



ST OSYTH PARISH COUNCIL



Minutes of the Ordinary Meeting of the Council held in the Village Hall, St Osyth on Thursday 16th May 2019 at 7.30 pm

PRESENT: Chairman: Cllr. Sonia Grantham, Vice-Chairman: Cllr. Alma Blockley
Cllr's David Cooper, Ray French, Mandy Kelly, John Lockwood,
Karen Sinclair, Michael Talbot, Michele Thomas, Julie Ward &
John White

Cllr. Alan Goggin, Essex County Councillor (Arrived at 8.30 pm)

MINUTES: Neil Williams

PUBLIC PRESENT: Two

OM-19-022 PLANNING APPLICATIONS:

	APPLICATION & ADDRESS	PROPOSAL
a)	19/00368/FUL Mr Cullip 110 Point Clear Road St Osyth	Proposed single storey rear extension to form an annexe. No objection.
b)	19/00586/FUL Mr & Mrs Lord Pond House Earls Hall Drive, St Osyth	Proposed front extension. No objection.

OM-19-023 PUBLIC PARTICIPATION:

- a. Having declared a Non-Pecuniary Interest in respect of Planning Application 19/00610/DETAIL, Cllr. Blockley, in her capacity as a resident of Alpha Road addressed the Council, during which she raised the following objections:
 - i) That during the site visit by members of the District Councils Planning Committee, prior to the granting of Outline permission, no consideration had been given to access to the site from Point Clear Road.
 - ii) That Oakmead Road, which was in fact a private road, was a single lane road, which prevented vehicles from being able to pass, other than on the car park of the Oakmead Club, for which the owner had planning permission for a future development.
 - iii) That at such time as when the development of the Oakmead Club occurred, there would be an immediate impact of the flow of traffic using Oakmead Road, which would also impact on the bus stop at the junction of Oakmead Road and Point Clear Road, and that the only viable option would be the inclusion of a widened bell mouth.

- iv) That the amended plans detailed two new entrances onto Oakmead Road and Alpha Road. Not only were the two entrances, created by the removal of part of the existing hedge, in dangerous locations, but the developer did not own either of the private roads and could therefore not grant access.
- v) That the original access to the new development had been via the landowners own driveway and that the landowner had never contributed to the upkeep of either of the private roads.

Having declared a Non-Pecuniary Interest in respect of Planning Application 19/00610/DETAIL, Cllr. Blockley left the room at 7.45 pm.

- b. A member of the public reiterated the concerns raised by Cllr. Blockley in respect of the removal of part of the hedgerow in order to create two new entrances.
 - i) They continued that the increase in vehicles using the private road would be a danger to the children who had to walk along the road, which had no footway, in order to catch the school bus.
 - ii) That the amended plans featured a surge pond, which whilst seemingly designed to alleviate any flooding of the new development, was itself in a flood zone.

Following public participation, Councillors reviewed the amended plans for Planning Application 19/00610/DETAIL. After a lengthy discussion during which Councillors put forward their views, the following objections were noted.

<p>c) 19/00610/DETAIL Mr Parsons Land at Oakmead Road St Osyth</p>	<p>Reserved matters application for 4no. detached dwellings with associated garages.</p> <p>The Parish Council strongly object to this application, which differs significantly from the original proposal (16/01611/OUT refers) determined on 30th March 2017.</p> <p>The original site plan, as submitted under application 16/01611/OUT, indicated that access to the five dwellings (now reduced to four), would be via a spur from the existing driveway, within the boundary of and leading to the applicants own property.</p> <p>Whilst the Parish Council would welcome the reduction in dwellings from five to four, there are serious concerns as to the proposed access arrangements, which would see two new entrances being created onto a narrow, single lane, private road over which the Council would question if the applicant has a right to grant access. It should be noted that the applicant has already removed several sections of the existing hedgerow to create the required access.</p>
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		<p>Given that the proposed access to the properties is to be via a private road, there are concerns as to whether the future owners will be made aware of their responsibility to maintain the relevant sections of Oakmead Road to the front of their properties?</p> <p>There are also concerns as to the safety of pedestrians, especially children and the elderly, who frequently use the private road, which has no designated footway, in order to reach bus stops along Point Clear Road. Although a private road, it is the belief of the Parish Council that the vision of drivers exiting the development via the two entrances, will not allow for sufficient visibility to ensure the safety of pedestrians.</p> <p>The current application now includes the provision of a surface water surge pond, which was absent from the original application. Whilst this may be seen as an attempt by the applicant to address drainage and surface water flooding, the pond will be located in National Flood Zone 3.</p> <p>The Parish Council would therefore highlight the following concerns / comments:</p> <ul style="list-style-type: none">• Due to the gradient of the slope, the proposed pond, which will be located downhill of the development, will have a drop in height of approximately 6 metres from the first dwelling (closest to Point Clear Road). There are already concerns as to the volume of water running downhill during heavy deluges; the addition of four dwellings and associated driveways will only add to this.• Whilst located on the applicants own property, there are concerns as to the efficiency of the surge pond, which will empty into a nearby ditch, which in turn raises the question as to who will be responsible for the maintenance of the ditch?• Should the District Council be minded to approve this application, especially the surge pond, the Parish Council would request that a condition of approval MUST be the installation of a cover and fence, in order to prevent access to the pond by both people, especially children, and wildlife, notably small animals.
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		For the reasons stated, the Parish Council strongly object to this application and would request that the access arrangements revert to those of the original application, but more importantly that Essex County Councils Sustainable Drainage Systems (SuDS) team be consulted regarding the proposed surge pond and drainage from the development, which gives serious grounds for concern.
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Cllr. Blockley returned to the meeting at 7.55 pm.

OM-19-024 PLANNING CORRESPONDENCE:

The following correspondence was noted:

- a. Tendring District Council (TDC) weekly Notification of Decisions (Determinations) from 12th April 2019 to 3rd May 2019.
- b. Correspondence from the Planning Inspectorate regarding the dismissal of Appeal APP/P1560/W/18/3210247 (TDC 18/00656/FUL), 19 Seawick Road, St Osyth.
- c. Correspondence from Tendring District Council in respect of Planning Application 19/00610/DETAIL, land at Oakmead Road, St Osyth.
- d. Correspondence of an anonymous nature concerning soil contamination at Cockett Wick Breakers Yard, following the approval by the Planning Inspectorate of Planning Appeal APP/P1560/W/18/3202670 (TDC 16/01770/OUT).
- e. Correspondence from Attwells Solicitors offering planning services to Town & Parish Councils.

The members of the public departed the meeting at 8.10 pm.

OM-19-025 APPROVAL OF MINUTES:

RESOLVED: That having been previously circulated, the minutes of the Ordinary Meeting of the Council of 18th April 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. Lockwood and seconded by Cllr. Thomas. All agreed.

OM-19-026 SUMMARY OF ACTION:

- a. G-19-007 a. The Clerk informed the Council that he would forward details of Transport Meetings for June to Councillors.
- b. G-19-007 g. The Clerk informed Councillors that he had contacted Hedingham Buses. Cllr. Kelly stated that the incorrect timetable had yet to be replaced. The Clerk stated that he would contact Hedingham Buses again.

- c. G-19-009 b. The Clerk reminded the Council that they had received the notes of the Highways Working Party meeting of 11th April 2019 in their agenda packs.
- d. G-19-009 d. The Clerk reminded the Council that they had received the notes of the Playground, Youth & Open Spaces Working Party meeting of 9th April 2019 in their agenda packs.
- e. G-19-010 b. The Clerk informed the Council that as Councillor Peverell had not been re-elected to the Council, there was no update regarding the production of a footpath guide.
- f. G-19-010 c ii. The Clerk informed the Council that the Chairman had obtained quotations for the repainting of a number of bins within the Conservation Area, which she [the Chairman] would discuss with Cllr. Ward.
- g. G-19-010 c iii. The Clerk informed the Council that he had yet to ascertain the ownership of the litter bin near the roundabout at the Orchards Holiday Park. Cllr. Kelly stated that the door of the bin was now closed.
- h. G-19-010 d. The Clerk informed the Council that he had yet to write to residents with regards to overgrown vegetation along Clacton Road.
- i. G-19-010 g. The Clerk informed the Council that he had begun the formatting of policy documents for inclusion on the website.
- j. G-19-014 a. The Clerk informed the Council that although he had been informed of the nature of the 'income box' in respect of the Cemetery, by the RFO, he [the Clerk] was unable to recall the reason at the present time.
- k. G-19-017 d. The Clerk informed the Council that having liaised with a representative of the District Council in respect of Councillors Allowances, he [the Clerk] had been advised to seek clarification from the Essex Association of Local Councils (EALC). The Clerk continued that having discussed the issue with Joy Darby, EALC Chief Executive Officer, she had reiterated the Government ruling that only elected Councillors were entitled to receive allowances, other than travel or subsistence allowances.
- l. G-19-021 a. The Clerk informed the Council that he had reported the continued obstruction of a driveway, near Gate 2 of the Orchards Holiday Park, by delivery vehicles to the sites reception. Cllr. Kelly informed the Clerk that the obstruction was still ongoing.
- m. G-19-021 b. The Clerk informed the Council that the daffodils had been deadheaded.

- n. G-19-021 d. The Clerk informed the Council that he had reported the sale of vehicles on the verge at Pump Hill service station to the District Council, since when he had noticed a reduction in the number of vehicles being positioned on the verge. Cllr. White added that vehicles advertised for sale were still being positioned on the verge. The Clerk stated that that he would inform the District Councils Enforcement Team Leader.
- o. G-19-021 e. The Clerk reminded the Council of the suggestion by Cllr. Thomas, that a resident be put forward for a Pride of Tendring Award. The Clerk continued that only District Councillors could nominate residents for the award. The Chairman suggested that it be an agenda item at the next Council meeting. All agreed.

OM-19-027 CORRESPONDENCE:

The following correspondence was noted:

- a. Correspondence from a resident of St Clairs Road with regards to parking. Following a discussion it was ascertained that the vehicle about which the letter had been written, had since been moved.
- b. Correspondence from a resident of St Clairs Road with regards to the appearance of the verges maintained by the District Council. Following a discussion it was agreed that the Clerk should write to the Open Spaces Manager, informing him of the recent correspondence.
- c. A 'thank you' card from St Osyth PTFA with regards to the recent grant by the Parish Council.

OM-19-028 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 reported that together with Cllr. Ward she had ordered the summer plants, which would be delivered during the week commencing 20th May. The Chairman continued that once delivered, together with Cllr. Blockley, Cllr. Ward would then group the plants by colour, in preparation for planting. The Chairman thanked Cllr. Ward for her input towards the floral displays.
- b. **Highways Working Party:** The notes of the meeting of 11th April 2019 having been previously circulated, the Chairman invited comments or questions from those present. None were forthcoming. The Chairman continued that a meeting between the Working Party and representatives of Essex Highways was scheduled for 29th May 2019.
- c. **Martin's Farm Country Park:** The Chairman informed the Council that the next meeting was scheduled for Wednesday 29th May 2019.

- d. **Playground, Youth & Open Spaces Working Party:** The notes of the meeting of 9th April 2019 having been previously circulated, the Chairman invited comments from those present. None were forthcoming.

OM-19-029 REPORTS FROM REPRESENTATIVES:

- a. **Essex Police:** Having been previously circulated, the Council reviewed the Crime statistics for March 2019.
 - 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.
 - iii) The Clerk then gave an overview of reported crimes for the months of January to March 2019.
- b. **Footpaths:** In the absence of a footpaths representative, the Chairman informed the Council that the Community Warden, Ken Belcher, was liaising with Sarah Potter, Essex Highways Public Rights of Way (PRoW) Officer regarding the condition of Footpath 5.
- c. **Planters & Litter Bins:** Nothing to report.
- d. **Tree Warden:**
 - i) Cllr. French reminded the Council that the Clerk was dealing with overgrown vegetation.
 - ii) The Chairman informed the Council that she had enquired of Jennifer Ghudka, Essex Highways Enforcement Team Leader, as to whether the Parish Council could write to residents regarding the cutting of tree branches. The Chairman continued that the Parish Council could write; however, there could be no cutting of tree branches between April and September.
- e. **Tendring District Association of Local Councils (TDALC):**

Cllr. Talbot gave the following report:

The next TDALC meeting is not until Wednesday week and is the AGM. I am only aware of a mix-up in the dates, but one thing is sure the TDALC secretary for very many years, Janet Russell, is retiring at this AGM.

The EALC met today, but for only the second time since July 2005, as a member of the Executive, I sent an apology explaining to Joy Darby that I was too busy with election matters and that it would send quite the wrong message for me to be absent for most of the day. I will report at the next meeting if any major decision was made that would be of special interest to us in St Osyth.

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

Cllr. Talbot gave the following report:

To be honest most of the 46 members of TDC (with two still to be elected) are trying to come to terms with the election results so far with nobody in charge. The results were as follows: Conservatives 16; Labour 6; Lib Dem 2; UKIP 5; Holland on Sea 3; Tendring First 4; Foundation 1; Tendring Independent Group 3; the normal Independents 6. A total of 46.

Since then three of the independent members have joined the group 'Tendring Independents' making them 6 members and one independent member has joined the 'Independent Group' making it 4 strong and which, if John and I are successful will become 6 strong. As I am no longer a Councillor I have had to give up the Leadership of the Independents and Jayne Chapman from Brightlingsea has taken it over. There have been lots of meetings between Group Leaders with the Conservative Leader Neil Stock and Tendring First Terry Allen, each trying to get a majority administration of one half of 48 members i.e. 25 members, to form a working Administration Group with a one member majority.

I would not predict the outcome at this time, but what might be crucially important is that the retiring Council Chairman, even though he lost his seat, still by law chairs the first item on a new Council Agenda, which is the election of a new Chairman, and whilst he does not have a deliberative vote, not being a Councillor, he does have a casting vote, so if a 24/24 draw was the result of the vote for Chairman, he could use his casting vote as a former Conservative, giving them the Chairmanship with a casting vote for the future.

The Chairman thanked Cllr. Talbot for an informative and useful update.

g. **Website:**

- i) Cllr. Lockwood informed the Council that he continued to make changes to the website and that he had scanned one of the books written by the late Phyllis Hendy. He continued that he had concerns as to copyright infringement. The Chairman suggested that as the rights of the books might have been left to relatives of Miss Hendy, or the Historical Society, Cllr. Lockwood should liaise with a representative of the latter.

h. **Community Speed Watch:**

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

Between 15th April 2019 and 13th May 2019, there were 24 occurrences of drivers speeding in the village, with an average speed of 39.4 mph.

1. Clacton Road:
14 recordings with an average speed of 39.3 mph
2. Mill Street:
10 recordings with an average speed of 39.5 mph

The highest recorded speed was 54 mph.

1 Vehicle was observed travelling in excess of 50 mph and 8 vehicles were observed travelling in excess of 40 mph.

OM-19-030 REPORTS FROM REPRESENTATIVES:

- a. **Essex County Council:** Having arrived at 8.30 pm, Cllr. Goggin gave an overview of the following:
 - i) That following the Elections on 2nd May, he had on Wednesday 15th May 2019, met with a number of new Parish and Town Councillors, in order to both introduce himself, as well as give an overview of his role as a County Councillor.
 - ii) That earlier in the week he had attended the full Council meeting of Essex County Council, during which the topic of fox hunting on ECC land had been discussed, as well as a debate on environmental issues.
 - iii) Information regarding a consultation in respect of the use of bus passes.
 - iv) That he would be attending the meeting of the Highways Working Party and Essex Highways on 29th May 2019.
 - v) That following the successful scheme whereby Parish and Town Councils had been able to submit a list of specific potholes for repair, the County Council was going to launch a similar scheme for footways. He continued that Essex Highways would provide a gang to do the work, and that each of the five Councils he represented would be able to submit one footway.
 - vi) That following a reshuffle of the Cabinet, he had been appointed as Deputy Cabinet Member for Education & Skills, and that he had attended his first meeting in this appointment on Wednesday 15th May 2019.
 - vii) Cllr. White enquired whether Cllr. Goggin attended meetings of the local Conservative Party, as during the run up to the local elections on 2nd May, Conservative candidates had given the impression that they would resolve the problem of the crossroads; the Parish Council / District Councillors having done nothing of note. Cllr. Goggin confirmed that he attended the meetings, but could not recall any mention of the crossroads.

- viii) Cllr. Talbot enquired as to whether Cllr. Goggin had received any update regarding the parking of commercial vehicles on public roads, outside of working hours. Cllr. Goggin stated that he had yet to receive any information. Cllr. Talbot again expressed concern that the vehicle to which he was referring was always parked in the wrong direction for oncoming traffic.

OM-19-031 REPORTS FROM NOMINATED REPRESENTATIVES & TRUSTEES:

- a. **St Osyth Almshouse Charity:** Nothing to report.
- b. **St Osyth Playing Field Charity:** Nothing to report.
- c. **Point Clear Community Association:** Cllr. Blockley gave an overview of the recent meeting, adding that there had been nothing of note for the Parish Council.
- d. **Village Hall Management Committee:** The Chairman stated that following the decision of former Councillor, John Kemp not to stand for election, a new Council representative would have to be appointed.
- e. **St Osyth Priory & Parish Trust:** The Chairman informed the Council that pupils from Year 5 and Reception would be visiting the Priory in June. The Chairman continued that a planned meeting with the Headteacher of the Primary School had been cancelled owing to an Ofsted Inspection.

OM-19-032 FINANCE:

- a. Approval of payments for April 2019, as per the circulated lists were agreed by the Council.
- i) Cllr. Kelly enquired as to the nature of 'various fees' amounting to £615.00. The Clerk stated that he would raise the query with the Responsible Financial Officer.
- b. The following balances were noted and agreed:
- | | |
|-------------|--------------|
| Current a/c | £ 159,487.36 |
| Deposit | £ 52,831.33 |

OM-19-033 CEMETERY COMMITTEE:

The minutes of the meeting of 3rd April 2019 having been previously circulated, the Chairman invited comments or questions from those present.

- a. Cllr. White informed the Council that he had recently attended a funeral, the service for which had taken place in the Cemetery Chapel. He continued that he was pleased with the appearance and condition of the Chapel. The Chairman stated that the Chapel was cleaned prior to any service taking place.

OM-19-034 MEETING DATES FOR MAY 2019 TO MAY 2020:

RESOLVED: That having been previously circulated, the Council approve the Council meeting dates as listed, for the period May 2019 to May 2020. It was noted that due to the December meeting date being so close to Christmas, the Ordinary meeting of the Council for December be held on Thursday 12th December 2019. The motion was proposed by Cllr. Cooper and seconded by Cllr. Thomas. All agreed.

OM-19-035 ATTENDANCE AT MEETINGS:

The record of attendance for Council meetings for 2018/2019 having been previously circulated, the Chairman thanked Councillors for their attendance.

OM-19-036 MEMBERSHIP OF COMMITTEES AND WORKING PARTIES:

The Chairman informed the Council that due to a change of membership, which would include one elected and two co-opted Councillors, it would be an opportune time to review Committee / Working Party membership. At the request of the Chairman the Clerk distributed a list current membership, which the Chairman requested that Councillors annotate to reflect their preference, and return by 31st May 2019. All agreed.

OM-19-037 INFORMATION REGARDING PARISH COUNCILLORS:

Following on from her statement about the change of membership, the Chairman suggested that the Council place a centrepiece in the Parish Magazine, giving the contact details and photographs of each Councillor, together with a list of Committee / Working Party membership. The Chairman continued that it would be sensible to include the article once the Council was at full strength.

OM-19-038 PARISH COUNCIL VACANCIES:

The Clerk informed the Council that following the declaration of “uncontested” results for St Osyth Ward, the two vacancies for St Osyth could be filled by co-option by virtue of Section 21(2) of the Representation of the People Act 1985,. Following a discussion, it was agreed that an advert be placed in the June edition of the Parish Magazine.

OM-19-039 GENERAL POWER OF COMPETENCE:

The Clerk gave an overview of the General Power of Competence, explaining that the Council met the necessary criteria of:

- a. a resolution being passed;
- b. at least two thirds of the Council holding office as a result of being declared elected;
- c. a qualified Clerk, holding the recognised module (General Power of Competence) of the Certificate in Local Council Administration (CiLCA).

RESOLVED: That from 16th May 2019 until the next relevant Annual General Meeting (following ordinary elections), having met the conditions of eligibility as defined in the Localism Act 2011, and SI 965 The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012, St Osyth Parish Council adopt the General Power of Competence. The motion was proposed by Cllr. Ward and seconded by Cllr. Sinclair. All agreed.

OM-19-040 DISPENSATION UNDER SECTION 33 OF THE LOCALISM ACT 2011:
The Clerk gave an overview of the dispensation procedure as issued by the District Council.

RESOLVED: That the Parish Council delegate the power to grant dispensation to the Clerk. The power rests with the relevant authority under section 33(1) of the Localism Act 2011 and the basis is set out under section 33(2.)

This resolution will remain extant for a period not exceeding 4 years and is applicable to the incumbent Clerk only.

OM-19-041 APPEAL AGAINST ENFORCEMENT NOTICE – POINT CLEAR BAY:
The Chairman informed the Council that she had received a list of submissions in respect of the forthcoming Public Inquiry, due to commence on Tuesday 18th June 2019.

- a. At the request of the Chairman Cllr. Kelly gave an overview of Inquiry related events to date, adding that Chris Stathers, TDC Enforcement Team Leader, had hand delivered to her a number of documents, including his Proof of Evidence.
- b. Cllr. Kelly confirmed the dates of the Public Inquiry, which would begin with the focus on flooding.

OM-19-042 FURTHER MATTERS:

- a. Cllr. Kelly informed the Clerk that the bus shelter at the roundabout by the Orchards Holiday Park had been defaced, with what she believed to be permanent marker pen. The Clerk stated that he would inspect the shelter and arrange for the removal of the obscene graffiti.
- b. The Clerk informed Councillors of the requirement to update their Register of Interests. The Clerk subsequently distributed the relevant forms, requesting that they be returned by 31st May 2019.

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

Summary of 'Action Required' from the Minutes of the Ordinary Meeting held on Thursday 16th May 2019		
OM-19-026 b	Bus Timetables	Clk to contact Hedingham Buses
OM-19-026 o	Pride of Tendring Award	Agenda Item for June Meeting
OM-19-027 b	TDC Maintained Verges	Clk to write to TDC Open Spaces
OM-19-032 a i	Cemetery Fees	Clk to liaise with RFO
OM-19-036	Committee Membership	Cllr's to return by 31 st May
OM-19-037	Parish Councillor Information	Chairman / Clk to action
OM-19-038	Co-option Notices	Chairman / Clk to action
OM-19-042 a	Removal of Graffiti	Clk to action

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