rural Service Network with regards to the Rural Strategy consultation.

## **G-18-225 REPORTS FROM WORKING GROUPS:**

The Chairman reminded Councillors of the need to adhere to their allotted time for delivering their respective reports.

- a. **Blooms in St Osyth:** The Chairman informed the Council that new planters, to replace those outside the public conveniences in Church Square, were on order.
- b. **Highways Working Party:** Correspondence of 31<sup>st</sup> January, 21<sup>st</sup> February and 6<sup>th</sup> March 2019 respectively, between St Osyth Parish Council and Essex Highways, having been noted, the Chairman informed the Council that the Highways Working Party would continue working towards a Feasibility Study for the crossroads.
- c. **Martin's Farm Country Park:**
  - i) The Chairman informed the Council that she had received a report of 'rat bait' being used at Martin's Farm Country Park, and that having contacted Andrew Brown, Essex County Council (ECC) WRE Landfill Manager, he had confirmed that there were old rat bait containers within the former Recycling Centre, but that they did not contain any bait.

- ii) Cllr. Kelly informed the Council that she had been informed of a dog being taken ill after visiting the park, and enquired as to whether the water in the cattle trough might have been the cause. The consensus was that this was unlikely. Cllr. Kelly was requested to obtain further information if deemed necessary.

d. **Playground, Youth & Open Spaces Working Party:** Nothing to report.

**G-18-226 REPORTS FROM REPRESENTATIVES:**

a. **Essex Police:** Having been previously circulated, the Council reviewed the Crime statistics for January 2019.

- i) Cllr. Kelly informed the Council of offences within Point Clear by location and where practicable the status of the investigation.

Cllr. Kelly informed the Council of a recent theft in Colne Way, which had resulted in a Scenes of Crime Officer (SOCO) attending the scene.

- ii) Cllr. Cooper informed the Council of offences within St Osyth by location and where practicable the status of the investigation.

b. **Footpaths:**

- i) The Chairman requested an update from Cllr. Peverell as to the condition of Footpath 5. Cllr. Peverell responded that she had yet to receive an update from Sarah Potter, Essex Highways Public Rights of Way (PRoW) Officer. The Chairman requested that Cllr. Peverell speak to Sarah Potter before the next meeting.

- ii) Cllr. Peverell informed the Council that overhanging vegetation along Footpath 25 had been cut back.

- iii) Cllr. Peverell gave each Councillor a handout containing details of the footpaths within the Parish.

- iv) Cllr. Peverell concluded by informing the Council that she had yet to submit a grant request to Essex Highways for the 'visitors guide' of St Osyth.

c. **Planters & Litter Bins:** Cllr. Ward informed the Council that she had reviewed the list of plants and that after consultation with the Chairman would be ready to order.

d. **Tree Warden:** Nothing to report.

e. **Tendring District Association of Local Councils (TDALC):**

Cllr. Talbot gave the following report:

Yesterday was the TDALC meeting which for domestic reasons I did not attend, but managed to get Linda Belgrove to give the meeting my apology. Today I attended the Executive of the Essex Association in Great Dunmow at 10.00 am, which was the last meeting before the Town and Parish Elections on 2<sup>nd</sup> May. It was also the retirement of Linda Golding, a long serving officer and the Assistant Chief Executive. The meeting was an interesting one with a number of items of particular interest.

The EALC trading income, mostly from the courses has now exceeded the VAT threshold of £85,000.00, so VAT must be charged of all trading income to Towns and Parishes. This does not apply to our subscription since that is not 'trading'. Parishes will be able to reclaim the VAT paid.

This year is the 125<sup>th</sup> anniversary of the split between the Church Parish and the new Civil Parishes, created by the 1894 Local Government Act. The Association is considering some sort of event to recognise this event.

The County Council Health & Wellbeing Board met on 30<sup>th</sup> January and asked the Essex Association to consider working together with the Town and Parish sector. This will be investigated and a report prepared for the 20<sup>th</sup> March meeting of this Board.

The National Association of Local Councils (NALC) are examining the procedure for dealing with motions sent in by County Associations, as some of them seem almost lost. We have an interest in this, as one of the Tending motions was from us as a Parish, for Co-opted Council members to receive the same allowance paid to elected members. The other was to extend the Ombudsman's powers to include complaints by a Parish tier Authority against its Principle Authority.

The award of £7,000.00 to St Osyth Parish Council for the post of Community Warden was part of a detailed report on all grants made by the Local Service Fund. The total sum distributed so far is £367,167, all funded by the County Council.

I have passed to David Cooper the Essex Police Rural Crime report to December 2018.

**f. District Councillor's Report:**

i) Cllr. White reported that he had been pursuing a matter concerning a tree, which was impacting on a resident of a District Council owned property.

ii) Cllr. Talbot gave the following report:

To be perfectly honest hardly any Council business is being conducted 'today' that can be left for a new District Council elected on 2<sup>nd</sup> May to deal with. Any meeting that is not essential or its business does not require an answer before 2<sup>nd</sup> May has been postponed along with all of the Member Briefings, meetings to which John and I are probably the most regular attendees.

Meetings such as the Planning meetings, must continue since some of its business is prescribed by law in terms of 'time periods' for applicants to receive a reply, or licensing matters that become important, but apart from explaining the above situation, I really have nothing of interest to report this month.

g. **Website:** Cllr. Lockwood informed the Council that he continued to make changes to the website and that he had made corrections to the contact details for the Dumont Luncheon Club.

h. **Community Speed Watch:**

i) Cllr. Kemp informed all present of an article in the Daily Gazette, in which it was reported that a number of Community Speed Watch volunteers in Frinton and Walton had received death threats whilst conducting CSW activities.

ii) The Chairman informed the Council that the driver of a Colchester based company who had been abusive to St Osyth CSW volunteers, had been reported to his company.

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

Between 18<sup>th</sup> February 2019 and 18<sup>th</sup> March 2019, there were 47 recorded occurrences of drivers speeding in the village, with an average speed of 38.9 mph.

1. Clacton Road:  
35 recordings with an average speed of 37.6 mph

2. Mill Street:  
8 recordings with an average speed of 37.6 mph

3. Point Clear Road (Wigboro Wick):  
4 recordings with an average speed of 41.5 mph

The highest recorded speed was 55 mph.

9 Vehicles were observed travelling in excess of 40 mph.

#### **G-18-227 REPORTS FROM NOMINATED TRUSTEESHIPS REPRESENTATIVES:**

a. **St Osyth Almshouse Charity:** Cllr. White reported that two applications for co-opted Trustees had been received. That a decision would have to be made as to who would be chosen to replace the doors on the four properties in Clacton Road, which as the buildings were some 500 years old, would have to be handmade and would therefore cost in the region of £10,000.00.

- b. **St Osyth Playing Field Charity:** Cllr. Thomas informed the Council of a recent request for a 'dog park'. The Chairman subsequently informed Councillors that having been approached about the dog park, she had left an answerphone message for the Chairman of Copford Parish Council, which had a dog park, but had yet to receive a response.
- c. **Point Clear Community Association:** Nothing to report.
- d. **Village Hall Management Committee:** Cllr. Kemp reported that the next meeting was scheduled for 25<sup>th</sup> March 2019.
- e. **St Osyth Priory & Parish Trust:**
  - i) A copy of the narrative given by the Chairman to the District Councils Planning Committee having been previously circulated, the Chairman gave an overview of the second Public Inquiry, which had resulted in a Section 106 Agreement being approved, some two years after the Inquiry, which stipulated that all of the buildings be restored within a period of 10 years.
  - ii) The Chairman continued that part of the Section 106 Agreement was that the Trust have a representative from both the Parish and District Councils, and that a Business Plan be produced and submitted to the latter. Following a number of meetings between representatives of City & Country, the District Council and Historic England, which had resulted in positive outcomes, the Business Plan had been submitted to the District Council Planning Committee, which had subsequently recommended refusal.
  - iii) The Chairman explained that she had been asked to represent the Trust at the Planning Committee meeting on 12<sup>th</sup> March 2019, and that on behalf of the Trust she had requested a deferment if there was a refusal, in order to allow the Trust and TDC to work towards a solution, rather than go through a mediation process. The Chairman concluded that since the refusal of the Business Plan by the Planning Committee, Cath Bicknell, Head of Planning had agreed to meet at the beginning of April, to discuss how to progress the Business Plan.
  - iv) Cllr. Ward referred to paragraph iv of the narrative given by the Chairman, enquiring as to whether local children would in fact be able to have a guided walk through the Priory parkland. The Chairman responded that she would be leading the walk, which hopefully would be the start of the Priory being used for the benefit of the residents of St Osyth and the wider Tendring area.
  - v) Cllr. White informed the Council that as Chairman of the District Councils Planning Committee, he had vacated the Chair and left the room during the discussion in respect of the Business Plan, as he had been 'pre-determined' on all other Priory related planning applications.

He continued that to restore all of the buildings would require additional Enabling Development, amended applications for which were being sought for developments already submitted by the Sargeant Family in Great Clacton and Lawford.

- vi) Cllr. White informed the Council that during the Planning Committee meeting, a District Council officer had stated that they were 'dumbfounded', "having the most highest respect for Cllr. Grantham, the way in which she had appeared against the Barrister on numerous occasions, and now she is speaking for them". The Chairman commented that it was somewhat ironic, but that she had in fact been speaking on behalf of the Trust, as a Trustee appointed by the Parish Council.

**G-18-228 FINANCE:**

- a. Approval of payments for February 2019, as per the circulated lists were agreed by the Council.

Cllr. Kelly enquired as to the reason why a transaction had been cancelled, only for payment to be made later that same day. The Clerk stated he was unaware of the reason why, but that he would raise the matter with the Responsible Financial Officer.

- b. The following balances were noted and agreed:

Current a/c	£ 107,465.86
Deposit	£ 52,831.33

**G-18-229 REPORTS FROM REPRESENTATIVES:**

- a. **Essex County Council:**

Prior to Cllr. Goggin addressing the Council, the Chairman presented him with a small gift on behalf of the Parish Council, thanking him for his support of the Council.

Cllr. Goggin gave an overview of the following:

- i) That a meeting was to be scheduled with Vicky Presland, Essex Highways Strategy Manager and representatives of the Parish Council to discuss how to progress the Parish Councils concerns over the crossroads.
- ii) The use of libraries, and the opening of libraries in Village / Community Halls in areas where there had previously been none.
- iii) That having attended the Public Meeting in respect of the Councils request for the use of the snooker room, he had been impressed by the case put forward by the Chairman and Clerk.



- iv) That he had to give apologies to the residents of Westwood Park, as having informed them that there would be a Volume, Speed & Density survey of the B1027 in the vicinity of the development, there was in fact no funding to conduct the survey until the beginning of the next financial year.
- v) Cllr. Goggin concluded by thanking the Clerk for his assistance in arranging the removal of a safe, which he was giving to the Parish Council, from Cllr. Goggin's business premises in Brightlingsea.

**G-18-230 PERSONNEL COMMITTEE:**

- a. The Minutes of the meeting of 12<sup>th</sup> March 2019 having been previously circulated, the Chairman reported that interviews for the position of Community Warden would be held on Friday 29<sup>th</sup> March 2019.
- b. The Chairman enquired as to whether the Council wanted to ratify the decision of the Personnel Committee or would be prepared to accept the Committee's recommendation.
- c. Cllr. Talbot moved that the Council delegate the authority to appoint a Community Warden to the Personnel Committee.  
**RESOLVED:** That having conducted interviews of candidates for the post of Community Warden, the decision as to the selection of the candidate deemed most suitable, be delegated to the Personnel Committee. The motion was proposed by Cllr. Talbot and seconded by Cllr. French. All agreed.

**G-18-231 REQUIREMENT FOR ADDITIONAL PREMISES:**

- a. The Chairman reported that the Public Meeting held on 28<sup>th</sup> February 2019, had been well attended, and that following a vote of those in attendance, the result had been 50 in favour of the Council being given the use of the snooker room, 9 against and 1 spoilt ballot paper.
- b. The Chairman informed all present that the Council would assume responsibility for the new office space as of 1<sup>st</sup> April 2019, and that the snooker table would be disassembled and stored in the Village Hall, with the Royal British Legion items being stored in the Church.
- c. By way of a Powerpoint presentation the Clerk briefed Councillors as to the proposed layout of the new office.

**G-18-232 ESSEX HIGHWAYS DEVOLUTION PILOT SCHEME:**

- a. Correspondence of 27<sup>th</sup> February, 6<sup>th</sup> March and 8<sup>th</sup> March 2019 respectively, between St Osyth Parish Council and Essex Highways, regarding the Highways Devolution Pilot scheme having been noted, the Chairman informed the Council that the Highways Working Party had put a great deal of time and consideration into the Grant Agreement issued by the County Council.

- b. The Chairman continued that Essex Highways had accepted a number of changes requested by the Parish Council, and where changes were not acceptable, had given reasons why. The Chairman reported that two amendments were required to the document:
- i) The correct address of the Parish Council.
  - ii) The inclusion of wording recommended by Cllr. Blockley, which would read:  
  
***‘The Recipient warrants, undertakes and agrees that: it will use its best endeavours to ensure that’...***
- c. Following a general discussion as to works to be carried out by Essex Highways and the merits of the Devolution scheme, the Clerk explained that the funding for the Parish Council would be in addition to the service already provided by Essex Highways, to allow the Parish Council to rectify matters at a local level.
- d. Cllr. Goggin informed the Council that it was one of only 20 Parish / Town Councils taking part in the pilot scheme throughout Essex.
- e. The Chairman requested that if the Council was content with the amendments as discussed, it should proceed with the Agreement.  
**RESOLVED:** That the Parish Council accept the amended Devolution Agreement between Essex County Council and St Osyth Parish Council, in order to partake in the pilot scheme. The motion was proposed by Cllr. Thomas and seconded by Cllr. Kelly. All agreed.

#### **G-18-233 SETTING OF COMMITTEE AND WORKING PARTY MEETINGS:**

- a. The Chairman suggested that following concerns by Cllr. White with regards to the rescheduling of several meetings, the dates of which were agreed a year in advance, the Council consider changing the manner in which meeting dates were set.
- b. The Chairman stated that with the exception of the Ordinary Meeting of the Council, the only meetings scheduled in advance were for the Cemetery and Finance Committees. The Chairman continued that at the end of their respective meetings, Working Parties agreed the date of the next meeting. The Chairman suggested that the Committees do likewise, as it would allow Committee members to agree a date convenient to all.  
**RESOLVED:** That Parish Council Committees agree the date of their next meeting at the conclusion of a meeting. The motion was proposed by Cllr. Ward and seconded by Cllr. Cooper. All agreed.

#### **G-18-234 COUNCIL ELECTIONS:**

The Clerk informed Councillors that he would be willing to return Nomination Forms on their behalf, as they had to be hand delivered to the Town Hall. He then reminded the Council of dates of importance in respect of the Elections.

**G-18-235 PUBLIC PARTICIPATION:** A member of the public, subject to the Enforcement Notice - Breach of Condition in Point Clear Bay, enquired as to whether the Council was able to formulate a 'plan in the event of a flood'. The Clerk reminded all present of the Parish Councils Emergency Plan, explaining how it 'dovetailed' into that of the District Councils own plan.

**G-18-236 APPEAL AGAINST ENFORCEMENT NOTICE – POINT CLEAR BAY:** The Chairman informed the Council that at 4pm on Monday 18<sup>th</sup> March 2019, she had been made aware of a pre Public Inquiry meeting scheduled for 10am on Tuesday 19<sup>th</sup> March 2019, at the District Councils Weeley offices. The Chairman continued that the Planning Inspectorate should have notified the Parish Council of the meeting, at which it would be decided who would be either a Rule 6 Party or an Interested Party. The Chairman stated that she had informed those at the meeting that such a decision had to be put to the Council.

- a. Cllr. Kelly subsequently briefed the Council as to the dates of the Public Inquiry, at which 58 Appellants would put forward their case. Cllr. Kelly requested assistance from the Chairman in preparing her submission, as she would also be representing all Appellants with regards to flooding.
- b. At the request of the Chairman, the Clerk, by way of a Powerpoint presentation, provided an overview of the Councils Emergency Plan, relating specifically to flooding, in addition to presenting a map indicating flood zones and flood defences. Cllr. Kelly also provided information with regards to the flood zones.
- c. The Chairman stated that the Parish Council should continue with its support of the residents and forward a submission as an Interested Party. All agreed
- d. A conversation then ensued during which the varying permissions, flood zones, sea defences and responsibility of the District Council were discussed.
- e. Cllr. French requested that Cllr. Kelly be commended for her efforts on behalf of the residents of Point Clear Bay affected by the Enforcement Notice.

**G-18-237 ST JOHN'S ROAD:**

The Chairman informed the Council of the 'Welcome Pack' being delivered to the residents of St John's Road, who would come into the Parish with effect from 1<sup>st</sup> April 2019. The Chairman continued that the packs contained information from the Church, Village Hall and Dumont Hall, and on the organisations within the Parish. The Chairman suggested that the packs include information about the Council and its roles and responsibilities. All agreed.

**G-18-238 FURTHER MATTERS:**

- a. The Chairman thanked all those who had contributed towards the Annual Parish Report.

- b. Cllr. Kelly informed the Clerk of a change to the times of Hedingham buses from Point Clear, which differed to the timetable displayed. It was requested that the Clerk liaise with Hedingham buses.

There being no further business the meeting was closed at 9.35 pm.

<b>Summary of 'Action Required' from the Minutes of the Ordinary Meeting held on Thursday 21<sup>st</sup> March 2019</b>		
G-18-224 c	Transport Meetings	Clk to forward details to Cllr's
G-18-224 e	NHS Trust Meetings	Clk to forward details to Cllr's
G-18-226 b i	Footpath 5	Cllr. Peverell to liaise with PRow
G-18-226 b iv	Footpaths Map	Cllr. Peverell to submit grant request
G-18-228 a	Cancellation of Payment	Clk to liaise with RFO
G-18-236 c	Submission to Public Inquiry	Chairman & Clk to action
G-18-237	St John's Road Welcome Pack	Chairman to action
G-18-238 b	Change of Bus Timetable	Clk to liaise with Hedingham buses

Signature: *[Signed on Original]*  
 SW Grantham  
 Chairman