



ST OSYTH PARISH COUNCIL

**Minutes of the Ordinary Meeting of the Council
held at St Osyth Village Hall
on Thursday 19th September 2024 at 7.00 pm**



PRESENT: Chairman: Cllr. Karen Sinclair, Vice-Chairman: Cllr. Julie Ward
Cllr's Clive Atkins, Alma Blockley, David Cooper, Ray French
Michele Thomas & Catherine Venables

Cllr. Michael Talbot (arrived at 8.20 pm)

Cllr. Alan Goggin, Essex County Councillor (arrived at 8.05 pm)

APOLOGIES: Cllr. Susan Ball (Holiday)

NOT PRESENT: Cllr. Jake Moore
Cllr. John White

MINUTES: Neil Williams (Parish Clerk)

PUBLIC PRESENT: Two

OM-24-081 PLANNING APPLICATIONS:

| | APPLICATION & ADDRESS | PROPOSAL |
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| a. | 24/00979/VOC Mr C Gibbs Land West of Clay Lane St Osyth | Application under Section 73(a) of the Town and Country Planning Act for Variation of Condition 2 (Approved Plans) of application 23/01314/VOC to retain the western boundary treatment adjacent to the highway and the retention of four CCTV poles with a proposed reduction in height. Approved 13th September 2024 |
| b. | 24/01215/TCA Ms J Julie 26 Point Clear Road St Osyth | Trees in a Conservation Area Notification - To pollard 1 x Eucalyptus. To fell 1 x Fir Tree. Approved 13th September 2024 |
| c. | 24/01239/WTPO IG Environmental Services 17 Point Clear Road St Osyth | Trees in a Conservation Area Notification - T5 Oak (Holm) Remove. Approved 13th September 2024 |
| d. | 24/01241/TCA IG Environmental Services 17 Point Clear Road St Osyth | Trees in a Conservation Area Notification - H2 Lonicera - Remove. S1 Pyracantha - Remove. T3 Oak - Remove close. Approved 13th September 2024 |

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| e. | 24/01302/VOC Mr M Purdom Park Holidays UK Ltd Oaklands Holiday Village Colchester Road St Osyth | Application under Section 73 of the Town and Country Planning Act for Variation of Condition 2 (Plans and Drawings); Condition 6 (Holiday Occupation); Condition 12 (Highway Works Completion); Condition 13 (Highways Provision of Parking and Turning) of application 21/02129/FUL to amend the restrictive holiday occupation period, and to amend the Phasing Plan to reflect the proposed new construction access to be utilised. No objections. |
| f. | 24/01325/VOC Mr P Brown Hill House Flag Hill St Osyth | Application under Section 73 of the Town and Country Planning Act for Variation of Condition 2 (Approved Plans and Documents) of application 23/01522/FULHH to allow for changes to the design of replacement garages. No objections. |
| g. | 24/01341/VOC Mr C Gibbs Anvil Barn Farm Clay Lane St Osyth | Application under Section 73 of the Town and Country Planning Act for Variation of Condition 2 (Approved Plans and Documents) of application 24/00411/FUL to allow for changes to the floor layout, and movement of the structure 5m northeast. No objections. |
| h. | 24/01269/OHL UK Power Networks Lodge Farm Lodge Farm Lane St Osyth | Overhead Lines Application - install new 11m intermediate pole on existing 11kV overhead network. <i>For information only – no comment required.</i> |

OM-24-082 PLANNING CORRESPONDENCE:

The following correspondence was noted:

- a. Tendring District Council (TDC) weekly Notifications of Decisions (Determinations) from 9th August 2024 to 6th September 2024.
- b. Email of 20th August 2024 from TDC concerning Air BnB accommodation.
- c. Letter of 30th August 2024 from North Falls Offshore Wind Farm with regard to Acceptance of Application for a Development Consent Order (DCO).
- d. Email of 11th September 2024 from North Falls Offshore Wind Farm with regard to Registration as an Interested Party.

OM-24-083 APPROVAL OF MINUTES:

RESOLVED: That having been previously circulated, the Minutes of the Ordinary Meeting of 15th August 2024 be verified for accuracy by the Council and signed by the Chairman, as a true and accurate record. The motion was proposed by Cllr. Atkins and seconded by Cllr. Thomas. All agreed.

OM-24-084 SUMMARY OF ACTION:

- a. OM-24-072 a iii a) iii). The Clerk reminded the Council that the subject of the Grant Payment Policy would be discussed later in the meeting.
- b. OM-24-073 c. The Clerk reminded the Council that the notes of the Martin's Farm Park meeting of 13th August 2024 had been distributed ahead of the meeting.
- c. OM-24-077 a ii d) i). The Clerk informed the Council that he had written to the Essex County Council's (ECC) Cabinet Member for Highways, Infrastructure & Sustainable Transport with regard to the Contravention of Traffic Regulation Orders (TRO) but that he [the Clerk] had yet to receive a response.
- d. OM-24-077 a iii c) ii). The Clerk informed the Council that having liaised with a representative of the North Essex Parking Partnership (NEPP) with regard to exemptions for parking on red lines, it would be possible to have bays set aside for loading/ unloading.
- e. OM-24-077 a iii d) iv). The Clerk informed the Council that having liaised with a representative of the North Essex Parking Partnership (NEPP) with regard to the implementation of parking restrictions in the vicinity of the crossroads, it had been confirmed that whilst it would be possible to have red lines, the problem was one of enforcement, given that there were already parking restrictions, by way of yellow lines, in effect. The Clerk continued that the only benefit of having double red lines at this time would be the ability of Civil Enforcement Officers (CEO) to issue Penalty Charge Notices (PCN) to blue badge holders, who continually parked on double yellow lines. The Clerk concluded by informing the Council that seemingly there was a growing call amongst District Councillors to authorise the use of the NEPP camera car within the district.
- f. OM-24-077 a iv b) iii). The Clerk informed the Council that he had obtained some additional footage from the proprietor of The Hoy and was hoping to receive more.
- g. OM-24-077 a iv d). The Clerk informed the Council that he had written to the County Council's Cabinet Member for Highways, Infrastructure & Sustainable Transport to request a review of safety improvements in the vicinity of the crossroads, but that he [the Clerk] had yet to receive a response.
- h. OM-24-078 d. The Clerk informed the Council that he had written to the District Council with regard to the Witch Heritage Trail, but that he had yet to receive a response.
- i. OM-24-079 d i. The Clerk reminded the Council that the subject of the Harbour Dues would be discussed later in the meeting.

OM-24-085 PUBLIC PARTICIPATION:

- a. A member of the public sought clarification of the minutes of the previous meeting (OM-24-079 refers) as to whether an offence was being committed if vehicles were being driven across the registered village green at Stone Point.

- i. The Chairman confirmed that the subject of the village green was an item for discussion later in the meeting, before giving the Clerk permission to give an overview of the relevant legislation, including:
 - a) Section 34 of the Road Traffic Act 1988
which made it an offence to drive over or park on a village green without the lawful permission of the owner.
 - ii. The Clerk subsequently gave an example as to how such permission might be granted by the landowner.
- b. The member of the public enquired as to whether if, as owners of the land, the Orchards Holiday Village, were to grant permission for vehicular access, the details of the owners/ drivers would be registered with the Orchards.
 - c. The member of the public wanted to clarify that the aim was not to stop everyone, but rather to prevent the anti-social behaviour associated with the use of Personal Watercraft (PWC), especially those which seemed to launch with carte blanche at Stone Point, having crossed the village green in order to do so. The member of the public added that when the subject had first been brought to the attention of the Council, it had been on the grounds of safety and environmental protection and that with subsequent talk of the installation of some form of barrier, they were interested as to the legality.
 - d. The member of the public referred to a previous request to mark an area for swimming using buoys, which even if it were not possible to stop PWC using the area, would make it safer for other water users.
 - e. The member of the public enquired as to whether the creation of a Public Spaces Protection Order (PSPO) was still ongoing and would cover Ray Creek, as whilst Stone Point was part of the problem, there were often 'wave after wave' of PWC coming across from Mersea Island and/ or the Blackwater Estuary.
 - i. The Chairman confirmed that the creation of a PSPO was ongoing.

OM-24-086 CORRESPONDENCE:

The following correspondence was noted:

- a. Correspondence of 15th June 2024 from St Osyth Parish Council to Cllr. Goggin, Essex County Councillor for St Osyth with regard to the recovery of expenditure and creation of a Service Level Agreement (SLA).
 - i. Cllr. Thomas suggested that perhaps the funds available by way of the County Council's Locality Fund could be utilised and put towards the cost of clearing vegetation undertaken by the Parish Council.
 - ii. The Chairman agreed that this was a good idea and that it would be raised with Cllr. Goggin during his report to the Council.

- b. Correspondence of 29th August 2024 from TDC with regard to the Careline Stakeholder Consultation.
- c. Correspondence of 1st September 2024 from Bruno Peek LVO OBE OPR Pageantmaster with regard to VE Day 80th Anniversary on 8th May 2025.
 - i. It was agreed that the Parish Council would take part in the national chain of beacons, which would be lit at 9.30 pm on 8th May 2025.
- d. Correspondence of 10th September 2024 from Tendring Colchester Borders Garden Community (TCB Garden Community) with regard to the notification of consultation.
- e. Correspondence of 11th September 2024 from Cllr. Goggin, Essex County Councillor with regard to the repair of the illuminated stop sign at the crossroads.
- f. Correspondence of 9th September 2024 from St Osyth Parish Council to Cllr. Cunningham, ECC Cabinet Member for Highways, Infrastructure & Sustainable Transport, requesting clarification as to the extent of the publicly maintainable highway.
- g. Correspondence of 10th September 2024 from St Osyth Parish Council to Cllr. Cunningham, ECC, with regard to the County Council of Essex (Stone Alley, St Osyth) (Prohibition of Through Traffic) Order dated 6th March 1972/ Traffic Regulation Order (TRO).
- h. Correspondence of 10th September 2024 from St Osyth Parish Council to Cllr. Cunningham, ECC, requesting a review of traffic calming measures and collision data in respect of the crossroads.

OM-24-087 FINANCE:

- a. Approval of payments for August 2024, as per the circulated lists were agreed by the Council.
- b. The following balances were noted and agreed:
 - i. Current a/c: £98,857.32
 - ii. Deposit: £104,390.33

OM-24-088 REPORTS FROM WORKING GROUPS:

- a. **Public Realm Working Party:**
 - i. The notes of the meeting of 12th September 2024 having been previously distributed, the Chairman invited questions of Cllr. Ward in her capacity as Chair of the Working Party. None were forthcoming.
 - ii. At the request of Cllr. Ward, by way of a PowerPoint presentation, the Clerk showed images of the play equipment which was being suggested for installation at Priory Meadow play area.

- a) The Chairman informed the Council that although not normal practice, the meeting of the Public Realm Working Party had gone ahead despite Cllr's Ball and French having offered their respective apologies, due to the restrictions imposed by the District Council with regard to the use of the Public Open Spaces Contributions (POSC) / Section 106 (s106) funds allocated for use at Priory Meadow by way of a Variation of Condition of a planning application in respect of Melinda Lane. The Chairman stated that it was the recommendation of herself and Cllr. Ward, that the Council agree the equipment to be installed, so as not to sacrifice the funding, which had to be authorised by 7th November 2024.
 - b) Following a discussion as to the location of the proposed equipment, it was agreed that the Parish Council endorse the recommendation of the Chairman and Cllr. Ward as to the purchase of the specified play equipment for Priory Meadow.
 - c) **RESOLVED:** That St Osyth Parish Council proceed with the purchase and installation of play equipment for Priory Meadow, as recommended by the Public Realm Working Party, the cost of the equipment not to exceed £46,053.55. The motion was proposed by Cllr. Cooper and seconded by Cllr. Atkins. All agreed.
- iii. At the request of Cllr. Ward, by way of a PowerPoint presentation, the Clerk briefed the Council on the condition of the aerial runway (zipwire) at Cowley Park play area. The Clerk informed the Council that repairs in the last two years had amounted to £2,565.00 and that it was the opinion of a local play equipment manufacturer, whose staff were qualified Play Equipment Safety Inspectors, that the equipment was coming to the end of its serviceable life.
- a) Following a discussion, it was agreed that the aerial runway be removed on safety grounds and that subject to funding, a replacement unit, similar to that at Priory Meadow play area be installed.
 - b) **RESOLVED:** That St Osyth Parish Council approve the removal of the aerial runway (zipwire) from Cowley Park on safety grounds, due to the recommendation of a local play equipment manufacturer, that the equipment was coming to the end of its serviceable life, together with the increased cost of maintaining the equipment. The motion was proposed by Cllr. Thomas and seconded by Cllr. French. All agreed.
- iv. Cllr. Ward informed the Council that together with the Chairman, she [Cllr. Ward] was recommending a change in the way that blooms were planted, given that in recent years plants had either died during the summer due to excessive heat or had drowned during the winter, due to excessive rainfall. Cllr. Ward recommended that the existing blooms be replaced with perennials which were not reliant on water.
- a) Cllr. Atkins stated that this was a good idea.

- b) Cllr. Venables suggested that a similar scheme to 'edible Felixstowe' might be possible, with various herbs being planted.
 - i) The Chairman stated that whilst an interesting concept, there had been a number of issues, including the theft of some of the plants from the boat near the lake, the lack of water in some areas, such as The Bury and the time in general it took to plant and maintain the blooms.
 - c) Cllr. Thomas suggested that a visit to Beth Chatto's Plants & Gardens might be beneficial.
 - d) Cllr. Ward stated that with the exception of the barrier baskets by the Social Club, the planters should be emptied of all compost and replanted. Whilst there would be an initial outlay in the region of £500.00, it would in the long term be cost effective.
 - e) **RESOLVED:** That perennials be planted in the larger planters within the parish. The motion was proposed by Cllr. Atkins and seconded by Cllr. Thomas. All agreed.
- b. **Highways Working Party:** The Clerk reported that a meeting would be arranged for early October.
 - c. **Martin's Farm Country Park:** The notes of the meeting of 13th August 2024 having been previously distributed, the Chairman invited questions of Cllr. Atkins. None were forthcoming.
 - i. Cllr. Atkins informed the Council of an incident whereby it was believed that some of the cattle had escaped from the enclosure at Martin's Farm Park, however, it had subsequently been ascertained that the livestock did in fact belong to The Priory.
 - ii. The Clerk informed the Council that Veolia now had a new employee responsible for the emptying of the bins on the site, therefore it was hoped that there would be no occurrence of recent problems.

OM-24-089 REPORTS FROM REPRESENTATIVES:

- a. **Allotments:** Nothing to report.
- b. **Community Matters & Well-being:** Cllr. Venables gave the following report:
 - i. That the Village Hall's Coffee & Chat group would be visited by a representative of the Essex Library Service on 7th October 2024, who would assist with IT related issues.
 - ii. That Community Voluntary Services Tendring (CVST) were hosting a Community Garden Harvest Day at Kennedy Way on Saturday 28th September 2024.
 - iii. That Tendring Community Transport (TCT) offered various trips/visits, which might be of interest to some of the groups using Dumont Hall.

- c. **Essex Police:** Having been previously circulated, Cllr. Cooper briefed the Council on reported crime during July 2024 in St Osyth and Point Clear, by offence and location, and where practicable the status of the investigation.
- i. Cllr. Cooper reminded all present that the statistics, which covered Brightlingsea and St Osyth, were in the public domain and were accessible via www.police.uk/.
 - ii. Cllr. Thomas enquired as to whether the changes to the County Councils electoral division, in May 2025, would be reflected in the statistics.
 - iii. The Chairman stated that if this was the case then St Osyth would be included with West Clacton.
 - iv. Cllr. Atkins informed the Council that one of the incidents of vehicle crime had been a stolen car which had been driven into his garden, following a Police chase from Clacton on Sea.
- d. **Footpaths:** Cllr. Atkins gave the following report:
- i. That despite sending a further email, he was still awaiting a response from the County Council's Public Rights of Way (PRoW) officer as to whether this number constituted a working party, in addition to any Health & Safety requirements.
 - a) The Clerk stated that he would forward the details of the Public Rights of Way (PRoW) officer who covered St Osyth to Cllr. Atkins.
 - b) The Chairman suggested that perhaps the issue could be raised with Cllr. Goggin.
 - ii. That he had forwarded a link to the three volunteers, two of whom were present in the meeting, as to how to report any issues with PRoW footpaths. Cllr. Atkins added that any problems could also be reported directly to him.
 - iii. That having been informed of a fallen tree blocking the area of the boardwalk along Footpath 19, he had together with his son, removed the obstruction.
 - iv. That there had been a number of grass fires, one of which, along the sea wall, had crossed onto the salt marsh land owned by Smith's Farms.
 - v. The Clerk reported that he had met with the PRoW officer for St Osyth following a complaint from a resident of Point Clear Bay that the barriers on Footpath 29, either side of the sea wall ramp leading to Stone Point, were too close, and were therefore making it difficult for mobility scooters to access the footpath. The Clerk continued that the PRoW officer would be dealing with the replacement of the barriers which would require liaison with the Environment Agency.

- vi. The Clerk reported that having reported overhanging vegetation along Footpath 3 (the Coffin Path) to the PRow officer for St Osyth, he had been informed by the latter that there was evidence of vehicular movement along the footpath, and that the matter would be dealt with by Essex Highways.
- e. **Tree Warden:** Nothing to report.
- f. **Tendring District Association of Local Councils (TDALC):** Cllr. Sinclair reported that the next meeting was scheduled for 25th September 2024.
- g. **District Councillor's Report:**

In the absence of Cllr's Talbot and White, the Clerk narrated a report prepared by Cllr. Talbot:

 - i. At the Full Council Meeting on Tuesday 10th September, the Council agreed to put in motion proposals for a Community Governance Review of Clacton-on-Sea, Holland-on-Sea and Jaywick Sands. This is Council terminology for beginning consideration of changing their status from that of being 'un-Parished', to that of a 'Town or Parish', with their own Council to control their own affairs, exactly as we do here in St Osyth.
 - ii. The three areas have an electorate of almost 45,000, so it is a move of the upmost significance if it comes about. As a point of interest there are currently 27 Town or Parish Councils in Tendring.
 - iii. The Council also discussed a members 'Notice of Motion' in relation to the proposed cut to the Winter Fuel Payment, announced by the new Government. The motion was valid, and two amended versions were submitted, even though we could do little about it, but our Council Leader, Mark Stephenson, was instructed to write to the Chancellor of the Exchequer, Rachel Reeves MP, to highlight the challenge for our residents, especially as the uptake of Pension Credits here is low. He was also asked to write to Sir Bernard Jenkin MP and Nigel Farage MP, seeking their support for a reversal of Government Policy. This led to an hour of totally political 'yar boo' discussion, until our Standing Orders stopped the discussion after an hour, when a positive vote was taken on an amended version of the original motion.
- h. **Website:** The Clerk reported that work on the website was progressing.
 - i. The Clerk informed the Council that he had, earlier that day, received an email from the provider of the Council's gov.uk domain name, that the provider was no longer able to act as a registrar for the Council who would have to transfer the domain to a new provider by 30th September 2024.
 - ii. Cllr. Thomas reported that the points of contact for some organisations listed on the existing website were either out of date, or the organisations no longer existed.
 - iii. Cllr. Thomas suggested that as these were not going to be listed on the new website, they be removed by the Clerk. All agreed,

OM-24-090 REPORTS FROM NOMINATED REPRESENTATIVES & TRUSTEES:

- a. **St Osyth Almshouse Charity:** Cllr. Sinclair gave the following report:
 - i. That the Charity had last met on 20th August.
 - ii. That a new tenant had moved into one of the properties and was settling in well.
 - iii. That a survey, carried out on the roof of one of the properties in Clacton Road, had identified several problems, none of which were major, and that the Trustees had approved some remedial work, to the cost of approximately £20,000.00. As the Charity had been the beneficiary of a significant sum of money, some of this would be used to fund the work.

- b. **St Osyth Playing Field Charity:** The Clerk reported that he would be liaising with Elmden Rovers Youth Football Club with regard to the cost of astro turf style surfacing for the former tennis court, which at approximately £35,000.00 to £40,000.00 (minimum), was too much of a financial commitment for the Parish Council/ Playing Field Charity to undertake alone.
 - i. Cllr. Thomas enquired as to whether Elmden Rovers had received any grants.
 - a) The Clerk stated that the type of grants which Elmden Rovers could apply for were predominantly for football related activities and not necessarily for the upkeep of facilities, although he would confirm this with the Chairman of the football club.

- c. **Point Clear Community Association:** Cllr. Thomas gave the following report:
 - i. That attendance at the meeting held on 29th August had been good, as all affiliated groups now had to send a representative to at least two meetings per year, one of which had to be the Annual General Meeting (AGM).
 - ii. That use of the hall was going well, with more bookings being made.
 - iii. That there was an issue with a keyholder coming in at night to play snooker, without booking, who was activating the security alarm, much to the annoyance of the neighbouring residents.
 - iv. That the Association had finally received a grant of £15,000.00, by way of the Rural Prosperity Fund, which would be put towards the purchase and installation of an air-to-air heat pump.
 - v. That the next meeting was scheduled for 3rd October 2024.

- d. **Village Hall Management Committee:** Cllr. Thomas reported that the next quarterly meeting was scheduled for October 2024.

OM-24-091 REPORTS FROM REPRESENTATIVES:

- a. **Essex County Council:** Having arrived at 8.05 pm, and his report having been previously circulated, Cllr. Goggin gave the following report.
 - i. That the illuminated stop sign at the crossroads has been repaired.
 - ii. That he had attended the Personal Watercraft (PWC) meeting on 11th September 2024, which had been a very good meeting.
 - iii. That the extra funding, of £12 million, towards the additional highway gangs had been received.
 - a) Having reminded the Council of the scheme, Cllr. Goggin stated that whilst he had no control over the gangs in respect of when they would carry out repairs, he could put forward suggestions such as specific locations, the repair of which would make economic sense due to their proximity.
 - b) Cllr. Goggin stated that the proposed repairs along Point Clear Road were, for the time being, on hold due to the requirement for traffic control, resulting from vision being restricted due to a bend in the road, together with the need to maintain a minimum width for vehicles such as caravan transporters. Cllr. Goggin stated that he would be attending a meeting on 20th September 2024, at which the recommendation for the works to be conducted at night would be discussed.
 - c) Cllr. Goggin stated that as there was nothing on the list for St Osyth, he had requested that the Clerk forward two or three defects, which he [Cllr. Goggin] could submit to the gangs for repair.
 - i) The Clerk stated that he would submit a list to Cllr. Goggin on 20th September 2024.
 - iv. The Chairman stated that it looked as if St Osyth would miss out, as there had been no sign of the highway gangs since the scheme began.
 - a) Cllr. Goggin stated that St Osyth would more than likely be the trial location for a new piece of surfacing machinery, which whilst not a full repair, would be better than an emergency repair.
 - v. Cllr. Sinclair raised the subject of the County Council's Locality Fund of £5,000.00, which she assumed would, as in previous years, be split between the five parishes within Cllr. Goggin's electoral division. Cllr. Sinclair enquired as to whether the Parish Council could use the fund to reimburse the cost of cutting back vegetation along Colchester Road.
 - a) Cllr. Goggin stated that as the funding, from Central Government, was restricted to 'levelling up' or helping those with special educational needs and disabilities (SEND), it could not be used to offset the cost of cutting grass.

- b) Having been asked by Cllr. Sinclair to clarify the definition of levelling up, Cllr. Goggin stated that areas such as Jaywick would be a prime example of an area which would be considered in need of levelling up, funding for which would benefit those who were unemployed, had educational needs or had some form of disability.
- vi. Cllr. Thomas asked for confirmation as to whether each parish would receive £1,000.00.
- a) Cllr. Goggin stated that this was not the case, adding that if one of the five parishes put forward a suitable plan it could receive the full amount of £5,000.00.
 - b) Cllr. Thomas enquired if, for example, the Parish Council had a project and was able to put forward £2,000.00 in match funding, would the Council receive the same amount via the Locality Fund.
 - i) Cllr. Goggin stated that it depended on the project and reiterated that those who benefitted should be unemployed, have educational needs or some form of disability.
 - c) Cllr. Sinclair stated that it was not a Parish Council responsibility to oversee levelling up.
 - i) Cllr. Goggin agreed that whilst not a Parish Council responsibility, the Parish Council would be aware of groups in need.
 - d) Cllr. Thomas enquired as to whether the funding could be used towards an access ramp at Dumont Hall.
 - i) Cllr. Goggin replied yes, particularly if match funded.
 - e) Cllr. Sinclair enquired as to whether the funding could be used towards the installation of CCTV at Dumont Hall, something which would benefit all.
 - i) Cllr. Goggin stated that his immediate reaction would be no, as the funding was designed to help those in need.
- vii. Cllr. Sinclair stated that given the restrictions, it was difficult to think of something which the funding could be used for, unless it could be used to improve the environment.
- a) Cllr. Goggin replied that it could be used to improve the environment for a certain group.
- viii. Cllr. Sinclair enquired as to whether the funds could be put into a pot for distribution by the Parish Council.
- a) Cllr. Goggin stated that the funding has to go directly to groups and could not be given to the Parish Council. He continued that the Parish Council could liaise with village groups to ascertain if they had any projects in mind.

- ix. Cllr. Thomas enquired as to whether the funding could be used by an art group, some of whom were elderly and lonely.
 - a) Cllr. Goggin stated that whilst he appreciated the sentiment, there was no evidence of levelling up.
- x. Cllr. Venables enquired as to whether the funding could be used towards the use of a minibus.
 - a) Cllr. Goggin stated that it might be possible, but that the minibus could not be used by the general community.
- xi. Cllr. Goggin stated that the funding was restrictive but could, for example, be used by a group of people providing meals for those who fell into the categories previously described, providing that they [those providing the meals] were properly structured and had a bank account for their respective group.
- xii. Cllr. Thomas enquired as to whether the funding could be used by a group such as Dumont Luncheon Club, especially as some of those who attended were disabled/ elderly.
 - a) Cllr. Goggin enquired as to the specific need, as the funds could not be used for running costs. He added that whatever the funds were used for had to make a difference.
- xiii. Cllr. Thomas enquired as to whether the funding could be used towards the installation of wider internal doors at Dumont Hall, to enable access for those in wheelchairs.
 - a) Cllr. Goggin stated that this might be possible, especially if match funded.
 - b) Cllr. Venables suggested that the same alterations could be made at the Village Hall.
- xiv. In closing, Cllr. Goggin stated that it was presently a case of first come, first served and that the funds had to be spent by March, therefore, any applications should be submitted as soon as possible.

OM-24-092 PREPARATION OF THE MANAGEMENT PLAN:

The Chairman informed the Council all Committees, Working Parties and Councillors with individual responsibilities were required to submit their respective contributions for inclusion in the Management Plan to the Clerk by 11th October 2024.

OM-24-093 GRANT AWARD POLICY:

RESOLVED: That having been previously circulated, the Parish Council's Grant Award Policy, as amended, be adopted. The motion was proposed by Cllr. Thomas and seconded by Cllr. Ward. All agreed.

OM-24-094 TENDRING DISTRICT COUNCIL SPECIAL EXPENSES:

RESOLVED: That St Osyth Parish Council has no requirement to claim special expenses. The motion was proposed by Cllr. Blockley and seconded by Cllr. French. All agreed.

OM-24-095 CASUAL VACANCY - CO-OPTION OF A PARISH COUNCILLOR:

The Clerk informed the Council that the vacancy for a Councillor having been advertised in St Osyth Life on a number of occasions, he had received a request for an application. The Clerk continued that upon receipt of the completed application, the Personnel Committee would be convened to interview the applicant.

OM-24-096 ANTI-SOCIAL USE OF PERSONAL WATERCRAFT (PWC):

- a. The notes of the meeting of 11th September 2024 having been previously distributed, the Chairman gave an overview of the meeting, at which it had been agreed to form two smaller working groups to look at how to manage access to Stone Point and who should have vehicular access
- b. The Chairman reminded all present that the aim of the meeting had been to discuss how to make the waters in and around Point Clear Bay safer for all users, and not how to prevent access to the beach at Stone Point.
 - i. The Chairman informed the Council that whilst the notes contained a recommendation from Cllr. Ball that a buoyed swimming areas be created, this should be raised by Cllr. Ball at the next meeting of the Parish Council, so that it could be discussed further.
- c. Cllr. Goggin, at the invitation of the Chairman, reiterated that the sole reason for taking steps to manage access to Stone Point was not to stop residents, or indeed visitors to the Orchards, from being able to access the beach, but was to remove the anonymity of those using PWC on the water and thereby increasing safety for all.
- d. The Chairman informed the Council that the harbour dues of £75.00 equated to £0.20 per day before providing examples of harbour dues paid elsewhere which included:
 - i. Poole - £208.00 per annum.
 - ii. Chichester - £75.00 launching fee + £29.00.
 - iii. Wells Next The Sea - £100.00 per annum for a 3 metre dinghy.
 - iv. Wells Next The Sea - £38.00 per metre per PWC + £18.00 per day.
- e. The Chairman subsequently invited Cllr. Talbot to address the Council in respect of his concerns over residents of the Parish of St Osyth who used the waters in St Osyth Creek, being charged harbour dues by the Brightlingsea Harbour Master.
 - i. Cllr. Talbot informed the Council that he had, on 7th November 1999, been appointed as the District Council's representative at the launch of the Colne Estuary Strategy Group (CESG), and that after having been elected as Chairman of the Parish Council in 2000, at a subsequent meeting of the CESG, a representative of the Brightlingsea Harbour Commissioners (BHC) had raised the subject of Stone Point, suggesting that the Harbour Master should control access to the water of craft launching from Stone Point.

- a) Cllr. Talbot, who had been present at the meeting as a representative of TDC, not in his capacity as Chair of the Parish Council, informed the representative of the BHC that he [Cllr. Talbot] would raise the proposal with the Parish Council and collate the views of Councillors.
- b) Having been contacted by the secretary of the CESG on 4th April 2001 to ascertain the views of the Parish Council, Cllr. Talbot had listed the objections of the Council at that time, which included:
 - i) No control of access, anywhere, by anyone, other than the Parish Council.
 - ii) No involvement by The Orchards, other than normal owner related activity.
 - iii) No access barrier to be erected at Stone Point or anywhere else within Point Clear.
 - iv) No barrier, even if residents were issued with swipe cards.

ii. Cllr. Talbot made the following statement:

'Today, as a Parish Council Representative, I am totally opposed to any charge being levied on our residents and visitors, even if we are talking about only a few residents. I will not ignore them just because they are few.'

In terms of my personal interest, a natural question, from 1992, with my son Tony, we launched his boat most days from Stone Point, to go fishing, using our own Land Rover. After several years we applied for and received permission to moor his boat outside my house, where his successor boat is moored today, and he does not use Stone Point at all. So, my 'personal interest' in the matter has been zero for many years now.

I repeat that I oppose my Parish Council imposing or supporting charges being levied on any resident who wishes to launch a motor craft from any of our beaches, and in particular from the Stone Point Beach.

I further think that potential users may have some 'existing use rights', but that is just my opinion.'

- iii. Cllr. Ward stated that if people could afford to buy a boat or a PWC, there was no reason why they should not be able to pay annual harbour dues. In response to Cllr. Talbot's statement, Cllr. Ward stated that the events as described were twenty-one years ago and that times changed.
- iv. The Chairman reminded all present of the services provided by the Harbour Master, which were funded by way of harbour dues of £75.00 per annum per PWC, which included:

- a) The safe management of the navigational ways.
 - b) The surveying and charting of depths within the harbour.
 - c) The removal of wrecks or other hazards in the harbour.
 - d) The dredging of navigational channels.
 - e) The navigational buoys and their maintenance.
 - f) The use of the jetty, its management and maintenance.
 - g) The speed buoys marking the zones in which speed limits apply and zones which they don't.
 - h) The preparation of signs and leaflets for harbour users.
 - i) The recovery of vessels breaking down and grounding.
 - j) The deployment of river patrols to ensure the safety of harbour/river users.
 - k) Environmental management, oil spill response capability and training.
 - l) Waste management.
 - m) The employment of the staff required to carry out these tasks.
- v. Cllr. Ward stated that in her opinion the sum of £75.00 was value for money.
- vi. The Chairman stated that if the Council was unable to agree, it would present a problem when the two smaller working groups met, as they needed to come up with a system of how to register people who were going out on the water on PWC.
- vii. Cllr. Ward stated that she was horrified that such a system was not already in use, likening it to someone taking a vehicle on the road without any form of registration.
- viii. Cllr. Venables enquired as to whether, if unable to launch at Stone Point, PWC users would simply launch elsewhere.
- a) The Chairman informed all present that Stone Point was the only unrestricted launch point in the area where there was no form of barrier, and that generally those who couldn't launch at sites such as Holland on Sea simply came to Stone Point.
 - b) Cllr. Venables enquired as to whether PWC launched from the ramp adjacent to the grassed area at Western Promenade.
 - i) The Clerk replied that PWC could launch, however, they were dependent on tide, so whilst able to launch, they were unable to recover until the next tide.

- ii) The Clerk subsequently gave an overview of launch points between Harwich and St Osyth Beach
 - c) Cllr. Goggin gave an overview of how Brightlingsea waterski club operated in a regulated area policed by own members
- ix. Cllr. French stated that everyone had to pay to drive on the roads, so there should be no difference in paying to use the water from a registered site. He added that in his opinion the amount of £75.00 was reasonable.
 - a) Cllr. Thomas agreed, stating that as soon a toe was in the water, it was someone else's responsibility to ensure safety and compliance.
- x. Cllr. Thomas enquired as to what had become of a previous suggestion that large boulder like stones be used to prevent access to the water at Stone Point.
 - a) The Clerk reminded all present that Registered Town & Village Green status gave inhabitants of the locality the opportunity to enjoy the area, and that by turning it into a car park, or by even placing large stones on the beach, removed the opportunity to enjoy that particular area.
 - b) The Clerk stated that he had sought clarification from the Open Spaces Society.
 - c) Cllr. Thomas enquired as to whether the only way to access the beach would be as a fee-paying person, and whether residents would be allowed to drive their vehicles onto the beach.
 - i) The Clerk stated that Section 34 of the Road Traffic Act 1988 made it a criminal offence to drive over, or park on land (including a green) not forming part of a road without lawful authority to do so.
 - ii) The Clerk stated that were The Orchards to refuse access to anyone, they would be within their rights to do so. Equally, by registering PWC users, be it at The Orchards, with the Harbour Master or the Orchards boatyard, those registered were effectively being given permission to access the water at Stone Point by being authorised to drive over the village green.
 - iii) Cllr. Thomas enquired as to what would happen if people were allowed to drive onto the village green.
 - iv) The Chairman replied that had yet to be discussed by the working group.
- xi. Cllr. Venables enquired as to whether non-motorised water craft, such as paddleboards wanted to access the water at Stone Point.

- a) The Clerk stated that the intent was to improve the safety for all those using the water, and the registration of PWC removed the anonymity associated with the anti-social use of such craft, not to restrict access to the beach/ village green. The Clerk added that paddleboarders could access the water anywhere.
 - b) Cllr. Venables enquired as to whether people would still be able to walk onto the beach/ village green.
 - c) The Clerk confirmed that they would.
 - d) The Chairman reiterated that there was no intent to restrict access, and that it was, as stated by the Clerk, about making the waters safe for all. In this case, it was considered that the registration of PWC with the Harbour Master was an effective way to improve the safety for all. The Chairman added that if an incident were to occur, it would be possible to identify those involved as they would be registered.
 - e) The Chairman stated that during the meeting of 11th September 2024, the manager of the Orchards boatyard has expressed concerns over safety, stating that it was an accident waiting to happen. The Chairman stated that the Parish Council could not just sit back and do nothing whilst being aware of the potential dangers.
- xii. Cllr. Cooper enquired as to who would fund the gate.
- a) The Chairman stated that both the Harbour Master and The Orchards were willing to contribute towards the gate.
 - b) The Chairman stated that all who had attended the meeting on 11th September 2024 were of the opinion that a gate would be the better option, and that the small working party assigned to investigate it further would consist of the General Manager of The Orchards, the Harbour Master and the Chairman of the Tower Residents Association.
 - c) The Chairman stated that any alternative to the installation of a gate would be looked at by the working group. The Chairman explained the potential issues associated with the installation of a retractable bollard.
 - d) Cllr. Goggin stated that whilst an impressive system, at £18,000.00 the retractable bollard was far more expensive than a security gate.
- f. **RESOLVED:** That St Osyth Parish Council support the installation of a security gate to manage access to the beach/ village green at Stone Point, Point Clear Bay. The motion was proposed by Cllr. Ward and seconded by Cllr. Thomas. Following a vote, the motion was passed by a margin of seven to two in favour.

- g. The Clerk reminded that Council of the charge in respect of harbour dues, adding that both Cllr. Goggin and Cllr. Carr, (the latter at the meeting of 11th September 2024) had confirmed that there was no reduction in fees for residents of Brightlingsea.
- i. Cllr. Talbot stated that harbour dues were a fee for using the harbour.
 - a) The Chairman stated that the fees covered the points referred to earlier in the meeting.
 - b) Cllr. Talbot enquired as to what any of that had to do with people launching from 'our beach.'
 - c) The Chairman stated that they were using the water, regardless of where they launched from.
 - d) Cllr. Ward reiterated what harbour dues covered.
 - e) Cllr. Talbot stated that the fees were meant for those moored in Brightlingsea or who used the harbour facilities
 - f) Cllr. Thomas stated that were something to happen at sea, it would be the Harbour Master's staff who would assist, adding that they did not only cover the harbour.
 - g) Cllr. Goggin stated that both Cllr. Talbot and Cllr. Thomas made good points, before confirming that the Harbour Master had towed in four PWC last year. He continued that the Harbour Master's staff assisted those on sailboards, swimmers, boats and those suing PWC, many of whom often had children with them.
 - h) Clerk reminded all present that Registered Town & Village Green status gave inhabitants of the locality the opportunity to enjoy the area, and that by turning it into a car park, or by even placing large stones on the beach, removed the opportunity to do so.
- ii. The Clerk explained the difference between harbour dues and launching fees, the latter of which would no doubt create an issue. The Clerk continued that it had, at the meeting of 11th September 2024, been explained that as soon as a craft was on the water, regardless of where it was launched from, it was subject to the 1927 Brightlingsea Harbour Act, which made it a legal requirement for the Harbour Master to charge harbour dues. The Clerk added that those registering PWC with the Harbour Master would be paying harbour dues, not launching fees.
- iii. Cllr. Thomas enquired as to the area covered by the Harbour Master.
 - a) Cllr. Goggin stated that it extended as far as Colchester.
 - b) Cllr. Talbot stated that Coast Guard regulations meant that every boat had to have a contact system, and that many were equipped with GPS systems.

- c) Cllr. Goggin stated that Colchester City Council (CCC) had the rights of the River Colne and allocated responsibility for its management to the Harbour Master.
 - d) Cllr. Thomas stated that it would be good to have a map of the coastline showing the whole area covered by the Harbour Master, not just the harbour.
- iv. The Chairman suggested that the Council accept the payment of harbour dues by registered PWC.
- a) Cllr. Thomas enquired as to whether it would be possible to include a clause that there be no increase to the dues for five years.
 - b) The Chairman stated that this would create a two-tier system.
 - c) For the benefit of all, the Clerk stated that harbour dues, in respect of PWC, had increased by £10.00 since its inception in 2020.
 - d) Cllr. Talbot stated that by referring to the charge as harbour dues, the Harbour Master was avoiding having to pay the Parish Council any monies collected from residents of St Osyth, whereas if the charge was referred to as launching fees, the Parish Council might expect to get some form of financial return.
 - e) Cllr. Ward stated that harbour dues were not a launching fee.
 - f) Cllr. Thomas agreed with Cllr. Ward, adding that if the charge were to be considered as launching fees, the money would go to The Orchards as landowner, not the Parish Council.
 - g) The Chairman confirmed that the Parish Council was not looking to gain any financial income by way of harbour dues.
- h. **RESOLVED:** That St Osyth Parish Council accept the payment of harbour dues to Brightlingsea Harbour Master, as part of a scheme to ensure that all PWC launching from Stone Point are registered, thereby encouraging safer use of the waters in and around Point Clear Bay. The motion was proposed by Cllr. Thomas and seconded by Cllr. Ward. Following a vote, the motion was passed by a margin of eight to one in favour.
- i. Cllr. Venables enquired as to whether it would, as a good will gesture, be possible to have a reduction for residents of St Osyth.
- i. Cllr. Goggin suggested that this would be illegal as it would contravene the Brightlingsea Harbour Act.
 - ii. For the purpose of clarification, Cllr. Talbot informed the Clerk that the 1927 Brightlingsea Harbour Act had been revised in 2010.

OM-24-097 CODE OF CONDUCT TRAINING:

The Chairman reminded Councillors of the forthcoming Code of Conduct training, organised by the District Council, which was being held in the Village Hall Annex on Tuesday 24th September 2024.

OM-24-098 FURTHER MATTERS:

- a. The Chairman informed the Council of the forthcoming Baby Loss Awareness Week, between 8th – 15th October 2024. The Chairman stated that the Cemetery Chapel would be open, and a trellis would be placed on the side of the Chapel in order for people to attach ribbons.
- b. Cllr. Ward enquired as to the location of the Cemetery Committee meeting.
 - i. The Chairman confirmed that it would be held at the Cemetery.
- c. Cllr. Cooper reminded all present that the date of the Finance Committee meeting was Wednesday 16th October 2024.
- d. Cllr. Talbot requested clarification as to whether the Clerk had narrated his [Cllr. Talbot's] District Councillors report.
 - i. The Clerk confirmed that he had.
- e. The Chairman enquired of Cllr. Venables as to the date of the Macmillan coffee morning being held at the Village Hall.
 - i. Cllr. Venables stated that it was on 12th October 2024.
- f. Cllr. Atkins enquired as to whether Cllr. Moore was still a member of the Council.
 - i. The Chairman confirmed that Cllr. Moore was still within the mandatory six-month attendance timeframe.
- g. Cllr. Atkins informed the Council that although the Council had approved the use of sheep in the Wildflower Meadow, the contractor who had previously used the sheep did not have any at this moment in time, and that due to an outbreak of Bluetongue, a notifiable disease, there was a restriction on the movements of livestock.
- h. Cllr. Goggin enquired as to whether he should invite Cllr. Honeywood to the meeting on 17th October 2024, being that he [Cllr. Honeywood] would as of May 2025 be the County Councillor for St Osyth.
 - i. The Chairman stated that this would be a good idea.
 - ii. Cllr. Talbot stated that Cllr. Goggin would be a hard act to follow, and that he [Cllr. Goggin] had done a damn fine job and had done the Council proud.
 - iii. The Clerk informed Cllr. Goggin that residents of the B1027 had asked him to pass on their gratitude to Cllr. Goggin for his assistance with the safety improvements in the vicinity of Dead Lane.

There being no further business the meeting was closed at 9.05 pm.

The date and time of the next meeting was set for 7.00 pm on Thursday 17th October 2024, at St Osyth Village Hall.

**Summary of 'Action Required' from the Minutes of the Ordinary Meeting
held on Thursday 19th September 2024**

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|-----------------------|------------------------------------|---------------|
| OM-24-086 c i | VE Day 80 Beacons | Clk to action |
| OM-24-088 a ii c) | Installation of Play Equipment | Clk to action |
| OM-24-088 a iii b) | Removal of Aerial Runway (Zipwire) | Clk to action |
| OM-24-088 a iv e) | Planting of Perennials | Clk to action |
| OM-24-089 d i a) | PRoW Contact Details | Clk to action |
| OM-24-089 h iii | Removal of Details from Website | Clk to action |
| OM-24-090 b i a) | Availability of Grants | Clk to action |
| OM-24-091 a iii c) i) | Highways Defects | Clk to action |