

MINUTES OF THE STATUTORY MEETING OF THE BURNHAM-ON-CROUCH TOWN COUNCIL HELD ON TUESDAY 23 JANUARY 2018

Present: - Town Mayor, Councillor Bob Calver

Councillors: – Vanessa Bell, Mrs Helen Elliott, Mrs Louise Pudney, Neil Pudney, Nick Skeens, Mrs Wendy Stamp and Mike Wood.

In Attendance: - Town Clerk, Sarah Grimes and Ms Emma Foy, Director of Resources, Maldon District Council.

234 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Peter Elliott and Ron Pratt C.C. Councillor Nick Skeens had given written notice that he may arrive late.

235 DECLARATIONS OF INTERESTS

There were none.

236 TOWN MAYOR'S ANNOUNCEMENTS

Councillor Bob Calver, the Town Mayor, reported that he had attended: -

i) Burnham Rugby Club, where he met Lewis Moody ex. player for England and part of the World Cup Winning team, who was visiting the club for a morning of training the youth section. The Mayor had been impressed by the number of youngsters that the club trains but they are limited in all their activities by the lack of a club house as 'Places for People' who run the Sports Centre do not provide facilities.

ii) Maldon Civic Service where the Dean of Chelmsford had been the preacher and there had been excellent Danish pastries by way of refreshments!

The Town Mayor welcomed Ms Emma Foy, Director of Resources at Maldon District Council, to the Meeting. The Mayor stated that Ms Foy had kindly offered to update the budget spreadsheet in real time during Agenda item 16 which would assist the Clerk who would be taking the Minutes.

The Town Mayor read out a statement as follows: -

"At the previous Council meeting a resolution was passed by majority vote to cut the precept by 10%. This was done without approval of the budget although a draft budget was presented.

It has been drawn to my attention that published advice says that it is not lawful to set a precept without a budget. I have queried that advice with Simon Quelch of Maldon District Council and he confirms that the Council may have acted unreasonably and that in judicial review it would be judged unreasonable to impose a precept on electors without a supporting budget.

Councillor Stamp with the required three signatures asked the Clerk to include agenda item 17 as an opportunity to revisit the precept but this has been challenged as contravening the notice required under Standing Order 9.

However, in discussion with Mr Quelch, under Standing Order 25a, all or part of a standing order may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

Under Standing Order 10 subsection xvi no notice is needed for a motion to suspend a particular Standing Order.

After detailed discussion with Mr Quelch and referring to Standing Order 25 d which states that my decision is final as to the application of Standing Orders at a meeting, in my opinion Councillor Stamp is within her rights to propose a motion that Standing Order 9 requirements of notice be suspended temporarily.

236 TOWN MAYOR'S ANNOUNCEMENTS (continued)

If that motion is proposed and seconded, a vote can be taken as to the suspension of Standing Order 9 which if passed will allow us to debate Agenda Item 17.

I would advise members that my personal view is that we should not lay the Council open to accusations of unlawful or unreasonable conduct and that debate of items 16 the budget and 17 the Precept which would be possible if Standing Order 9 is suspended would remove any suggestion of unreasonable behaviour and allow full debate in public of the effect on any proposed cuts in expenditure. Does Councillor Stamp have a proposal?"

Councillor Mrs Wendy Stamp proposed the suspension of Standing Order 9 b) in accordance with Standing Orders 25 a) and 10 xvi) in Order to debate Agenda Item 17.

This was seconded by Councillor Vanessa Bell.

Councillor Mike Wood stated that he was perplexed, given that the Mayor had emailed Members to say that Agenda Item 17 could not be considered as insufficient written notice had been given and the Precept request had been submitted to Maldon District Council. Councillor Wood stated that he would vote against any proposal to change the Precept. Councillor Wood asked if the Mayor had spoken to Simon Quelch subsequent to his email and the Mayor responded in the affirmative. The Mayor stated that it would allow discussion to be brought into the public domain and avoid the accusation that the Town Council had acted in an unreasonable manner.

Councillor Wood stated that it would be appropriate to hold a separate Budget Meeting and if a Meeting were called he would be requesting a 'line by line' consideration.

The Mayor stated that this was not the issue under consideration and called for a vote on Councillor Mrs Stamp's proposal.

A Recorded Vote was requested.

FOR: Councillors Vanessa Bell, Bob Calver, Mrs Louise Pudney, Neil Pudney and Mrs Wendy Stamp

AGAINST: Councillor Mrs Helen Elliott

ABSTAINED: Councillor Mike Wood

RESOLVED: - that Standing Order 9 b) be suspended to allow the debate of Agenda Item 17.

Clerk Note: Cllr Nick Skeens did not enter the Meeting until 7.48 pm during Agenda Item 8.

237 MINUTES AND MATTERS ARISING

RESOLVED: - that the Minutes of the Meeting of the Town Council held on Tuesday 12 December 2017 and the Budget Meeting held on Tuesday 9 January 2018, be confirmed and signed.

238 PLANNING COMMITTEE MINUTES

RESOLVED: - that the confirmed Minutes of the Planning Meetings held on Tuesday 12 and Monday 18 December 2017 and Tuesday 9 January 2018, be duly received.

David McNeill, the former Town Clerk and current Planning Clerk, stated that all Members had received a copy of the letter regarding the monitoring and control of Windfall Sites in Burnham, which would be sent to the District Council the following morning.

Councillor Mrs Stamp asked if it would be sent to the Director of Planning and Regulatory Services or the Chief Executive.

Mr McNeill responded that it would be sent to the Chief Executive with a copy to the Director of Planning. Mr McNeill thanked Mr John Hitcham for his assistance in drafting the letter.

239 TOWN CLERKS' REPORT

This was noted and in particular: -

1. Request from Dengie D-Caf^e to use the Council Chamber on Tuesday 6 March for a fundraising coffee morning in aid of SEAN, during the National 'Time for a Cuppa' Dementia UK Fundraising Week.

RESOLVED: - that the Town Council grants permission for the use of the Council Chamber for the above event on Tuesday 6 March 2018.

2. Request from the Watch Manager of Burnham Fire Station for a recruitment banner across the Railway Bridge

RESOLVED: - that the Town Council grants permission for the erection of a Fire Station recruitment banner.

3. Art Trail Community Project

RESOLVED: - that this Item be deferred for consideration at the next Meeting of the Town Council to be held on Tuesday 13 February 2018.

4. Street Naming proposal from Maldon District Council for land rear of the Hollies, Stoney Hills. Cosy New Homes were proposing the name 'Stones Park'. It was

RESOLVED: - that Members consider alternative names for the development and inform the Town Clerk who would forward them to Maldon District Council accordingly.

240 DIARY DATES

Members noted the following: -

- a) **Burnham Town Council Planning Meeting – Tuesday 23 January
7 pm in the Town Council Chamber.**
- b) **Burnham Town Council Statutory Meeting – Tuesday 23 January
7.30 pm in the Town Council Chamber**
- c) Neighbourhood Action Panel Meeting – Thursday 25 January
7 pm in the Town Council Chamber.
- d) Friends of Hester Place Meeting - Friday 2 February
6:30 pm in the Town Council Chamber.
- e) District Councillor Surgery – Saturday 3 February
10:30 am – 12 pm in the Town Council Chamber.
- f) Chamber of Commerce Meeting – Monday 5 February
5 pm in the Town Council Chamber.
- g) Royal British Legion Meeting – Monday 5 February
7:30 pm in the Town Council Chamber.
- h) Carnival Committee AGM - Tuesday 6 February
8 pm in the Town Council Chamber.
- i) Dengie D'Caf^e - Wednesday 7 February
10:30 am - 12:30 pm in the Town Council Chamber.
- j) Town Council Surgery – Saturday 10 February
10:30 am – 11:30 am in the Town Council Chamber.
- k) **South Eastern Area Planning Committee Meeting – Monday 12 February
7:30 pm in the Town Council Chamber.**
- l) **Burnham Town Council Planning Meeting – Tuesday 13 February
7 pm in the Town Council Chamber.**
**Burnham Town Council Meeting – Tuesday 13 February
7.30 pm in the Town Council Chamber.**

241 CO-ORDINATORS' REPORTS

- a) General Purposes – Councillor Peter Elliott was not present.
- b) Highways – Councillor Calver, the Town Mayor, had submitted a detailed written Report with updates on ongoing issues and he drew Members attention to the issue of commuter parking on Foundry Lane. The Mayor stated that this issue could be resolved in two ways: -
- to ask for double yellow lines opposite Fairway Drive,
 - to reopen negotiations with NCP to make the Station Car Park free to users with the Town Council making a contribution to compensate for lost revenue.

RESOLVED: - that the Town Mayor writes to NCP and reports back to the next Meeting of the Town Council.

The Mayor reported that he and Councillor Mrs Stamp had attended a site meeting in Foundry Lane with a lighting contractor and explained the options available for solar lights. The Mayor stated that he and Mrs Stamp had asked a number of questions and the contractor had recommended a 30 watt light output unit with a 60 watt solar panel at a cost of £1,150.00. It was

RESOLVED: - that the quotation in the sum of £1,150.00 be accepted and that the Town Clerk authorize the contractor to proceed with the works.

Councillor Mrs Louise Pudney highlighted the issues of mud on the Southminster Road from construction vehicles.

Councillor Mrs Stamp stated that the company's Head Office should be contacted and that similar issues had been experienced with the Corinthia Mews development. Councillor Mrs Stamp asked if the company had permission for their signage. The Mayor responded that he would find out.

- c) Environment – Councillor Wood stated that the firebreak and bramble hedge works had not yet been completed and the contractor was waiting for authorization from the Clerk.

The Town Clerk responded that she had given written authorization the day after the Town Council Meeting where Members had approved the works.

Councillor Wood stated that he was experiencing communication difficulties with Matt Wilson, the Coast and Countryside Manager at Maldon District Council.

Councillor Bell stated that she had spoken with Mr Wilson who had expressed surprise that he had not heard from Councillor Wood since October.

Ms Foy stated that she would speak with Mr Wilson and liaise with Councillor Wood.

Cllr Nick Skeens entered the Meeting at 7.48 pm.

Councillor Bell congratulated Sue Finch and the Community Payback team who had carried out a great deal of work in the cemetery grounds. Councillor Bell stated that the Town Council could request the Payback team to work in specific areas, through Sue Finch.

Councillor Skeens stated that the co-ordination of volunteer efforts in the Town should be the job of the Environment Co-ordinator.

Councillor Wood confirmed that if areas of concern were brought to his attention he would review the issues.

- d) Neighbourhood Development Plan – David McNeill, the former Town Clerk, had submitted a written Report from the Strategy Group as follows: -

Introduction

Pursuant to the previous reports submitted to the Town Council, and in particular the report to the September 2017 meeting, the Neighbourhood Plan Strategy Group (NPSG) met on Thursday 18 January 2018 to agree a recommendation to the Town Council for the printing of the adopted Neighbourhood Development Plan.

Background

The current 2017/2018 budget includes £1,000.00 to provide 100 copies of an A4, hard-covered version of the plan. The Neighbourhood Plan Review Group (NPRG) sought quotations in 2017 for a tri-fold cover but this was rejected as the tri-fold was considered to be unnecessary. At this time the quotations received varied from approximately £1K to £1.8K. A simpler design and format will ensure that future quotations will remain within budget.

Design and format

The NPSG reviewed the document and agreed with the NPRG that an A4 document with a robust hard cover is required in order to be retained as a reference document for the life of the plan (2014/2029) and beyond with subsequent reviews/amendments.

Recommendations

The Town Council are requested to Resolve as follows: -

- a) To note and accept this report and the recommendations contained therein,
- b) To authorize the Town Clerk to seek fresh quotations based on the criteria detailed in this report,
- c) To authorise the NPSG to approve a cover layout based on the existing NDP cover to be prepared for quotation by Tracy Saunders, Graphic Designer, and
- d) To authorise the Neighbourhood Development Plan Co-ordinator and the Town Mayor to approve a quotation subject to it being within the approved 2017/2018 budget.

It was

RESOLVED: - that the recommendations of the Strategy Group be adopted.

242 DISTRICT COUNCILLORS' REPORTS

Councillor Mrs Helen Elliott – nothing to report of relevance to Burnham.

Councillor Peter Elliott was not present.

Councillor Ron Pratt C.C. was not present.

Councillor Neil Pudney reported that he had attended a Health Overview and Scrutiny Committee meeting at Essex County Council. Councillor Pudney highlighted the ongoing issue of GP recruitment. Councillor Pudney stated that he hoped to report to Council in February on the provision of future services at the Burnham Clinic.

Councillor Mrs Stamp raised concerns at the 'knock on effect' once the Sainsbury's Medical Centre opened at South Woodham Ferrers.

The Mayor stated that the Council needs to ascertain what services are under threat and what will be relocated.

243 TOWN COUNCIL REPRESENTATIVES' REPORTS

Councillor Mrs Elliott stated that the Village Hall Committee is investigating the provision of a hearing loop system.

Councillor Bell stated that Burnham Week Ltd. would like a meeting with the Town Council to discuss the way forward.

Councillor Mrs Stamp reported on the Chamber of Commerce Apprentice event and stated that the Chamber members are working as a good team with the support of Heidi Turnbull at MDC.

Councillor Mrs Stamp stated that she wished to propose that 'Dengie Hundred Group of Parish Councils' be included as a Standing Item on future Agendas of the Town Council.

This was seconded by Councillor Skeens and it was

RESOLVED: - that a proposal to include 'Dengie Hundred Group of Parish Councils' as a Standing Item on future Town Council Agendas be considered and determined at the next Meeting of the Town Council to be held on Tuesday 13 February 2018.

243 TOWN COUNCIL REPRESENTATIVES' REPORTS (continued)

Councillor Skeens reported that he would be meeting with Phil Charnley of Dirtworks bmx, the following day.

Councillor Skeens stated that a Hester Place meeting was scheduled for February.

Councillor Neil Pudney stated that the next CHA meeting was scheduled for April.

244 ACCOUNTS AND TRANSFER OF FUNDS

- a) **RESOLVED: - that the payment of Accounts for January 2018 be approved and signed.**
b) Members noted that the comparison of actual to budgeted payments and receipts to January 2018 would be presented at the next Meeting.

245 GRANTS AND DONATIONS

The remaining Budget for 2017/2018 was £460. No requests had been received for the Meeting.

RESOLVED: - Noted.

246 TOWN COUNCIL SURGERIES

RESOLVED: - that Councillor Mrs Wendy Stamp attend the Surgery to be held on Saturday 10 February and Councillor Bob Calver attend the Surgery to be held on Saturday 10 March 2018.

Councillor Mrs Stamp asked if the Surgeries could be run on a rota basis.

The Town Mayor stated that it was better to have volunteers.

247 RSPB WALLASEA ISLAND WILD COAST PROJECT (standing item)

Councillor Peter Elliott was not present.

248 NEIGHBOURHOOD ACTION PANEL

Members noted that the next meeting would be held on Thursday 25 January 2018.

249 ORIGINAL BUDGET 2018/2019

Further to Minute 226 of the Budget Meeting held on Tuesday 9 January 2018, Members were requested to consider and determine a Budget for 2018/2019 to reflect the Town Council's commitments and spending plans.

Councillor Mrs Stamp stated the following: -

- the Secretary of State is looking at capping Parish Councils,
- the Budget provision for legal fees may be insufficient in light of issues being discussed under 'confidential',
- the Town Council should invest in the Council Offices which looked "shoddy" and gave a very poor first impression to members of the public.
- This was only the second year that the Council had sufficient Reserves. Councillor Mrs Stamp quoted from the *Councillors Guide*.

Councillor Mrs Stamp stated that the Town Clerk had prepared detailed Budget notes for the previous Meeting and had done a considerable amount of work on the Budget.

Following the Budget Meeting on 9 January 2018, the Town Clerk had reviewed the Administration Costs and identified the following reductions: -

16 Office and Chamber Equipment – reduce by £1,000

22 Clerk Advertisement – remove – reduction of £1,000

The Mayor stated that the £12,500 contingency could be deleted.

Councillor Mike Wood briefly left the Chamber at 8.22 pm.

249 ORIGINAL BUDGET 2018/2019 (continued)

Councillor Wood stated that he had reviewed the Budget comprehensively and highlighted a number of items where he felt savings could be made: -

- Civic Receptions and Events
- Grants and Donations
- Contribution to the C.A.B.
- Festive Lighting
- Dog Waste Bins and dispensers
- Providence Car Park
- Tourism
- Provision of Special Constables
- Station Car Park

Councillor Mrs Stamp stated that Councillor Wood deserved a response. Councillor Mrs Stamp stated that she believed that the provision of free dog waste bags would assist in reducing the amount of dog fouling.

The Town Clerk stated that the provision of £6,000 for Providence Car Park included the non-domestic rates and that the Reception and Events budget included many events, not just the two main Receptions.

Councillor Bell stated that she felt the Civic Dinner was an unnecessary expense.

Councillor Mrs Stamp stated that it was a valuable networking opportunity and it “keeps Burnham on the map”.

Councillor Bell stated that “morally and in principle” she agreed with Councillor Wood about the provision of Special Constables but having spoken with residents, she appreciated that they want to see visible policing.

The Town Mayor and Councillor Mrs Stamp reported on their meeting with Les Hawkins, outlining the provision of Special Constables scheme. Councillor Mrs Stamp reported that Southminster Parish Council was considering this issue and there could be a possibility of sharing a Special Constable, once trained.

Councillor Skeens proposed that the 2018/2019 be maintained without any cuts.

This was seconded by Councillor Mrs Wendy Stamp.

A Recorded Vote was requested.

Ms Foy stated that if the expenditure remained at £226,750 with a Precept of £170,000, a contribution of £33,732 would be required from General Reserves to balance the Budget.

Councillor Calver, the Town Mayor, stated that with identified reductions in expenditure of £14,500 and if the Precept were maintained at the previous year’s level of £188,000, only a small contribution from Reserves would be required.

Councillor Calver proposed a reduction in expenditure of £14,500 (Office and Chamber Equipment – £1,000, Clerk Advertisement – £1,000 and Extraordinary Expenditure Contingency - £12,500).

Councillor Skeens withdrew his Proposal and seconded this new Proposal.

FOR: Cllrs Vanessa Bell, Bob Calver, Mrs Helen Elliott, Mrs Louise Pudney, Neil Pudney, Nick Skeens and Mrs Wendy Stamp.

AGAINST: Cllr Mike Wood

RESOLVED: - accordingly.

Standing Order 9 b) was suspended to allow the debate of this Item.

Councillor Bob Calver proposed that the Precept for 2018/2019 be set at £188,000.

A Recorded Vote was requested.

FOR: Cllrs Vanessa Bell, Bob Calver, Mrs Louise Pudney, Neil Pudney, Nick Skeens and Mrs Wendy Stamp.

AGAINST: Cllrs Mrs Helen Elliott and Mike Wood

RESOLVED: - that i) the Town Council's Precept for 2018/2019 be set at £188,000 and that Maldon District Council be notified accordingly and ii) a contribution of £1,232 to balance the Budget be met from General Reserves.

251 INFORMAL MEETINGS OF COUNCILLORS

Further to Minute 226 of the Budget Meeting held on Tuesday 9 January 2018, Members debated whether to continue to hold informal meetings and in particular, pre-budget informal meetings. Councillor Wood stated that he did not agree with pre-budget meetings and Councillor Mrs Stamp responded that the formation of a Finance and Asset Management Committee would rectify this. Councillor Mrs Stamp proposed that this be included as an Item for discussion on the Agenda of the next Meeting of the Town Council to be held on Tuesday 13 February 2018 and it was

RESOLVED: - that consideration of the formation of a Finance and Asset Management Committee be included on the Agenda for the next Meeting of the Town Council.

252 TOWN COUNCIL WEBSITE

Councillor Skeens reported that the new website was progressing well and further explained the issues with the hosted exchange. He recommended that the hosted exchange be maintained for the Clerk's computers and that burnham.gov.uk be adopted as the Town Council's domain name. It was

RESOLVED: - that i) the Microsoft Exchange system be continued for the Town Clerk's office computers and ii) that the website designer be instructed to proceed with the burnham.gov.uk domain name, which includes setting up emails for each Town Councillor.

Concerns were raised in respect of Councillors home addresses being available to the public.

Councillor Bell stated that this was particularly relevant to herself and Councillor Skeens because of the nature of their profession.

Ms Foy stated that she would speak to the Monitoring Officer and report back accordingly.

Councillor Mrs Stamp stated that the new Data Protection laws come into effect in May 2018 and it is being recommended that Clerk's do not take on this role. Councillor Mrs Stamp stated that this would have to be allowed for within the Budget.

253 'LITTLE SHIPS' DUNKIRK EVACUATION

Councillor Skeens reported that the Vanguard, a former Little Ship of Dunkirk, which was designed and built in Burnham and which helped rescue around 600 British soldiers from the beaches of Dunkirk, would be moved from the boatyard on Canvey Island to Mangapps Railway Museum that Friday, under Police escort. The moving costs were being met by a local resident, David Hopkins. The owner would like to donate the boat to the Town. Councillor Skeens stated that he would like to propose that the Town Council take ownership of the vessel, with no costs involved. There would be no commitment for the Town Council to undertake its restoration. Restorations costs would be in the region of £250,000/£500,000. It was hoped to return the boat to the river when fully restored or to site it by the West Quay Houseboats. It was

RESOLVED: - that a proposal for the Town Council to take ownership of the Little Ship, 'Vanguard' be included on the Agenda for the next Meeting of the Town Council to be held on Tuesday 13 February 2018.

The commemorative plaque unveiling would take place on 29 May.

254 TOWN COUNCIL 'OUTREACH'

Further to Minute 206 of the Meeting of the Town Council held on Tuesday 12 December 2017, Members were requested to consider the above and in particular whether to hold 'outreach' Town Council Surgeries. It was

RESOLVED: - that Members make their own suggestions for Outreach items at future Meetings of the Town Council.

255 FORMATION OF A GROUP OF VOLUNTEERS

RESOLVED: - that this Item be deferred to the next Meeting of the Town Council due to a lack of progress.

256 STAFFING COMMITTEE

The Town Clerk reported that the Town Mayor, Councillor Mrs Stamp and she had spoken to the CEO of the EALC regarding the formation of a Staffing Committee. However, conflicting advice had now been given. It was

RESOLVED: - that the Town Mayor speak to the CEO of the EALC and report back to the next Meeting of the Town Council.

The Town Clerk stated that the Appointments Panel had not been disbanded and could continue to meet to progress staffing matters.

257 ANY OTHER BUSINESS

There was none.

Ms Foy left the Meeting at 9.25 pm after being thanked for her attendance and input.

258 QUESTIONS

Q. Can the public have a hard copy of reports such as Highways and Mayor's announcements?

A. Yes – subject to confidential items.

Q. Can a statement of Reserves be included within the Annual Report?

A. Yes.

A member of the Press asked for clarification of the budget expenditure and contribution from General Reserves and this was given.

259 EXCLUSION OF THE PUBLIC AND PRESS

RESOLVED: - that by virtue of the provisions of Section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960, the public be excluded during discussion of the following business on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

The Meeting was adjourned at 9.30 pm and reconvened at 9.35 pm.

260 STAFF MATTERS, LAND MATTERS AND TOWN COUNCIL OFFICES

i) the Appointments Panel and the Town Clerk reported on staffing issues.

ii) the Asset Management Panel reported on progress with matters relating to the Allotment Site and Town Council Offices.

iii) Councillor Peter Elliott, the Town Council's General Purposes Co-ordinator, was not present.

261 CLOSURE OF THE MEETING

Having considered and determined all items of business, the Meeting was closed at 9.55 pm.