

MINUTES OF THE MEETING OF THE BURNHAM-ON-CROUCH TOWN COUNCIL HELD ON TUESDAY 3 SEPTEMBER 2019 AT 7.30 pm IN THE TOWN COUNCIL CHAMBER

Present: - Town Mayor, Councillor Wendy Stamp.

Councillors: – Vanessa Bell, Bob Calver, Fiona Clegg, Jennie Donnelly, Helen Elliott, Jane English, Ron Pratt C.C. and Nick Skeens.

In Attendance: - Town Clerk, Sarah Grimes.

74 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Neil Pudney.

75 DECLARATIONS OF INTERESTS

Councillor Bob Calver declared a non-pecuniary interest in Agenda Item 13c) as a member of St Mary's Parochial Church Council and stated that he would leave the chamber during discussion of this Item.

76 TOWN MAYOR'S ANNOUNCEMENTS

The Mayor began by saying that she had received many complaints about the lack of maintenance and the awful state of the cemetery. She and Councillor Bell had met with two senior officers from Maldon District Council, on site, to show them how unacceptable it was, and they now had a clear understanding of the standard most residents expect. The Mayor personally apologised for the distress caused to residents.

The Mayor reported that the Burnham Gardening club had helped make her birthday special with candles and a cake. She gave a special mention to Alice Bush who had also supported Quay Day.

The Mayor had attended:

- The U3A open day at the Carnival Hall. She said they are a lovely group of volunteers, offering so many different clubs and activities and they are a great support to many people.
- Otters week - the Royal Corinthian fancy dress competition was great fun. The panel of judges had a difficult task as the standard of costumes was exceptional.
- The Burnham Allotments Association Show, which had high quality exhibits and saw a larger number of young entrants. She extended a huge thank you to Mick Hazel and his team.
- The Fire Station Open Day – this was informative, fun and wet!
- Burnham RNLI Blessing Service. She extended a huge thank you to Rev. Lionel Webber and paid tribute to the members of Burnham's RNLI and their families, calling them "truly professional, caring and selfless".

The Mayor was sorry that she had been unable to attend the Art Show and the Council's swimming programme at Southminster pool.

She thanked all the litter pickers on land and river, with special thanks to Avi Webster who did her annual dog 'poop scoop' along the Quay.

The Mayor reported that Quay Day had been a fantastic event and thanked Councillor Fiona Clegg, Phillip, Sam, Pat, Lee & Len, who worked extremely hard.

Burnham Week was a fabulous success, with more entries than for the past few years. The weather was glorious and the sailing exciting. The cocktail party that the Town Council jointly hosted with Burnham Week Ltd was a great success. Guests had included Her Majesty's Lord Lieutenant of Essex, Mrs Jennifer Tolhurst, The High Sheriff of Essex, Dr James Bettley, John Jowers, Chairman of Essex County Council and the Chairman of Maldon District Council, Councillor Bob Boyce.

The Mayor expressed her thanks and congratulations to all the commodores, club committees and volunteers. She had been honoured to be asked to present the awards and the St Mathews Cup had been won by Burnham Sailing Club for the fourth time in five years.

77 MINUTES

RESOLVED: - that the Minutes of the Statutory Meeting of the Town Council held on Tuesday 23 July 2019, be confirmed and signed.

78 PLANNING COMMITTEE MINUTES

RESOLVED: - that the confirmed Minutes of the Planning Meetings held on Tuesday 23 July 2019 and the notes of the meeting held between the Town Mayor and Planning Clerk during the Council's summer recess, be duly received.

79 PUBLIC PARTICIPATION SESSION WITH RESPECT TO ITEMS ON THE AGENDA

Q. Agenda Item 11 – my question relates to concerns as to the relevance of BCAP in the absence of a designated police representative, the particular issues being: rising crime levels and lower levels of offenders being held accountable (a handout had been circulated to Members) and blatant disregard for speed limits and related safety issues. Will the Council support a short-term working party to look at ways to develop and support community engagement to combat crime, road traffic and environmental offences?

A. Thank you.

Q. My question is to the Mayor and relates to Agenda Item 15 – does the Mayor agree with me that the Civic Service is an important element of the community's life? (A statement was read out which had previously been circulated to Members). I ask the Mayor and Council to hold onto and maintain the civic service which gives expression to the ethos of our Town.

A. Town Mayor – I will answer the question when it comes to the Agenda Item.

Q. Agenda Item 13c) – I represent St Mary's PCC, I would like to point out that this is a community event, for the benefit of the wider community, irrespective of any religious beliefs.

A. Thank you.

80 TOWN CLERK'S REPORT

This was noted and in particular:

5. Good News Item – the Town Clerk reported that she had passed her Certificate in Local Council Administration (CiLCA) with an exemplary submission for the high standard of her portfolio. The Clerk received a round of applause and a bouquet from the Town Mayor.

81 DIARY DATES

These were noted.

82 CO-ORDINATORS' REPORTS

- General Purposes – Councillor Mrs Wendy Stamp reported that a draft service level agreement had been received from the Council's IT provider. It was agreed that this be included for discussion on the Agenda for the next Meeting of the Town Council.
- Highways – Councillor Bob Calver had submitted a written report. He highlighted the following:
 - i) Tesco Belisha beacon is still out. Councillor Pratt was asked to take this up with the portfolio holder.
 - ii) Southminster Road new lights and new road layout – an email had been sent to enforcement at MDC regarding the lights. Councillor Pratt had asked Highways that the developer makes good the ramps.
 - iii) The Southminster Road 30 mph flashing sign is now working.
 - iv) The broken lamppost in Fernlea Road had been replaced.
 - v) St Mary's Road area of Station Road pedestrians crossing – the chairman of CAP has asked that the Town Council refer the difficulty of pedestrians crossing to the highway's authority. This was referred to Councillor Pratt. There is a new format for local highways panel reporting. The new form would be circulated.

82 CO-ORDINATORS' REPORTS (continued)

Councillor Pratt outlined the issues with the pothole near King & Hines. The subsidence problem continues. There is no indication of how long it will take to sort out.

- i) Speed reduction on Mill Road – the Mayor had been contacted regarding construction traffic not observing the speed limit and had been asked if the Council would be supportive of a request for a traffic assessment (ATC).

RESOLVED: - that the Town Clerk write to County Councillor Pratt to request an ATC in Mill Road.

- ii) Individual mobility issues – Councillor Calver had received two complaints about footways being restricted. He asked Council for guidance as to how to respond to such issues in a way that does not ignore residents' concerns but does not promise action. It was agreed to refer residents back to the ECC website so that they can 'pinpoint' problems effectively.
- iii) Requests for double yellow lines in St Mary's Road – residents had reported dangerous parking by commuters.

Councillor Pratt stated that the South Essex Parking Partnership (SEPP) is now run by the District Councils of Essex. Displacement parking has always been an issue and there is 'no right to park outside your own house'. The Town Council had always been against permit parking charges 'in your own road'. It requires more than 50% of residents in a road to agree to have some sort of parking permit system, in order to proceed. Councillor Pratt is still pursuing the Devonshire Road issue with SEPP.

It was agreed that Councillor Calver give residents the information and refer them to the SEPP process.

- Environment – Councillor Vanessa Bell gave a brief verbal report. An extra lick pick had taken place the previous week. Station gardening continues. Two more cuts had been agreed under the Council's grass cutting contract.

83 DISTRICT COUNCILLORS' REPORTS

Councillor Nick Skeens reported that he had met with Richard Holmes and Jack Ellum and there was some progress with the Burnham Observatory and Burnham Beach issues.

Observatory – Councillor Skeens had explained the concept and they had liked the idea. This would be an Agenda Item for the next Community Services Committee meeting.

Beach – they were supportive of Councillor Skeens approaches to the Environment Agency to improve the concrete sluice gate and turn it into a seating area. It was the view of the Environment Agency that Natural England would be unlikely to object to the beach, but the sand would have to suit the ecology. The bigger challenge would be some sort of tidal barrier.

Councillor Bell reported that there had been an interesting presentation at Overview and Scrutiny by Anglia Water, where she had learnt that a developer has a right to connect to the sewer/foul water system regardless of the adequacy of the existing infrastructure. There had also been a presentation by the CCG, outlining the NHS ten-year plan, which acknowledges the GP shortage. There is new government legislation regarding Section 106 and CIL and a report would be submitted to the Planning and Licensing Committee.

Councillor Stamp reported that the Finance meeting had been cancelled twice. There is a new cemeteries officer and MDC were contracting out the cemetery work.

84 TOWN COUNCIL REPRESENTATIVES' REPORTS

FC – Councillor Clegg had a meeting the following day regarding the tourist information provision. There may be a possibility of using the museum as they are looking to increase their footfall.

Councillor Skeens confirmed that the building attached to the museum had been sold.

JE – the next CAP meeting is scheduled for 26 September.

RP – Carnival preparations continue.

NS – nothing to report.

BC – Burnham Week had gone well. The Town Cup race had many more entries this year.

VB – nothing to report.

84 TOWN COUNCIL REPRESENTATIVES' REPORTS (continued)

JD – Councillor Donnelly had attended the DHBUG meeting. A request was made to include bus timetables on the Council's website. Councillor Skeens responded that there is a 'link'. The next meeting of the group is scheduled for 2 October.

HE – Councillor Elliott reported that she was not receiving notice of Village Hall committee meetings.

WS – the Patient Participation Group is running an open session at the Carnival Hall in October. They are trying to bring more services into Burnham and the Dengie.

It was agreed that reports from the website editor would be included within co-ordinators' reports on future Agendas.

85 ACCOUNTS AND TRANSFER OF FUNDS

- a) **RESOLVED: - that the payment of Accounts for August/September 2019 be approved and signed.**
- b) Members noted the comparison of actual to budgeted payments and receipts to September.
- c) The bank reconciliation was approved.
- d) **RESOLVED: - that the Internet Banking Policy be adopted.**

All Members had received a copy of the Statement of Internal Controls drafted by the Town Clerk. It was

RESOLVED: - that the Statement of Internal Controls be adopted.

86 GRANTS AND DONATIONS

The remaining budget for 2019/2020 was £3,700.

- a) Maldon & District Citizens Advice – a letter had been received from the manager of the organisation, thanking the Town Council for its £1,000 donation in 2018/19 and asking if it would consider increasing its donation for the current year. Members debated this and it was **RESOLVED: - that no action be taken.**
- b) Carnival Committee – a letter had been received from the Chairman of the committee requesting a donation of £1,000 towards the cost of safety and security. Members were reminded that there is a £1,000 provision within the Town Council's 2019/20 budget. **RESOLVED: - that a donation of £1,000 be approved.**
- c) Great Burnham Bonfire – a letter had been received from the organiser of the event requesting financial assistance towards the provision of temporary toilet facilities. **RESOLVED: - that a donation of £250 (maximum) be approved.**

87 TOWN COUNCIL SURGERIES

RESOLVED: - that Councillors Bob Calver and Jane English attend the surgery to be held on Saturday 12 October 2019.

88 CIVIC SERVICE

This Item of business was deferred from the Statutory Meeting held on 23 July 2019.

Councillor Pratt proposed that the council supports the ideal of holding a spiritual annual service as a thanksgiving for the past and guidance in the future. Before the format of the Burnham Town Council's annual Civic Service is changed a full debate of the Councillors will be held.

Councillor Pratt began by stating that this motion had been misunderstood as a complaint and it was not. The reason behind it was in response to several residents asking why there was no service or religious element in this year's Civic Service. The format had worked for at least twenty years. Councillor Pratt said that the lunch was superb, and he had thoroughly enjoyed it and the Clerk, and the Mayor were to be congratulated on a job well done. However, the invitation read 'the Mayor and Town Councillors invite you to lunch...' and his understanding was that Councillors had no knowledge of the change until they had received their invitations.

88 CIVIC SERVICE (continued)

He stated that it is a lot of money, to invite the dignitaries of Essex, without having a Christian or religious reason – ‘it had always been about the service’, with a meal afterwards. Councillor Pratt asked that such a significant change in what the Council does, rather than it being in the Mayor’s Gift, (whoever the Mayor may be), this should come to Council first for debate. Councillor Pratt said that the guest list, the menu and the venue had always been down to the Mayor, but suddenly deciding not to have the service any more should have come to Council first.

The Mayor responded that the Civic Service had always rotated amongst the churches and that this year was the turn of the Catholic Church. The Mayor had wanted a community-based service. She stated that there is nothing in Standing Orders, or legally, to stop her making that decision, which had been made because the catholic priest had been unwilling to accommodate a community service. The Mayor had then asked if the service could be held at St Mary’s, but she had been told that this was not appropriate because of the rotation. Due to the time constraints the Mayor decided to go ahead without the service.

Members discussed this at length. The Mayor felt that the Council should not be tied down to having every service in a church. Councillor Skeens did not personally feel that the Council needs to provide moral guidance because that is what the churches do, although he had no objection to a Civic Service with a religious aspect. Councillor Bell quoted a number of statistics in respect of religious belief. She stated that this is a multi-cultural, multi-faith society and in her view, it is discriminatory to have a Church of England service. Councillor English stated that she took exception to the idea that the Councillors can only make decisions if they have “guidance from above”. She felt that the civic lunch did much more to promote the Town and the ethos the Town Council wants to promote, and she welcomed the change. Councillor Clegg stated that she felt that the Mayor, “in their special year”, is entitled to decide. However, there is possibly an argument for having a separate service and it seemed to be the rotation system that was causing a problem. She cited the High Sheriff as an example, stating that they appoint a chaplain for the year. She stated that the Council should move away from the rotation system. Councillor English suggested that some elements could be included within the civic lunch that had been in the Civic Service e.g. saying Grace.

The Town Clerk reported that she had spoken informally with the Chairman of Churches Together, who had suggested that each church could have responsibility for a service instead of having a rota e.g. Remembrance at the Baptist Church, the Civic Carol Service at the Catholic church, Civic Service at Creeksea and Harvest Festival at St Mary’s. The Clerk stressed that this was not a formal proposal from Churches Together.

Councillor Calver stated that the Civic Service is an important council event. It goes alongside Remembrance and the Carol Service, where the Town joins together in an act of worship, which is the way things are done, not just in Burnham but in the whole of the country when such events take place. However, it was his understanding that the service is a joint undertaking between the council and Churches Together. It should not be the case that one church gets to decide the format on a ‘take it or leave it’ basis. Last year there was a willingness in Churches Together to discuss an acceptable format. Councillor Calver proposed an amendment (earlier notice having been given to the Mayor) to Councillor Pratt’s motion. “The council will agree with Churches Together, a format for future services that is non-denominational and suitable for, and accessible by, a wide range of residents and guests, some of whom may not be regular attendees at church services”.

The Mayor responded that this was not an amendment as it negated the original motion and she would not accept it. She reminded Members that the Chairman’s decision as to the application of Standing Orders is final.

The Mayor invited Councillor Pratt to respond. Councillor Pratt stated that all he was asking was that in future, before such a change was made to the format, the Council should discuss it before taking a democratic vote.

88 CIVIC SERVICE (continued)

The Mayor responded that Councillor Pratt's motion did not just say that. She read out the original motion "the council supports the ideal of holding a spiritual annual service as a thanksgiving for the past and guidance in the future. Before the format of the Burnham Town Council's annual Civic Service is changed a full debate of the Councillors will be held".

Members proceeded to a vote and it was

RESOLVED: - that the proposal is lost.

89 ENVIRONMENT & GREEN SPACES GROUP

Further to Minute 56 of the Statutory Meeting of the Town Council held on 23 July 2019 all Members had received a copy of the terms of reference drafted by the Town Clerk for an environment committee, the formation of which was agreed 'in principle' at that Meeting.

The following amendments were agreed -

RESPONSIBILITIES

Add the words 'endeavour to' to the following:

- Ensure that council owned green spaces and assets/equipment are managed in compliance with all relevant codes and legislation.
- Ensure that the designated Rights of Way in the town are open and walkable by the relevant categories of user and report deficiencies to the appropriate authority and monitor their action.
- Ensure that Burnham-on-Crouch is regarded as amongst the tidiest parishes in Essex and support and promote litter reduction programmes (move this statement from responsibilities to objectives).

RESOLVED: - that subject to the above amendments, the terms of reference for an environment committee be adopted.

90 EVENTS

Councillor Fiona Clegg reported that Quay Day had been a huge success. She thanked Maldon District Council for their assistance and cooperation and thanked several other organisations and individuals. The cost to the Council was £493.87. Councillor Clegg was thanked for her hard work. Councillor Clegg asked that the Council debate the provision of a gazebo. Councillor Skeens stated that he had a gazebo which he would donate to Quay Day. He was thanked for this offer.

91 UPDATE ON ISSUES PROGRESSED DURING RECESS UNDER DELEGATED AUTHORITY (AS RESOLVED AT THE STATUTORY MEETING HELD ON 23 JULY)

- Christmas lights – the Clerk was awaiting approval from Essex County Council for the erection of a Merry Christmas sign across the bridge. The Mayor stated that she would look at an alternative Christmas tree design.
- Providence car park repairs – following receipt of the third quotation, a contractor had been appointed to undertake repairs.
- Trees on green spaces owned by the Town Council – urgent works in Russet Way had been completed. Further works would be necessary, and a professional tree survey would be completed shortly. The Town Clerk had drafted a Tree Management Policy for Members' consideration. It was

RESOLVED: - that the Tree Management Policy be adopted.

- Memorial benches – MDC had undertaken repairs.
- Station House – a new tenant had been found for the vacant studio (a further report would be given under Agenda Item 29).

92 PLANNING APPLICATION OUT/MAL/18/00443 - LAND NORTH WEST OF 2 MALDON ROAD, BURNHAM-ON-CROUCH

Further to Minute 35 of the Meeting of the Town Council held on 5 June 2019 (“**RESOLVED: - that the Planning Clerk pursue the Town Council’s complaint via Maldon District Council’s formal complaints procedure**”) all Members had received a copy of the response from Paul Dodson, Director of Strategies, Performance & Governance.

RESOLVED: - that the complaint be pursued.

93 HAUL ROAD

The following motion was proposed by Councillor Nick Skeens (deferred from 23 July): ‘Burnham Town Council supports the retention of the Haul Road, which serves the Wilson’s Homes development between Marsh Road and the Pippins. That this road will be used to provide emergency access only into Burnham should Station Road become blocked on or around the Railway Bridge. That the road will be gated at either end, with a coded lock, the combination to which is known only by the Town Council, Maldon District Council, the emergency services and the landowner. That Burnham Town Council should create a working group to follow this through with Maldon District Council and other interested parties.’

The Town Mayor stated that the motion referred to Wilson Homes and it should be Matthew Homes. The removal of the Haul Road was a condition in the Inspectors’ appeal decision and is required in law. Any change would negate Section 106 agreements as discussed at a previous meeting with the MDC planning officer.

Councillor Calver stated that the motion was too complicated.

Councillor Skeens proposed an amendment “that Burnham Town Council forms a working group to investigate the retention of the Haul Road as an emergency access to the Town”.

It was

RESOLVED: - accordingly.

94 PARAMEDIC COVER IN BURNHAM

RESOLVED: - that this Item be deferred to a future Meeting of the Town Council.

95 ALLOTMENTS IN ARCADIA ROAD

The Town Mayor reported that she had spoken with the MOAT solicitor that morning. The Mayor proposed that a budget provision of £2,000 be approved for the Town Council to engage a solicitor, within the next ten days. It was

RESOLVED: - that a budget of up to £2,000 be approved for legal expenses.

96 REVIEW OF STANDING ORDERS AND FINANCIAL REGULATIONS

Councillor Pratt stated that Members had had insufficient time to review these documents and proposed that this Item be deferred. The Town Clerk suggested that Members may wish to have a separate Meeting to review Standing Orders and Financial Regulations and it was

RESOLVED: - that consideration of this Item be deferred to an Extraordinary Meeting of the Town Council.

The Town Mayor asked that Members notify the Clerk of any queries with the Standing Orders or Financial Regulations, prior to that Meeting taking place.

Councillor Jane English left the Meeting at 9.28 pm.

97 ‘A’ BOARD ADVERTISING – THE TOWN AND COUNTRY PLANNING (CONTROL OF ADVERTISEMENTS) (ENGLAND) REGULATIONS 2007

All Members had received a copy of the correspondence from Jack Ellum, Tourism and Events Manager (Interim) regarding the above.

This was noted.

98 STREET NAMING (PUBLIC HEALTH ACT, 1925, SECTION 17)

All Members had received a copy of the letter from the street naming and numbering officer at Maldon District Council. The following street name, ‘Charwood Mews’ had been proposed by Think Green Energy Ltd regarding Land Rear of Charwood, Stoney Hills, Burnham-on-Crouch within the provision of the above Act. The Town Council’s comments were invited by Friday 6 September 2019.

RESOLVED: - that the Town Council has no objection to the name ‘Charwood Mews’ and that Maldon District Council be notified accordingly.

99 PUBLIC FORUM

There were no questions from members of the public.

100 DATES OF NEXT MEETINGS

Members noted the following:

Statutory Town Council Meeting – Tuesday 15 October 2019 at 7.30 pm.

Town Council Budget Meeting – Wednesday 23 October 2019 at 7.30 pm.

101 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.

At 9.30 pm it was

RESOLVED: - that the Meeting continue beyond the two-hour limit (as per Standing Orders) to conclude the remaining items of business.

102 i) ALLOTMENTS IN ARCADIA ROAD

The Town Mayor further reported on her discussions with the MOAT solicitor.

ii) STATION HOUSE

The Town Clerk reported on the terms of the new license. It was agreed that a rent review for all licensees would take place on 1 April 2020.

103 CLOSURE OF THE MEETING

Having considered and determined all items of business, the Meeting was closed at 9.40 pm.

Chairman

Date