

**MINUTES OF THE STATUTORY MEETING OF THE BURNHAM-ON-CROUCH TOWN COUNCIL HELD ON TUESDAY 15 OCTOBER 2019 AT 7.30 pm IN THE TOWN COUNCIL CHAMBER**

**Present: - Town Mayor, Councillor Wendy Stamp.**

**Councillors: – Vanessa Bell, Bob Calver, Fiona Clegg, Jennifer Donnelly, Ron Pratt C.C. and Nick Skeens.**

**In Attendance: - Town Clerk, Sarah Grimes.**

**113 APOLOGIES FOR ABSENCE**

Apologies were received from Councillors Helen Elliott, Jane English and Neil Pudney.

**114 DECLARATIONS OF INTERESTS**

There were none.

**115 TOWN MAYOR'S ANNOUNCEMENTS**

Councillor Wendy Stamp, the Town Mayor, reminded Members of the protocol for events attended by the Mayor and she formally apologised to Councillor Pratt for being “short” with him at the Carnival Queens’ Tea when protocol was not observed.

The Mayor reported that she had attended:

- A Mental Health First Aid awareness half day course in Southminster, which had been free of charge. The Mayor encouraged everyone to attend if another course is held.
- The EALC Annual General Meeting, where Chief Executive Joy Darby had announced her retirement. The Mayor reported that Joy has worked tirelessly to support Clerks and Councillors, providing excellent training courses, best practise and legal advice and much more. The Mayor stated that the Town Council needs to carry out a little more work towards being awarded the Foundation Level Quality Award, something she hoped to have achieved before her term ends in May 2020. The Mayor gave a special mention to Sarah Grimes, the Town Clerk, whom she said had worked tirelessly and would be bringing further policies to the Council. The Mayor stated that it is an absolute honour being the Mayor of Burnham-on-Crouch but extremely challenging being the Chairman of the Council.
- Two Macmillan Coffee Mornings – i) Creeksea Church, hosted the Barty Bear Club, where she had enjoyed lovely cake and met the gorgeous Thomas Harvey. This raised over £400 and ii) the Doctors’ Surgery, for coffee & cake from the Patients Practise Group.
- Burnham Carnival, which was a great success, despite the rain. The Mayor gave a special thank you to everyone who had worked so hard to deliver it. The Queens’ Tea was lovely but sadly there were not as many visiting courts as some Carnivals have folded. The Mayor suggested that the Council enter a float next year. The next event being organised by the Carnival Committee is the Festive Fayre on 7 December, which is also when the Town Council will be lighting up the Town’s Christmas tree.
- The Essex Sailing Competition, involving the town’s sailing clubs, which took a huge amount of organising, was cancelled due to inclement weather.
- A meeting as a member of the Health and Wellbeing Board. The Mayor hoped to bring a report back to Council when the minutes have been distributed.
- The Inner Wheel event at Creeksea Church, where the guest speaker was Phillip Clegg.
- The Burnham Sailing Club’ Awards Dinner, accompanied by Councillor Bell. The food and hospitality were first class.
- Burnham Gardening Club, where she talked about being the Mayor of Burnham and answered questions. The Mayor stated that the group do so much more than gardening and gave a special mention to Alice Bush, whom she called “an absolute diamond”.

**115 TOWN MAYOR'S ANNOUNCEMENTS (continued)**

Cllr English had joined her at Chelmsford Cathedral as a guest of The High Sheriff, Dr James Bettley. The service was very good indeed.

The Council had received support from Essex Police, with a presence at its last Town Council Surgery. Officers had walked around the Town with the Mayor and chatted to residents, asking for their concerns.

The Mayor reminded Members to submit their queries to the Clerk, prior to Council Meetings, as had previously been requested. This would save time at meetings.

**116 MINUTES**

**RESOLVED: - that the Minutes of the Meeting of the Town Council held on Tuesday 3 September and the Extraordinary Meeting held on Wednesday 25 September 2019, be confirmed and signed.**

**117 PLANNING COMMITTEE MINUTES**

**RESOLVED: - that the confirmed Minutes of the Planning Meetings held on Tuesdays 3 and 24 September 2019, be duly received.**

The Town Mayor proposed that Agenda Item 16 be considered before Agenda Item 6. It was **RESOLVED: - accordingly.**

**118 GENERAL POWER OF COMPETENCE**

All Members had received a copy of the Town Clerk's report regarding the above. The Mayor and the Clerk further outlined the GPC. It was

**RESOLVED: - that the Town Council confirms its eligibility to use the General Power of Competence.**

**119 PUBLIC PARTICIPATION SESSION WITH RESPECT TO ITEMS ON THE AGENDA**

Q. My question relates to Agenda Items 11 and 12. It is thirty months since the Llys Helig upturned. Could the Council please write to MDC?

A. Councillor Bob Calver stated that works cannot begin without the appropriate Marine Licence. The Town Clerk will write to Maldon District Council accordingly.

**120 TOWN CLERK'S REPORT**

This was noted and in particular:

**2 ESSEX COUNTY COUNCIL ESSEX HIGHWAYS USER SURVEY**

**RESOLVED: - that Councillor Calver complete the survey on behalf of the Town Council.**

**3 MENTAL HEALTH FILM 'DARK MIND'**

A request had been made for £450 toward the cost of the trailer for the film. It was

**RESOLVED: - that no donation be made.**

The Clerk further reported on the following:

- Calendar of Meetings - change of dates for the Christmas tree lighting to Saturday 7 December, to coincide with the Festive Fayre, and the Civic Carol Service to Friday 13 December.
- Use of Secret Ballots - Paragraph 13(1) of Schedule 12 to the Local Government Act 1972 for England makes clear that Councils cannot just decide to do a vote by secret ballot unless permitted to do so by their standing orders and to change standing orders to permit the use of a secret ballot requires written notice. It is difficult to envisage the circumstances which warrant a secret ballot, which would invariably attract scrutiny as to its purpose and validity. A secret ballot will not eliminate a risk of legal challenge to a resolution on the basis of predetermination or bias by Councillors (EALC legal update).

## 120 TOWN CLERK'S REPORT (continued)

- A quotation received for the provision of a Christmas tree and associated works. It was **RESOLVED: - that a quotation in the sum of £855 (excluding VAT) be approved.** The Limes Farm Shop would be donating a tree for the Farleigh Hospice Service. Councillor Bell reported that a resident allows the use of their own electricity for the lights near the library. It was **RESOLVED: - that the Town Council send a thank you letter.**
- Cyber awareness.
- Details of the New Community Infrastructure Levy (CIL) rules that came into force on 1 September 2019 (information tabled).

## 121 DIARY DATES

These were noted. The Mayor reported that future meetings of the Allotment Association would be held in the URC Hall.

## 122 CO-ORDINATORS' REPORTS

- General Purposes – Councillor Wendy Stamp reported that the IT Service Level Agreement would be considered at the Budget Meeting.
- Highways – Councillor Bob Calver had submitted a written report which had been circulated. The Tesco Belisha beacon is working. A response had been received from Planning regarding the lights on Southminster Road. Councillor Ron Pratt C.C. stated that they *had* been erected but were not yet alight. Councillor Calver would liaise with Councillor Pratt regarding the light on the other side of the road and traffic signs.  
The Town Mayor asked when the double yellow lines at Millfields would be removed. Councillor Pratt responded that the SEPP had said they would be removed – no further details.  
The Mayor proposed that the Town Council submit a request to the Local Highways Panel, using the new application forms, for a footway to connect the new estate on Southminster Road, on the same side of the road, to the school. It was **RESOLVED: - accordingly.**  
The Mayor had received a letter from a resident requesting a crossing on the Maldon Road near the school.
- Website – Councillor Nick Skeens reported on website traffic. There had been 281 users during the previous week of which 239 were new users.

## 123 ENVIRONMENT COMMITTEE

The first committee meeting had taken place. In summary:

- Councillor Bell was elected as Chairman and Councillors Donnelly and English were elected as Vice-Chairs (joint).
- Councillor English was appointed as Minute Secretary.
- The Terms of Reference were noted.
- There had been discussion as to the possibility of using volunteers to help residents with hedge cutting – to be progressed at a later stage. Councillor Calver raised concerns as to indemnity and Councillor Pratt responded that this responsibility had been taken away by law “as long as you are acting sensibly and in good faith”.
- Councillor Bell has prepared a safeguarding policy.
- Councillor Bell requested first aid training. The Town Mayor suggested a session in the Council Chamber. Councillor Pratt suggested the First Responders. The Clerk would pursue this.
- Money is available from Greater Anglia for plants at the Station area.
- The Station Adopters are covered under Greater Anglia's insurance.
- Working parties will be formed as more volunteers become available.
- Sheila Nutt is looking into hanging basket locations.
- Some of the Burnham in Bloom trophies need replacing.

**123 ENVIRONMENT COMMITTEE (continued)**

- Councillor Bell requested that the committee be permitted to use the notice board outside One-Stop.
- Footpaths will be walked once a month.
- Councillor Bell proposed that the committee write to all businesses in breach of A-Board placement rules using the template provided by Maldon District Council and with their permission.

**RESOLVED: - accordingly.**

- The Mayor and Councillor English would research the community fridge scheme.

In response to a question from Councillor Skeens, Councillor Donnelly responded that cycling is not permitted on the Quay.

**124 DISTRICT COUNCILLORS' REPORTS**

Councillor Nick Skeens reported that:

- i) The Extraordinary Meeting of the Council held on 3 October had been adjourned.
- ii) A presentation would be given to the Strategy and Resources Committee on 17 October 2019 in respect of the Burnham Observatory.
- iii) The Burnham beach proposal had hit "a few snags".

The Town Mayor clarified that the Town Council had not passed a Resolution to support the reinstatement of the beach.

Councillor Bell reported that the Overview and Scrutiny Committee Meeting held on 2 October had discussed the Section 106 Agreement for the Tesco free bus service.

A report on S.106 updates would be presented to the Meeting scheduled for 31 October.

**125 TOWN COUNCIL REPRESENTATIVES' REPORTS**

Carnival – the day's events had been well supported with lots going on around the Town. The collection on the night had raised around £3,000. The finance meeting would take place in December.

Councillor Clegg had been involved in the Saltmarsh Run.

BCAP – Councillor Donnelly is working hard on a facebook page for the group.

DHBUG – the AGM is scheduled for 23 October 2019 in the Kings Hall.

**126 ACCOUNTS AND TRANSFER OF FUNDS**

- a) **RESOLVED: - that the payment of Accounts for October 2019 be approved and signed.**
- b) Members noted the comparison of actual to budgeted payments and receipts to October.
- c) The bank reconciliation was approved.

The RFO had not yet prepared a schedule of accounts for Quay Day. This would be presented to the next Meeting of the Town Council.

**127 GRANTS AND DONATIONS**

No applications had been received for this Meeting.

**128 TOWN COUNCIL SURGERIES**

**RESOLVED: - that Councillor Bob Calver attend the surgery to be held on Saturday 16 November 2019.**

**129 TOURIST INFORMATION CENTRE**

Councillor Fiona Clegg reported that:

- Matt Wilson will be coming down to discuss the site.
- She is liaising with the voluntary service for volunteers to run the TIC.
- The fixtures and fittings from the Maldon TIC will be available.
- She would be preparing a business plan.

The Town Mayor stated that this must be presented to the Town Council for discussion, before submission to Maldon District Council. The Mayor stated that she and the Clerk would assist Councillor Clegg if required.

**130 HAUL ROAD**

Councillor Skeens reported that the Working Group would be meeting with Charlie Fillingham from Strutt & Parker, on Tuesday 5 November 2019.

**131 PARAMEDIC COVER IN BURNHAM**

Councillor Skeens reported on the loss of cover across the Dengie Hundred. It was

**RESOLVED: - that the Town Clerk write to the Ambulance Service for clarification, to express the Town Council's concerns that the Town may be losing paramedic cover and to request historical data on service usage.**

**132 ALLOTMENTS IN ARCADIA ROAD**

The Town Mayor reported on the email received from the Town Council's solicitor. It was

**RESOLVED: - that the cost for drawing up a new lease in the sum of £500 (excluding VAT) be approved and the Town Council pursue a claim for Adverse Possession.**

**133 ESSEX POLICE 'MAKE A DIFFERENCE'**

All Members had received a copy of the letter from Roger Hirst, Police, Fire and Crime Commissioner, in respect of the above. Councillor Calver suggested that that the Town Council comment on response time for the '101' service and the turnout to burglaries. The Town Mayor reported that she would be attending the Conference at the EALC. It was

**RESOLVED: - that the Town Mayor speak to Mr Hirst at the Police Conference and report back accordingly.**

**134 PROVIDENCE CAR PARK**

**RESOLVED: - that the revised quotation in the sum of £1,925 for the repair of a pothole be approved.**

**135 THE ESSEX COUNTY COUNCIL (MALDON DISTRICT) (PERMITTED PARKING AREA AND SPECIAL PARKING AREA) (AMENDMENT HO.3) ORDER 201**

All Members had received a copy of the information in respect of the above. Comments on the proposals were requested by 18 October 2019.

**This was noted.**

**136 FENCING AT THE ALLOTMENTS**

All Members had received a copy of three quotations for the replacement fencing. It was

**RESOLVED: - that a quotation in the sum of £450 (excluding VAT) be approved.**

**137 SUMMER SWIMMING PROGRAMME**

All Members had received a copy of the co-ordinator's report and attendance figures in respect of the above. The Town Clerk reported that the scheme had exceeded the budget by £405.

The Town Mayor proposed that the Town Council ask Southminster Parish Council for a contribution toward the 2020 summer swimming programme.

**137 SUMMER SWIMMING PROGRAMME (continued)**

*Councillor Pratt declared a Non-Pecuniary Interest as a Member of Southminster Parish Council.*

Councillor Pratt proposed that the Town Council give Burnham residents a preferential rate and other villages pay a commercial rate.

**RESOLVED: - that the proposal is lost.**

It was

**RESOLVED: - that the Town Clerk write to Southminster Parish Council accordingly.**

**138 ‘TOMMY’ GARDEN**

All Members had received a copy of the plan and quotation for the above. It was

**RESOLVED: - that the quotation in the sum of £1,707 (excluding VAT) be approved.**

**139 PUBLIC FORUM**

Q. Can we have an update on the Town Council’s complaint to Maldon District Council regarding the planning application at ‘Carbunkle’?

A. This is being progressed by the Planning Clerk. A report will be given at the next Meeting.

Q. Private jets are flying at all hours of the day and night. BTC is not having any involvement in the Southend Airport liaison – is someone taking this up? Please will BTC send a letter to Maldon District Council and ask for representation?

A. The Town Clerk will progress this.

Q. My question relates to plastic in the river. Is the CHA responsible for keeping the river clean?

A. Councillor Calver will speak to the Harbour Master regarding the policy for keeping the river clean. The Town Clerk will write a letter to Priors to ask if they can do something to help.

Q. Councillor Donnelly is working hard on a facebook page for BCAP. We are looking to revitalise the Neighbourhood Watch Scheme. Will the Council encourage people to sign up?

A. Yes.

**140 DATES OF NEXT MEETINGS**

Members noted the following:

Town Council Budget Meeting – Tuesday 29 October 2019 at 7.30 pm.

Town Council Meeting – Tuesday 19 November 2019 at 7.30 pm.

**141 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.**

**142 i) ALLOTMENTS IN ARCADIA ROAD**

This was discussed in open session under Agenda Item 20.

**ii) STATION HOUSE**

**RESOLVED: - that a request from a licensee to hold art classes in their studio be approved on a six month trial basis.**

**143 CLOSURE OF THE MEETING**

Having considered and determined all items of business, the Meeting was closed at 9.16 pm.

Chairman .....

Date .....