



Town Hall | 61 Newland Street | Witham | CM8 2FE
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MINUTES

Meeting of: **Town Council**

Date: **Tuesday, 6th April 2021**

Present: Councillors

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

Essex County Councillor J. Abbott (Witham Southern)

Braintree District Councillor W. Rose (Witham West)

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

And three members of the public.

The Town Mayor welcomed everyone to the Meeting and congratulated the Council for the successful Easter Quest event held Saturday 3rd April 2021.

282. APOLOGIES

Apologies for absence were received from Councillor C. Livermore due to an appointment.

Apologies for absence were received from Councillor S. Hicks due to technical issues.¹

RESOLVED That the apologies be received and accepted.

283. MINUTES

RESOLVED That the Minutes of the Meeting of the Town Council held 8th March 2021 be confirmed as a true record and signed by the Town Mayor.

284. INTERESTS

At Minute 291 – Grant Aid – Citizens Advice, Councillor C. Lager declared a non-pecuniary interest as a Trustee of the organisation.

285. QUESTIONS AND STATEMENTS FROM THE PUBLIC

No comment was made by the members of the public present.

286. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE

Councillor Abbott, Essex County Council, gave a report. An update was provided over the continued uncertainty of local authority meetings regulations set out by the Government.

- Councillor Abbott supported the Council's motion for raising awareness of financial fraud and telephone frauds and the establishment of a strategy for climate change.
- Resolution was being sought for a highways surface defect in Collingwood Road junction and resolution achieved for a blocked drain in Newland Street.
- Councillor Abbott supported the Council's application for registration of a public right of way from the River Walk to Town Park, as reported.
- Members were informed that the Local Highways Panel convened on 25th March 2021.
- Reference was made to a petition that had been presented to the Town Council on river management on Town Council land. It was noted this matter would be reported and debated at Environment Committee.

District Councillor Kilmartin gave a report as Chairman of Braintree District Council.

- Members noted that Councillor Kilmartin would depart the role of Chairman at the Braintree District Council AGM, 19th April 2021.
- Members were informed that Councillor Sue Wilson, Witham Central, would assume the role of Chairman of Braintree District Council for civic year 2021/2022.
- Reference was made to a recent Government decree, requiring public buildings to fly the union flag every day. It was noted this action was already performed at the Town Hall.

District Councillor Rose gave a report.

- Councillor Rose updated members of Witham Football Club's initiatives to engage with young people on mental health and wellbeing through sport.
- Members were notified on an ongoing issue of flooding at the Spa Road carpark, with a view to achieving a resolution soon.
- Members were further notified that resurfacing works at Chipping Hill and Powers Hall End would be taking place week commencing 21st October 2021 with the potential for a road diversion-taking place.

District Councillor Weeks gave a report.

- Members were notified that Braintree District Council meetings would continue virtually pending further update on meetings regulations in the coming weeks.

The Town Mayor thanked contributing Members for their reports.

287. AGM – DATE OF MEETING

The Leader of the Council asked Members to consider bringing forward the date of the AGM to Tuesday, 4th May 2021. Members noted that current government legislation which allowed Town Council Meetings to be held virtually ceased on 7th May 2021. If the AGM was held later the public would not be allowed to attend such Meetings until 21st June 2021 when all government restrictions in relation to Covid should ease.

Members agreed that this would be a solution to allow the AGM to proceed and public to be present.

RESOLVED That the date of the AGM be moved forward to Tuesday 4th May 2021 so that it could be via Zoom.

288. MEETING SCHEDULE 2021/2022

A draft Meeting Schedule for 2021/2022 and an emergency schedule should the current restrictions still be in place was received.

The Town Mayor adjourned the Meeting to receive advice from the Town Clerk.

The Meeting resumed.

The Town Clerk advised on meeting regulations and that meeting face to face meetings would present a problem in trying to a full sitting of the authority, whilst smaller committees will be facilitated with social distancing and Covid-Secure guidelines.

Members were advised to adopt the emergency schedule whilst government guidelines be awaited. Members noted a further review of the meeting schedule could be performed at any time if regulations were updated by the Government.

RESOLVED That the Emergency Meeting schedule be agreed in consideration of the previous resolution at minute 287.

289. DELEGATED DECISIONS

The Delegated Decisions from 1st March 2021 were received.

RESOLVED That the Delegated Decisions be received and endorsed.

290. FINANCIAL ABUSE

A Motion was received from Councillor Jay in relation to telephone fraud schemes which was held in abeyance from the last Meeting.

Councillor Jay explained her proposal to link in with Essex County Council Trading Standards on ways to protect oneself and how to communicate advice. Councillor Jay further proposed that a letter to be sent to Priti Patel, MP to raise awareness concerning safeguards on telephone systems to prevent vulnerable people being targeted.

Members supported the motion and agreed that an information and awareness campaign should proceed.

RESOLVED That the Town Council links in with Essex County Council Trading Standards for financial abuse resources and key ways people can protect themselves or relatives from this abuse which is then shared through the Town Council's communication channels.

RESOLVED That a letter be written to Priti Patel, MP, requesting the issue of telephone scams be raised with the Government as a national problem, and to highlight potential solutions as suggested by Members.

291. GRANT AID – CITIZENS ADVICE (CA)

Councillor C. Lager declared a non-pecuniary interest as a Trustee of CA.

A Grant Aid request from the CA was received.

Members recognised the good and cost-effective work undertaken by CA.

RESOLVED That the Town Council awards a grant of £10,000 to the CA towards financial advice for the people of Witham.

292. TOWN CENTRE REGENERATION STEERING GROUP

The Notes from the Town Centre Regeneration Steering Group held 16th March 2021 were received.

Councillor Atwill, as Chairman of the Town Centre Steering Group, noted the comments made by Councillor Abbott earlier in the Meeting about the resurfacing of the town centre and suggested that he liaise with the officer directly involved at Braintree District Council. He said that the improvements to the High Street were fully funded and it was reconfirmed that the Town Council supported the no right turn into Maldon Road with the exception of Puppet Festival Day.

RESOLVED That the Notes be received and noted.

293. CLIMATE CHANGE

(a) Reports were received and Members asked to discuss how the Town Council can progress in this matter.

Members agreed the importance of adopting a Climate Change Policy and the suggestion was made that a group be set up to take the matter forward.

Members were advised to consider a mechanism to evaluate the Council's performance on the implementation of carbon reducing policies and the execution of key green policies amongst the Council's corporate strategy. The Town Clerk suggested that the declaration of a climate emergency can promote the Council's commitment to change, but that any such motion should be supported with a properly constituted panel with delegated powers to intervene in green issues. It was suggested that a panel with recommendation powers be established to principally perform:

- Audits of Council projects, assets and holdings against the Council's green policies.
- A power of referral within the Council's business planning process to ensure that all major capital expenditure projects are considered by the climate panel with recommendations on climate and green matters provided to the project committee.

- The power to commission new reports and recommendations to any Council committee on any matter within its remit.

Members supported the establishment of such a panel with agreement that the panel should settle its terms of reference to be approved by the Environment Committee (*see scheme of delegation*)

RESOLVED That the reports be received and a Climate Audit Panel be established

- (b) Members were asked to consider the draft Climate Change Policy and whether it reflected the Town Council's direction in this regard.

RESOLVED That the draft Climate Change Policy be referred to the newly constituted Climate Audit Panel for further debate.

294. PUBLIC RIGHTS OF WAY

The decision from Essex County Council regarding its application for the footpath from Kings Chase to River View to be made a Public Rights of Way was received.

The Town Clerk advised that one section as applied for through the extent of Witham Town Park had been rejected in the application, as this route was deemed already protected for public use by way of the Town Park's designation under the Open Spaces Act.

Members then discussed the merits of asking for footpaths on the River Walk to be included that are not already Public Rights of Way. It was considered that anomalies with the River Walk should be investigated and it was suggested that this item be referred to the Environment Committee to take forward as a project. It was noted that this was an academic exercise in registering rights of way which would have no material effect on the administration of the Council's assets.

RESOLVED That the report be received and the Environment Committee considers the resource implications and merits of further Public Rights of Way applications on the Definitive Map.

295. COMMUNITY INFRASTRUCTURE LEVY

A Motion was received from Councillor Jay regarding the Community Infrastructure Levy.

Councillor Jay explained that residents were increasingly concerned about housing developments and it was thought that the Town Council should have more control and consequently asked that the Town Council requests the implementation of Community Infrastructure Levy (CIL) for all new developments.

It was explained that the Planning Authority adopts CIL as a way of obtaining additional funding instead of the Section 106 scheme. 15% of the funding would go to the Town Council or 25% if a Neighbourhood Plan was in place. This significant funding could not be used by the Town Council to build roads or hospitals which remained in the power of other authorities.

Members agreed that the question of Community Infrastructure Levy should be raised with Braintree District Council and why such a charge is not currently being operated within the district.

RESOLVED That the Town Council writes to Braintree District Council to ask that the Community Infrastructure Levy be implemented and Essex and Braintree Associations of Local Councils be lobbied.

RESOLVED to hold the motion “to pledge opposition to all new development in Witham” in abeyance until the next Council meeting.

296. QUALITY COUNCIL GOLD APPLICATION

The Town Clerk explained that subject to appointments being made at the Town Council AGM, the Council was now in a position to submit its application to the accreditation scheme.

RESOLVED That the Town Council proceed with the Local Council Award Scheme: Quality Gold status.

297. TOWN MAYOR’S ENGAGEMENTS

The Town Mayor informed Members she had attended the Easter Quest event organised by the Town Council on the River Walk.

The Deputy Town Mayor added her congratulations in respect of the event’s success and noted that community engagement had been very high on the day with representation from Town Councillors and Essex Police interacting with local citizens, with very positive feedback received throughout the day. Councillor Kilmartin voiced her support for consideration of future events similar to the Easter Quest that could be targeted at those experiencing social isolation.

RESOLVED That the information be received and noted.

298. GIMSONS

Councillor P. Ryland wished to place on record his thanks to the Town Clerk’s handling of the judicial review administration.

Members considered the actions taken by the Town Council to be appropriate, proportionate and an act of public interest in consideration of the overwhelming public opposition to the development. Members agreed that it was now imperative to ensure that all the planning conditions were met and that receipts raised by Braintree District Council from this development should be fully reinvested in Witham. It was suggested a task force could be convened to monitor the progress of the construction, once commenced, and ensure all planning conditions are met by developers and enforced by the LPA.

Members were further informed that the Heart of Witham Preservation Group had deposited the full sum of funds raised through the crowd funding campaign to assist with the court costs awarded. Members extended their thanks to the Heart of Witham Preservation Group for their generous contribution towards challenging the development of Gimsons.

RESOLVED That the information be received and noted.

299. TREES

A report was received.

Councillor P. Ryland had requested this matter be investigated by officers as a longstanding, unsatisfactory situation overseen by the local planning authority. It was considered that a number of discrepancies had been found during the course of the officer investigation with particular concern drawn to the missing Arboriculture Impact Assessment throughout the course of the relevant planning application.

Members agreed that further action should be taken and that Councillor Goodman, as Chairman of the Environment Committee, should send a letter to the Cabinet Member at Braintree District Council to ascertain what had happened to the missing documents and to seek an assurance that in future trees are protected.

RESOLVED That the report be received and that the Chairman of the Environment Committee writes to the Cabinet Member at Braintree District Council regarding the felling of the trees adjacent to Lidl.

There being no further business the Town Mayor closed the Meeting at 8.48 p.m.

Councillor C. Lager
Town Mayor

JS/GK/12.04.2021

- 1) *Councillor Hicks is noted as having given apologies to the Council as being unable to attend due to technical issues on the host-side of the meeting, having waited in anticipation of joining for the duration of the meeting.*