

MINUTES OF THE EXTRAORDINARY MEETING OF THE BURNHAM-ON-CROUCH TOWN COUNCIL HELD ON WEDNESDAY 25 SEPTEMBER 2019 AT 6.30 pm IN THE TOWN COUNCIL CHAMBER

Present: - Town Mayor, Councillor Wendy Stamp.

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

In Attendance: - Town Clerk, Sarah Grimes.

104 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Helen Elliott.

105 DECLARATIONS OF INTERESTS

There were none.

106 STANDING ORDERS AND FINANCIAL REGULATIONS

Councillor Ron Pratt C.C. raised a point of order regarding the start time of the Meeting. The Mayor responded that this was an Extraordinary Meeting. The point of order was noted.

The following amendments to Standing Orders were agreed:

1. RULES OF DEBATE AT MEETINGS

Page 3 - g. **REPLACE** “An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman” **WITH**

“An amendment may be considered at the meeting if presented by a member present at the meeting verbally, or, in writing to the chairman before the meeting”.

Page 4 - p. “During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting (**INSERT “with which”**) he is concerned by”.

Members debated the use of “he” and “Chairman” or “Chair”. It was

RESOLVED: - that use of “Chairman” be retained and that “he/she” be used throughout the Standing Orders.

3. MEETINGS GENERALLY

Page 7 - s. “**Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda”.

REMOVE “moving on to the next item of business on the agenda” **REPLACE WITH “a vote is taken”.**

Page 8 - x. (**INSERT “Full Council”**) Meetings shall take place at 7.30 pm. Planning committee meetings shall take place at 6.45 pm or 7 pm, subject to the number of applications received”.

Page 9 - f. This referred to “he”. The Mayor reminded Members that this Standing Order is in bold print and cannot be changed. It was

RESOLVED: - that an equal opportunities statement be inserted at the start of the document.

106 STANDING ORDERS AND FINANCIAL REGULATIONS (continued)

12. DRAFT MINUTES

Page 15 - f. "Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed". **REMOVE** "or recordings".

18. FINANCIAL CONTROLS AND PROCUREMENT

Page 20 - diii). "the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;" **REPLACE** "shall" **WITH** "may".

26. STANDING ORDERS GENERALLY

Page 25 - g. "The dress code for the council meeting is smart casual". **DELETE**.

It was

RESOLVED: - that subject to the above amendments, the Standing Orders be approved and adopted.

The following amendments to Financial Regulations were agreed:

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

Insert a sentence to the effect that payments will be made in accordance with the Council's Internet Banking Policy.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

6.17 **REMOVE** "committee" and **REPLACE WITH** "co-ordinator".

13. ASSETS, PROPERTIES AND ESTATES

13.6 "The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets and risk assessment". **REMOVE** "possibly".

It was

RESOLVED: - that subject to the above amendments, the Financial Regulations be approved and adopted.

107 HAUL ROAD WORKING GROUP

Members noted a letter from a resident in respect of the retention of the Haul Road.

RESOLVED: - that Councillors Fiona Clegg, Jennie Donnelly, Jane English, Neil Pudney and Nick Skeens be appointed to the above working group. The Town Mayor was appointed as an ex-officio member.

108 CONCLUSION OF EXTERNAL AUDIT

The Town Clerk reported that the External Auditor had made the following report:

"On the basis of our review of Sections 1 and 2 of the Annual Governance and Accountability (AGAR), in our opinion the information in Sections 1 and 2 of the AGAR is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislation and regulatory requirements have not been met".

The External Auditor had drawn the Council's attention to 'other matters' as follows:

1. The AGAR was not accurately completed before submission for review. The AGAR had to be sent back for amendment to Box 9.

2. Consideration of risk management arrangements.

This was noted.

109 TOURIST INFORMATION CENTRE

Councillor Clegg updated Members on progress with finding a new Tourist Information Centre (TIC). She reported that she had attended a very positive meeting with Maldon District Council (MDC) officers, at which they had discussed the idea of introducing a beach hut as an alternative TIC in Burnham. An area on the Quay under the ownership of MDC had been identified and the flower bed next to the Doctors Lane toilets was considered an ideal site, if the hut proposal is approved. The hut would replace the bed and not impact on the look of the seating area or the toilets. Matt Wilson had confirmed that MDC would clear and prepare this area free of charge, as it would reduce costs for ongoing maintenance. He would also be prepared to produce concrete blocks with chains to secure the hut. This would attract a cost. He was keen to provide an independent electricity supply with BTC having its own external socket and meter. Practical suggestions were made regarding the tow bar and the need for it to be secured, or removed, to prevent a Health and Safety issue. Storage was also discussed and it was agreed that there were several suitable sites – possibly even one in Maldon if necessary. The issue of rent was also discussed. A long lease was not favoured. It would be a short term commitment which would allow the Town Council to review the effectiveness of the facility and area.

Members were reminded that Maldon District Council has ringfenced £15,000 for Burnham tourism. Councillor Clegg reported that she had found a company in Maldon that could manufacture a bespoke hut which would look like a Victorian beach hut, for a cost of £12,000. Maldon District Council has furniture/fittings available from the old Maldon TIC.

Councillor Clegg proposed that:-

A. With the £15,000 earmarked by Maldon District Council for Burnham-on-Crouch tourism, the Town Council purchase a bespoke beach hut from Maeldune Shepherds Huts Limited, for a sum no greater than £15,000, and, the budget remaining from the earmarked £15,000 budget be used to pay for, or contribute towards -

- MDC costs in preparing the site e.g. provide designated BTC electrical supply and meter and provide concrete block and chains to tether the beach hut to.
- purchasing opening shop stock.

B. the annual £5,000 tourism budget be used in part to cover the running costs e.g.

- the salary of personnel employed to operate the TIC, calculated at £7 per hour for 4 hours per day for 20 weeks opening e.g. £3,920.
- insurance
- rent
- electricity
- storage costs, and
- any such costs not covered within the surplus grant funds from Maldon District Council under A. above.

C. all sales from the shop be used to offset the salary and running costs of the beach hut TIC.

The Town Mayor stated that a business plan would need to be prepared in order for MDC to release the £15,000 in this financial year. Councillor Clegg would undertake this task with the assistance of the Town Clerk. Councillor Skeens asked that the Town Council have some say over design (e.g. colours). Councillor Calver stated that the Council should look at how it supports tourism in the future. Councillor Pratt was unsure what the financial commitment of the Town Council would be and asked about disabled access. Councillor Clegg explained that the hut would have double French doors along one side and stairs to only half, so that wheelchairs would have access to the side. The Mayor reminded Members that the Town Council had made an annual budget provision of £5,000 for tourism.

Councillor Clegg was congratulated on her idea and thanked for her hard work. It was

RESOLVED: - that a business plan be put forward to Maldon District Council accordingly.

Councillor Neil Pudney left the Meeting at 8.07 pm.

110 EXCLUSION OF THE PUBLIC AND PRESS

No exclusion was necessary. Agenda Item 8 (Minute 111) was moved into the open section of the Meeting.

111 ALLOTMENTS

This Agenda Item was discussed in open session.

The Town Mayor stated that, following Council's previous instruction, she had met with a solicitor in order to move this issue forward. She reminded Members of the three options i) to buy the land back, ii) to take a 999 year lease or iii) to pursue adverse possession. The Mayor read out the solicitor's email, which summarised their meeting and made a recommendation to wait for the documents, if any, from the Land Registry, as to the background of the title and then to decide whether or not to approach Maldon District Council and Moat at the same time, highlighting the issues involved. With this information, he proposed contacting MOAT's solicitor, setting out the background to the matter, setting out the Town Council's opinion on an adverse possession claim and inviting them to approach the regulator from Moat to see whether or not they can agree a transfer of the land for nominal consideration.

It was

RESOLVED: - to proceed as the solicitor suggests.

The Town Mayor had also spoken to the solicitor about the renewal of the allotment lease and he had advised that the Town Council could proceed. The Mayor proposed that the Town Council renew the allotments' lease for a period of twenty-five years. Councillor Pratt stated that this was a bold motion whilst the allotment issue is unresolved. Councillor Calver had concerns as to renewing the terms of the current lease, which had been drawn up a long time ago. The Mayor responded that a new lease could be drafted and come back to Council for discussion. Councillor Skeens proposed the following amendment "that the Council agrees to draw up a lease for twenty-five years". It was

RESOLVED: - accordingly.

The Mayor recorded her thanks to MOAT for their co-operation.

112 CLOSURE OF THE MEETING

Having considered and determined all items of business, the Meeting was closed at 8.24 pm.

Chairman

Date