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MINUTES

WITHAM TOWN COUNCIL

Date: **Monday, 15th November 2021**

Place: **Council Chamber, Town Hall, Newland Street, Witham, CM8 2FE**

Present: Councillors

A.	Kilmartin	(Town Mayor)
J.	Bayford	(Deputy Town Mayor)
S.	Ager	
K.	Atwill	
P.	Barlow	
J.	Goodman	
S.	Hicks	
C.	Jay	
C.	Lager	
M.	Lager	
C.	Livermore	
T.	Pleasance	
S.	Rajeev	
M.	Weeks	
J.	Williams	
R.	Williams	

Also in attendance: Cllr P. Davey (Chairman of EALC)

Essex County Councillor R. Playle (Witham Northern)
Braintree District Councillor S. Wilson (Witham Central)

J. Sheehy (Town Clerk)
N. Smith (Deputy Town Clerk)
H. Andrews (Assistant Town Clerk)
G. Kennedy (Committee Clerk)

135. **APOLOGIES FOR ABSENCE**

Essex County Councillor D Louis had sent his apologies.

136. MINUTES

RESOLVED That the Minutes of the Meeting of Town Council held 18th October 2021 be confirmed as a true record and signed by the Town Mayor.

137. INTERESTS

There were no declarations of interest.

138. QUESTIONS AND STATEMENTS FROM THE PUBLIC

There was no member of the press or public present.

139. LOCAL COUNCILS AWARD SCHEME

The Town Mayor welcomed Councillor Peter Davey, Chairman of the Essex Accreditation Panel and the Essex Association of Local Councils to the Meeting to present the Town Council with its Quality Award Certificate.

Councillor Davey explained that as well as being Chairman of the Essex Association of Local Councils (EALC) he represented the EALC at the Essex Health and Wellbeing Board, Safer Essex, Essex Rural Partnership (ERP) and the Rural Crime Forum. He was Chair of the Finance and Scrutiny Committee at the National Association of Local Councils (NALC), sat on the Management Board and a Director of NALC (1994) Ltd. He was also a member of the Essex Climate Action Commission and a member of the Essex Honours Panel. He explained that the later was the route for honouring those residents who had spent hours volunteering during the Covid pandemic.

Councillor Davey explained that originally the Quality Council Award was a single entity but now there were three levels to recognise those Councils which went above and beyond what would be expected of them. Having an award meant the Council could use the General Power of Competence. The Town Council was heading for the Quality Gold Award, with excellent business plans to best serve the residents of Witham. He acknowledged the Town Clerk's input along with the work of the Town Mayor, Members and staff.

The Town Mayor thanked Councillor Davey and explained that the Award was down to the work of the Town Clerk and his staff.

The Town Mayor then received the Quality Council certificate from Councillor Davey.

The Town Mayor then mentioned that the Town Clerk had installed mercury-free light fittings at the Town Hall and advocated that Council Davey recommends this action as mercury was a poison. Councillor Davey agreed to do so.

The Town Mayor then thanked Councillor Davey for attending the Meeting.

140. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE

Essex County Councillor Playle explained he had a meeting with the Cabinet Member for Highways Maintenance and Sustainable Transport along with Town and Parish Councils. Local issues had been raised and hopefully action would be taken. He said that a supplementary consultation on the A12 widening was now taking place and mentioned the screening at Market Place, the need to re-route the gas main and a re-figuration of Junction 21. He said that the new procedure for Vehicular Activated Signs had been announced which would be prove easier

for local councils to install. He understood that there was a good relationship between Braintree District Council and Greater Anglia but he would keep in contact to ensure that the redevelopment at the railway station was progressing. He explained that Essex County Council and the Essex Police, Fire and Crime Commissioner had been in consultation regarding precept and the resultant changes in council tax. Lastly he explained that he had been progressing the situation of gravel spillage at the top of The Avenue and potentially there was scope for a camera to be installed.

The Town Clerk advised that the Town Council had no statutory power in this regard and it would be the responsibility of the County Council to install a camera for that purpose.

Members asked about an up-date on the Elm tree by Lynfield which had been earmarked for felling to make way for a new roundabout at the proposed Woodend Farm development. Councillor Playle undertook to raise this matter with Councillor Louis.¹

District Councillor Wilson said that it would be useful to be provided with a list of Town Council events. The Town Clerk responded that all events were listed on the Town Council website and through Social Media.

The Town Mayor thanked Councillors Playle and Wilson for their reports and comments.

141. TOWN MAYOR'S ENGAGEMENTS

Details of the Town Mayor's engagements for the period 18th October to 15th November 2021 were received.

The Town Mayor explained that she had been extremely busy. It was considered that over 1,000 people had attended the Remembrance Day Parade and Service which had brought the town together.

RESOLVED That the details be received and noted.

142. TOWN CLERK'S REPORT

a) The Town Clerk's report on matters arising was received.

RESOLVED That the report be received and noted.

b) Members were informed that Councillor M. Lager was seeking a meeting with Councillor G. Butland, Leader of Braintree District Council.

It was explained that Councillor Butland would not be available before 20th November 2021. Members agreed the importance of such a meeting with district and county councils being replaced with unitary councils and the potential for local management of facilities such as the park and Rail Trail.

c) Notifiable correspondence concerning Witham Rail Station from Braintree District Council was received.

Members were concerned that the District Council had avoided a meeting to discuss the delays in progressing the redevelopment at the railway station. It was suggested that contact be made with Greater Anglia to ascertain whether Town Council assistance was still required.

¹ The details have been passed to Essex County Councillor Louis and he was now progressing through Highways.

The Town Clerk reminded Members that a press release had been prepared and authorised on 20th September should Members consider that insufficient action was being taken by the District Council.

RESOLVED That the correspondence and report be received and noted.

143. TREES AT LIDL

A response was received from the District Council in relation to the felling of the willows at adjacent to Lidl.

Members were disappointed that these apparently healthy trees had been felled and there had been no continuous audit trail of the decisions and subsequent action taken.

Members discussed the apparent incompetence of the District Council's Planning Department which was considered to be understaffed and inexperienced. It was considered that Councillor Butland's attention should be drawn to this matter. The Town Clerk reiterated that a press release had been prepared.

RESOLVED That the prepared Press Release be published.

RESOLVED That the response be received and a letter sent to the Planning Department seeking information as to whether honey fungus was still present and asking about the condition of the two replacement trees which were of concern.

144. CLOSURE OF RIVER WALK BY HELEN COURT

A recommendation was received from the Open Spaces Management Sub-Committee that a section of the River Walk which had been destroyed due to the volume of pedestrians making an unofficial path be shut to prevent further damage.

Members commented that the public would always find a shorter route and understood that an alternative pathway might be required. A discussion took place as to whether bark chippings could be used to create a safer footpath although the close proximity to the river was recognised.

The suggestion was made that Essex County Council which closed the path should be contacted as they should ensure the closure is working correctly. The Town Clerk added that there was an easement granted to Bellway regarding footpaths and this would be considered as a reasonable expense. Further comment was made that the public should be advised on the action the Town Council was taking following a safety assessment and a minimum longer route organised.

RESOLVED That the Town Council ensures public safety by providing a barked footpath.

145. GRANT AID REQUEST: WITHAM CHESS CLUB

A grant aid request was received from Witham Chess Club.

The Deputy Town Clerk advised that it would not be appropriate to allow the Town Hall to be used by the Chess Club as they play from 7 to 11 p.m. at night and it would be unreasonable for a member of staff to lock up after them. It was explained that during the pandemic members had gotten into the habit of playing chess online.

Members considered that there should be a principle of not allowing the Town Hall to be used free of charge but a grant given to cover the rental fee. Members were supportive of a grant to be made but asked that the form be amended accordingly to detail the rental fee for the library.

RESOLVED That the grant aid form be amended so that the Chess Club can be given a grant to cover the rental costs of the library for up to a year.

146. BRAINTREE ASSOCIATION OF LOCAL COUNCILS (BALC)

The Minutes of the BALC meeting and S106 presentation held Thursday 7th October 2021 were received.

Members noted that it had been considered by a member of a Parish Council that the devolution scheme was unworkable with restraints imposed.

RESOLVED That the Minutes be received and noted,

147. HIGHWAY ISSUES

A report of a meeting relating to highway issues was received.

The meeting was considered to have been very useful with resurfacing of Avenue Road raised along with a proposed no right turn into Maldon Road from Newland Street. It was suggested that this latter point should be discussed by the Planning and Transport Committee. Comment was also made about the prescriptive nature of the devolution scheme. Mention was then made about HGVs abusing weight restrictions and the need for Essex County Council Members to pressure the Cabinet Member to take action.²

RESOLVED That a dossier be compiled regarding the proposed no right turn from Newland Street into Maldon Road for discussion by the Planning and Transport Committee.

148. PROPOSED CYCLEWAY FOR COLLINGWOOD ROAD

A presentation was received regarding the proposed cycleway for Collingwood Road as part of 20/02060/OUT - Phase 4 Development by Bellway off Forest Road.

Members strongly objected to this unnecessary proposal which would require trees to be felled and parking bays removed which would affect the character of this wide avenue. Comment was made that the proposals would reduce the width of this busy road, used by buses and HGVs, to that of an estate road.

RESOLVED That the proposed cycleway be strongly and totally opposed.

RESOLVED That Bellway be informed that modifications to the scheme would be considered.

² Essex County Councillor Playle undertook to take this matter forward with the assistance of Councillor Louis.

149. OPEN SPACES ACTION PLAN

Members were asked to consider any contributions to the District Council S106 'Open Spaces Action Plan'.

The suggestion was made that as the District Council apparently ignores the Town Council recommendations the form should not be completed but instead a 'wish list' be provided of those facilities required to be made by developers.

RESOLVED That the District Council be informed that amendments to the Open Spaces Action Plan will not be completed but instead a Section 106 'wish list' be compiled.

RESOLVED That the District Council be asked to make an early decision regarding the introduction of a Community Infrastructure Levy.

150. COMMITTEE REPORTS

(a) **Planning and Transport Committee Meetings held 18th October and 1st November 2021**

Minutes 128 – 149 (inclusive)

Councillor Goodman, Chairman of the Planning and Transport Committee, gave a report of the Meetings en bloc.

RESOLVED That the Report of the Planning and Transport Committee be received.

(b) **Community Committee Meeting held 1st November 2021**

Minutes 33 – 51 (inclusive)

Councillor Ager, Chairman of the Community Committee, gave a report of the Meeting en bloc.

RESOLVED That the report be received.

151. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED That under the Public Bodies (Admissions to Meetings) Act 1960, the press and public be excluded from the Meeting for the consideration of the remaining items of business on the grounds they involve the likely disclosure of exempt information falling within Schedule 12A (S5) of the Local Government Act 1972.

152. COMMITTEE REPORT – CONTINUED

Community Committee Meeting held 1st November 2021 (Cont'd)

Minutes 52 and 53.

Councillor Ager continued her Report en bloc.

RESOLVED That the Report of the Community Committee be received.

153. LEGAL MATTERS

An update on outstanding legal transactions was received.

RESOLVED That the update be received and noted.

154. STRATEGIC ACQUISITIONS

It was agreed to suspend Standing Orders.

RESOLVED That Standing Order 3x be suspended so that business could continue.

A report and presentation was given by officers.

RESOLVED That the information be received and noted.

There being no further business the Town Mayor closed the Meeting at 10.06 p.m.

Councillor A. Kilmartin
Town Mayor

JS/GK/18.11.2021

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