



BURNHAM ON CROUCH TOWN COUNCIL

MINUTES OF THE EXTRAORDINARY MEETING OF THE BURNHAM-ON-CROUCH TOWN COUNCIL HELD ON TUESDAY 2nd. MARCH 2021 AT 7.30pm.

THIS MEETING WAS HELD 'REMOTELY' IN ACCORDANCE WITH THE LOCAL AUTHORITIES AND POLICE AND CRIME PANELS (CORONAVIRUS) (FLEXIBILITY OF LOCAL AUTHORITY AND POLICE AND CRIME PANEL MEETINGS) (ENGLAND AND WALES) REGULATIONS 2020.

Present: Councillor R. Pratt C.C. (Town Mayor)

Councillors: V. Bell (Deputy Town Mayor), B. Calver, J. Donnelly, M-A. Munford, W. Stamp.

Also in Attendance: K Money (Planning Officer/RFO, Temporary Town Clerk), Mrs J Jeffery (Temporary Assistant) and MDC Cllr. N. Skeens

455 APOLOGIES FOR ABSENCE were received from Cllr N. Pudney

456 DECLARATIONS OF INTERESTS

All Town Councillors have completed their Statutory Declarations of Interests in accordance with the Localism Act 2011 and the Code of Conduct for Members, adopted by the Town Council.

Members are required to declare the existence and nature of any 'personal or prejudicial' interests relating to items on the Agenda having regard to the Code of Conduct for Members. Members are reminded that they are also required to declare interests as soon as they become aware should the need arise throughout the Meeting.

Cllr W. Stamp informed the meeting that a majority of Councillors a NPI as having frequented Mr. K. Coles establishment

457 CO-OPTION

The Temporary Town Clerk outlined the procedure for this Agenda Item and the Town Mayor welcomed the two candidates, Kelvin Coles and Robert Overall to the Meeting.

Cllr. Stamp objected to the candidates not being present during each other's presentation and questions, after some debate it was proposed by Cllr. M. Mumford, seconded by Cllr. B. Calver, to adopt the method proposed by the Mayor that candidates would be moved to the waiting room until it was their turn to be interviewed. This was carried. Cllr. Stamp requested her vote against be recorded.

Each Candidate was then invited to speak for a maximum of five minutes to give a resume of their background and experience and explain why they wish to become a Member of the Council.

Candidates were asked a number of pertinent questions and following this the Council proceeded to a vote. Kelvin Coles F 4 Robert Overall F 2.

RESOLVED: - that Kelvin Coles be co-opted to fill the vacant seat in the South Ward of the town.

The Temporary Town Clerk confirmed that Kelvin Coles would complete his Declaration of Acceptance of Office prior to the next Town Council Meeting on 16th. March 2021.

Signed

RPratt

16th. March 2021

Councillor Ron Pratt C.C. (Town Mayor)

Councillor Pratt thanked the un-succesfull candidate for his application and encouraged him to apply for future vacant seats on the Town Council.

458 ENVIRONMENT AGENCY'S INSTALLATION OF RAILINGS ON THE SEA WALL
Councillors to discuss the installation of railings on the sea wall and to make any resolutions
Councillor Pratt and Councillor Stamp informed they had both had numerous email exchanges with regards to the installation of the sea wall railings. Councillor Stamp informed Members that Burnham Residents are not happy with the installation, whilst the email received from the Environment Agency was noted by Burnham Town Council, acknowledgement is not acceptance. Councillor Stamp has asked the Environment Agency to provide the paper trail to support their claim of Burnham Town Council's support, this to date has not been received.

Correspondence was exchanged with the Conservation Officer at Maldon District Council and the Environment Agency following public safety concerns. Burnham Town Council were consulted and approved the railings design on the understanding that the railings would be placed on top of the wall. Following investigation the wall was deemed not strong enough for the railings to go on top.

Councillor Bell commented that the acknowledgment sent from Burnham Town Council did not equate to consultation. Councillor Pratt commented that all documents should be made public as Burnham Town Council are the innocent party. Councillor Munford commented in the interests of transparency and freedom of information the Environment Agency decision should be challenged.

Risk Assessments had been carried out and the railings were put up under permitted rights. Councillor Stamp asked why can't the railings be put on the other side of the wall. A brief discussion took place regarding safety.

Councillor Stamp proposed writing to the Environment Agency, with a proposal to look for an alternative railing design with input from Maldon District Council Conservation Officer and Burnham Town Council, this was seconded by Councillor Pratt and agreed by all.

Councillor Bell commented that the area is a Conservation Area and had a home owner carried out works of this nature, they would be in serious trouble. Councillor Bell also commented that there is an increased Health and Safety issue by installing these railings. Councillor Stamp gave the following information, an email was received on 9/3/2020 detailing permissive powers under Health and Safety.

16/6/2020 A Risk Assessment was sent to Burnham Town Council, this was noted by Burnham Town Council, a further email was received January 2021, Councillor Stamp asked why the email was not on the agenda for a future meeting.

Members commented that there may be residents who would like to take an active role in suggesting an improved design. Councillor Calver suggested speaking with the two architects who are located on the Quay for a suggested design.

RESOLVED: - that BTC consult further by writing to the Environment Agency on the future of the railings on the sea wall in consultation with the MDC Conservation Officer to either change the design or improve it outlook.

459 EXCLUSION OF THE PUBLIC AND PRESS

Councillors to Resolve 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.

Cllr B. Calver proposed. Cllr V. Bell seconded. **All Agreed**

Cllr Bell asked for a short recess. **All Agreed**

460 ALLOTMENTS

To receive an update from Cllr W. Stamp and Mrs Joanna Jeffery

Mrs Jeffery informed that a fence has been moved by a home owner on Sandpit Lane, photographs have shown the boundary line has clearly been moved. This may have been the result of a removal of a hedgerow. Councillor Pratt commented that fence disputes are difficult to prove, historical photos are needed. Mrs Jeffery will attempt to gain images from Google satellite view or Maldon District Council.

Mrs Jeffery informed that following submission of the two statutory declarations, these have now been forward to the barrister. Further historic information is still being gathered for submission to the solicitor. Councillor Stamp proposed that Mrs Jeffery contact Essex Records Office in an attempt to gain further archived evidence, this was agreed by all Members.

Councillor Stamp asked that the Lease on the Allotment is on the next agenda, it was agreed to have a 7 year lease followed by a 18 year lease. The Allotment Society are in agreement with this, but would like a letter from Moat Housing Association confirming they will not protest adverse possession.

Mrs Jeffery informed that following the last Town Council meeting, she had confirmed to the solicitor that Burnham Town Council would like to proceed with their suggestion for the lease.

461 CLOSURE OF THE MEETING

To close the Meeting having considered and determined all items of business.

The Town Mayor then closed the Meeting closed at 9pm.