



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

### WITHAM TOWN COUNCIL

Date: **Monday, 18<sup>th</sup> October 2021**

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

Present: Councillors

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

Also in attendance:

Essex County Councillors

D.	Louis	(Witham Southern)
R.	Playle	(Witham Northern)

Braintree District Councillors

P.	Horner	(Witham West)
W.	Korsinah	(Witham South)
W.	Rose	(Witham West)
S.	Wilson	(Witham Central)

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

The Town Mayor welcomed everyone to the Meeting and spoke with sadness on the death of Sir David Amess, MP. Members agreed to send a letter of condolence to Southend Borough Council.

**118. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor K Atwill who was travelling abroad, P Barlow due to self-isolation requirements and J. Williams due to illness.

**RESOLVED** That the apologies be received and accepted.

**119. MINUTES**

**RESOLVED** That the Minutes of the Meeting of Town Council held 20<sup>th</sup> September 2021 be confirmed as a true record and signed by the Town Mayor.

**120. INTERESTS**

No interests were declared.

**121. QUESTIONS AND STATEMENTS FROM THE PUBLIC**

There was no member of the press or public present.

**122. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE**

District Councillor Wilson asked whether the Town Luncheon Club would be reopening. The Town Mayor explained that the Luncheon Club would be using the Royal British Legion Hall two days a week starting in January 2022.

County Councillor Louis explained that information on the Vehicle Activated Signs would be available by the end of the month. He explained that the deadline for new schemes to submit for validation by the Local Highways Panel was 5<sup>th</sup> November 2021. He said that if a trial were successful, the temporary traffic lights over the A12, south Witham would be replaced. Members were informed that £6,000 in his Locality Fund remained available and applications needed to be made by the end of the year. Following the audit of bus shelters, a new contract would be awarded and the Local Highways Panel would be able to reallocate redundant bus shelters.

Councillor Playle asked if the Town Council had been approached regarding the Essex Highways Users' Survey. He said that he had met with the Templars Residents Association regarding their concerns over speeding in Conrad Road. He explained that a HGV mitigation and routing agreement was now in place for Coleman's Quarry which he had asked to see. The Cabinet had agreed a 'Bus Back Better' which would improve connectivity and journey times. Members complained that despite trees being felled to allow access to the Gimsons site large builders' lorries were using Newland Street and Kings Chase to access the site.

District Councillor Rose said that Braintree District Council had now installed electric charging points in car parks at Newlands, Mill Lane, the Leisure Centre and Whitehall Lane. He explained that Braintree District Council had a scheme of supplying free whips and bulbs to councils and organisations. The closing date for applying was 29<sup>th</sup> October 2021. He was pleased to report that the resurfacing of Powers Hall End had

now been completed. He said that Witham Town Football Club had youth and junior teams with accredited football training on Saturday and Sunday mornings and were now having non-competitive matches with other teams. Funding had been used to provide a bench and an electric football pump.

Councillor Kilmartin was concerned that the pothole near the Marsh roundabout had still not been repaired.

Councillor Korsinah said that this had been his first opportunity to come to a Town Council Meeting. He would be happy to take to the District Council Members' concerns. He added that there would be a Healing and Hope service at the Methodist Church on Sunday, 7<sup>th</sup> November 2021 at 3:00 p.m. and invited everyone to attend.

The Town Mayor thanked everyone for attending the Meeting and for their reports.

**123. TOWN MAYOR'S ENGAGEMENTS**

Details of the Town Mayor's engagements attended for period 21<sup>st</sup> September to 18<sup>th</sup> October 2021 were received.

**RESOLVED** That the details be received and noted.

**124. CHURCH MEETING**

The Town Mayor put a motion - That the Town Mayor be enabled to hold a meeting of all church ministers in the Town Hall with the purpose to make a list of all their activities, groups, clubs etc. that benefit the public.

Members supported this motion.

**RESOLVED** That the Town Mayor be enabled to hold a meeting of all church ministers in the Town Hall with the purpose to make a list of all their activities, groups, clubs, etc. that benefit the public.

**125. TOWN CLERK'S REPORT**

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

He explained that a response had been received from Essex County Council explaining that the arboriculture department had been contracted by the District Council to provide advice in relation to tree applications but they did not determine decisions.

He said that as no response had been received from the District Council in relation to the willows at Lidl, a press release had been drafted but Members might wish the assistance of District Members to resolve the situation before the shortcomings are made public. Councillor Wilson undertook to raise this matter with Councillor Spray.

He explained that he had received an email from the Development Officer at Braintree District Council in regard to the coronavirus 'Welcome Back Fund'. This money could be used to stage new events on the proviso that the District Council pays the supplier direct and three quotes are obtained. Members agreed the proposed system was onerous and as a competent Council with both audited accounts and public scrutiny and that the funding should be provided without these conditions.

**RESOLVED** That the report be received and if there was no response from Braintree District Council regarding the trees at Lidl within the next two weeks the prepared press release would be issued.

**126. WITHAM RAILWAY STATION REDEVELOPMENT**

Correspondence was received in relation to the upgrade of passenger facilities at Witham Railway Station.

The Town Mayor said that work on the development had ceased. She read out an email from Louise Flavell, the Economic Development Officer at Braintree District Council which explained that the planning officers had sought further information from Greater Anglia regarding its application before the matter could proceed.

Members recognised that funding had been granted for the redevelopment and this was now in jeopardy. The station formed the gateway to the town and the provision of extra parking was part of the franchise agreement. It was important to support Greater Anglia so that the improvements could be made and District Council Members were asked to lobby for consent to be given and that Priti Patel, MP should become involved.

**RESOLVED** That the correspondence be received, the Town Council supports Greater Anglia in seeking resolution to modernise the station and that a joint meeting be requested with the Local Planning Authority.

**127. CONCLUSION OF AUDIT**

A letter was received from PKF Littlejohn LLP and Section 3 of the External Auditor Report and Certificate.

Members noted the ‘Other matters not affecting our opinion’ section of the audit report in respect to exercise of electors rights.

**RESOLVED** That the letter and documents be received and noted.

**128. PLANNING APPLICATIONS AND TRANSPORT COMMITTEE**

A motion was received from Councillor Goodman to rename the above Committee Planning and Transport Committee.

**RESOLVED** That ‘Applications’ be removed from the title and the above Committee become Planning and Transport Committee.

**129. TOWN HALL SITE IMPROVEMENT**

Under Standing Order 1(c) this item was not proceeded with.

**130. QUALITY COUNCIL JUDGEMENT**

The accreditation panel’s feedback sheet following the Town Clerk’s report on 20<sup>th</sup> September 2021 of successful achievement of Quality Council was received.

Comment was made that budget, precept and business plans would need to be reformatted to include time lines and financial implications.

Members recognised the work involved by all to achieve this accreditation.

**RESOLVED** That the feedback be received and the Town Clerk and staff congratulated on achieving the Quality Council Award.

**131. COMMITTEE REPORTS**

(a) **Planning Applications and Transport Committee held 20<sup>th</sup> September and 4<sup>th</sup> October 2021**

Minutes 107 – 127 (inclusive)

Councillor J Goodman, Chairman of the Planning Applications and Transport Committee, gave his report en bloc.

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

(b) **Environment Committee held 4<sup>th</sup> October 2021**

Minutes 16 - 30 (inclusive)

Councillor J. Goodman, Chairman of the Environment Committee, gave his report en bloc.

**RESOLVED** That the Report of the Environment Committee be received.

**132. 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.

**133. CCTV**

(a) **Correspondence**

Correspondence between the Town Council and Chelmsford City Council's Monitoring Office was received.

Members considered the Town Clerk's letter to be extremely detailed and showed that the data breach laid with the Monitoring Office instructing the engineer to wipe the disk and reformat it once the licence ran out. A number of serious shortcomings had also been identified in policies and risk assessments and it was considered that the City Council fell short of its contractual obligations.

**RESOLVED** That the correspondence be received and noted.

*For part of the above item, Councillor Livermore was absent from the Council Chamber.*

(b) Report

A report was received from the Feasibility Study of CCTV Expansion and Monitoring Arrangements in Witham.

A view was put that as Braintree District Council monitors both Braintree's and Halstead's CCTV a solution to the problem would be to have discussions with the District Council to take over. Members recognised the importance of CCTV in conjunction with Special Constables and the perception of feeling safe but considered that a better solution would be to monitor in-house.

It was agreed to approve the six recommendations in the report.

**RESOLVED** That the Council cease the monitoring Service Level Agreement with Chelmsford City Council (CCC) with immediate effect on the basis set out within the Town Clerk's correspondence as a fundamental breach of contract by CCC.

**RESOLVED** The Council shall not pay the outstanding £12,500 monitoring bill or any other potential arisings from CCC.

**RESOLVED** On the balance of cost and risk of protracted legal dispute, the Council should not seek compensation from CCC, but should unequivocally sever the working relationship.

**RESOLVED** The Council is advised to commence data processing services 'in-house', with enquiries for footage raised via a new email address.

**RESOLVED** Monitoring and data processing to be performed by a member of staff, with a proposal for appropriate restructuring of staff to be placed before the Staffing and Accommodation Sub-Committee as urgent business, scheduled for Tuesday, 19<sup>th</sup> October 2021.

**RESOLVED** Link CCTV should be retained as the principal contractor (who are subject to separate billing and working arrangements from CCC). The Council may wish to consider a competitive value-for-money exercise in the future, but continuity of service should remain the current priority whilst changes in monitoring arrangements are carried out.

**134. LAND AT HIGHFIELD ROAD**

Correspondence from Braintree District Council was received.

The Town Clerk explained that this parcel of land had been excluded from the transfer of freehold of the River Walk so as not to further complicate or delay the transfer. The land was designated in the Local Plan for informal recreation not to be built on.

Members agreed the importance of obtaining the freehold of this land to protect its future as a green space.

**RESOLVED** That the correspondence be received and a letter sent to Braintree District Council seeking the freehold of the land.

There being no further business the Town Mayor closed the Meeting at 8.59 p.m.

Councillor A. Kilmartin  
Town Mayor

JS/GK/20.10.2021

DRAFT