



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

### WITHAM TOWN COUNCIL

Date: **Monday 28<sup>th</sup> June 2021**

Place: Royal British Legion Memorial Hall, Newland Street, Witham

Present: Councillors

A.	Kilmartin	(Town Mayor)
J.	Bayford	(Deputy Town Mayor)
S.	Ager	
P.	Barlow	
J.	Goodman	
C.	Jay	
C.	Livermore	
T.	Plesance	
M.	Weeks	
J.	Williams	
R.	Williams	

Essex County Councillor

R.	Playle	(Witham Northern)
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Braintree District Councillors

P.	Horner	(Witham West)
W.	Rose	(Witham West)

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

And one member of the public.

#### **30. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors K. Atwill, C. Lager and M. Lager who had previous engagements and Councillor S. Hicks who was working.

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

#### **31. DECLARATION OF ACCEPTANCE OF OFFICE**

The Declaration of Acceptance of Office from Councillor J. Williams was formally received.

The Town Mayor welcomed Councillor J. Williams back to the Council.

**RESOLVED** That the Declaration of Acceptance of Office be received.

**32. INTERESTS**

No interests were declared.

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

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

**34. APPOINTMENTS TO COMMITTEES**

It was proposed that Councillor J. Williams should be appointed to the Community Committee and Policy & Resources Committee; and to the Localism and Devolution Steering Group and Council Events Review Group.

**RESOLVED** That Councillor J. Williams be appointed to –

- Community Committee
  - Policy and Resources Committee
  - Localism and Devolution Steering Group
  - Council Events Review Group,
- for the ensuing Civic Year.

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

Councillor D. Louis, Essex County Councillor for Witham Southern, had sent a report which had been circulated to Members prior to the Meeting.

Councillor W. Rose explained that Sue Wilson, Braintree District Councillor for Witham Central Ward had been elected as Chairman of the Council. He said that over 10,000 grants totalling £54m had been distributed through the District in support of businesses during the pandemic. In addition, business rates of £18.8m had been suspended. He referred to the Braintree Cycling Strategy to develop a safer network through improvements and training. He urged Members to respond to this consultation along with a consultation on Climate Change, both on the District Council website.

Councillor R. Playle, newly elected County Councillor for Witham Northern, thanked Members for their congratulation on his election, paying tribute to former county councillor James Abbott. He wished to work closely with the Town Council on new and ambitious ideas to improve the town centre. He had been appointed by the County Council onto the Police and Crime Scrutiny Panel and hoped this would be an advantage to the town. He referred to the A12 consultation which was on line and information available at the library. He said that he had been to his first Local Highways Panel Meeting. He referred to Members' Locality Fund of £10,000 each which would be available for local projects. He would explore with the Town Council funding towards the James Cooke Wood project. He had spoken to the Essex County Council Liaison Officer regarding the issues of lorries from Coleman's Quarry spilling gravel onto the roadway and would continue to pursue. He was pleased that the footpath from the park to the River Brain had now been recognised as a Public Right of Way.

In response to the comments made about the A12 consultation, Councillor Goodman urged Members to attend the Public Information event at Spring Lodge on Saturday, 10<sup>th</sup> July from noon to 5 p.m. and that a meeting to discuss the Town Council's response would be arranged in due course.

**36. TOWN MAYOR'S ENGAGEMENTS**

Details of the Town Mayor's engagements for the period 5<sup>th</sup> May to 28<sup>th</sup> June 2021 were received.

The Town Mayor said that she had been very busy but the engagements had been enjoyable.

**RESOLVED** That the Town Mayor's engagements be received and noted.

**37. MAYORAL BUDGETS**

A proposal was received from the Town Mayor for the introduction of a Mayoral Events budget.

The Town Mayor explained the difficulties of organising events when a deposit had to be paid before revenue was raised through ticket sales. She asked that a sum be made available which could then be reimbursed.

Upon advice, Members agreed that legislation would not allow this but in the past there had been a budget for the Town Council to hold events, such as receptions, that the Town Mayor had hosted. It was suggested that records be checked to see how this had been managed.

**RESOLVED** That the use of a previous events budget be investigated and report made to the Policy and Resources Committee.

**38. CIVIC REGALIA**

The Town Mayor asked Members to consider whether it would be appropriate for the Town Mayor to wear a robe for official events.

Members were divided and whilst accepting that a robe would identify the Mayor others considered that it might make the Mayor less approachable. Other Councils such as Maldon were a successor council to an Urban District Council and had a Royal Charter unlike Witham.

**RESOLVED** That the Town Council would not proceed with robes for the Town Mayor.

**39. TOWN CLERK'S REPORT**

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

The Town Clerk explained that he had changed the framework for the report and welcomed feedback.

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

**40. COMMITTEE REPORTS**

(a) **Community Committee held 17<sup>th</sup> May 2021**  
Minutes 1 – 15 (inclusive)

Councillor Ager, Chairman of the Community Committee, gave her Report en bloc.

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

(b) **Policy and Resources Committee held 14<sup>th</sup> June 2021**

Minutes 1 – 17 (inclusive)

Councillor R. Williams, as Vice Chairman of the Policy and Resources Committee, gave his Report en bloc.

**RESOLVED** That the Report be received.

(c) **Planning Applications and Transport Committee held 17<sup>th</sup> May, 1<sup>st</sup> and 14<sup>th</sup> June 2021**

Minutes 1 – 30 (inclusive)

Councillor 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.

**41. DELEGATED DECISIONS**

The final Delegated Decisions from 7<sup>th</sup> April 2021 were received.

**RESOLVED** That the Delegated Decisions be received and noted.

**42. FRIENDSHIP BENCH**

Members were asked to consider the installation of a new ‘Friendship Bench’ at the front of the Town Hall.

**RESOLVED** That a new Friendship Bench for the front of the Town Hall be purchased and installed.

**43. WITHAM RECYCLING CENTRE CORRESPONDENCE**

Correspondence was received from Rt. Hon Priti Patel regarding the waste and vehicle acceptance criteria at the recycling centre.

Members considered that the situation should be monitored.

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

**44. THE QUEEN’S GREEN CANOPY - PLANT A TREE FOR THE JUBILEE**

A report was received regarding the planting of a tree for the Queen’s Jubilee.

The suggestion was made that this should be achieved through the Witham Tree Group.

Mention was made of the County Council Forest Initiative but understood that as the free trees were only whips they could easily fail if not watered properly and the Tree Group, like Town Council staff, were too stretched to take on more watering.

**RESOLVED** That the Town Council takes part in the Queen’s Green Canopy and works in partnership with the Witham Tree Group.

**45. COUNCILLOR P.M. RYLAND MEMORIAL**

Members agreed that it would be appropriate for a memorial to Paul Ryland but after discussion it was agreed to approach the family to ascertain what they would wish.

**RESOLVED** That the family be consulted to ascertain a fitting memorial to Paul Ryland.

**46. COVID-19 GOVERNANCE**

Members were asked to consider renewal or disposal of the Covid-19 Interim Governance Arrangements.

**RESOLVED** That the Town Council dispose of the Covid-19 Interim Governance Arrangements.

**47. EQUALITY POLICY**

The Town Council Equality Policy was received.

**RESOLVED** That the Town Council Equality Policy be received and adopted.

**48. ANNUAL ACCOUNTS 2020-2021**

The Town Council's annual accounts for year ending 31<sup>st</sup> March 2021 was received.

The Town Mayor thanked the Town Clerk and Deputy Town Clerk for their efficient work.

**RESOLVED** That the Town Council's annual accounts for the year ending 31<sup>st</sup> March 2021 be received and approved.

**49. ANNUAL INTERNAL AUDIT REPORT**

The Town Council's Internal Audit Report for the financial year 2020/2021 was received.

**RESOLVED** That the Internal Audit for the financial year 2020/2021 be received and noted.

**50. ANNUAL GOVERNANCE & ACCOUNTABILITY RETURN (AGAR) - SECTION 1 GOVERNANCE STATEMENT**

The Town Council's Annual Governance Statement 2020/2021 was received.

**RESOLVED** That the Annual Governance Statement 2020/2021 be received, approved and signed by the Town Mayor.

**51. ANNUAL GOVERNANCE & ACCOUNTABILITY RETURN (AGAR) - SECTION 2 ACCOUNTING STATEMENTS**

The Town Council's Accounting Statements 2020/2021 were received.

**RESOLVED** That the Accounting Statements 2020/2021 were received, approved and signed by the Town Mayor.

**52. SECTION 106 / CIL ENQUIRIES**

Correspondence was received in relation to Section 106 and CIL (Community Infrastructure Levy).

**RESOLVED** That correspondence be drafted to the relevant Cabinet Member for S106 matters exploring the District Council S106 process including adoption of CIL.

**RESOLVED** That a public consultation as part of the Neighbourhood Plan process be organised in due course to help refine the list of projects requiring funding.

**53. WRITTEN QUESTION (GIMSONS RAILINGS)**

A question raised by a member of the public was received.

It was agreed that the issue raised would be considered as part of the Gimsons' Review Group.

**RESOLVED** That the question be referred to the Gimsons' Review Group.

**54. GIMSONS REVIEW GROUP**

Members were asked to consider the constitution of a Gimsons' Review Group.

Members supported the decision for the formation of the group but considered not to incorporate the Local Heritage List Review Group.

**RESOLVED** That the Gimsons' Review Group be constituted, reporting to the Planning Applications & Transport Committee.

**55. HIGHWAYS DEVOLUTION PILOT**

A meeting had been held on 26<sup>th</sup> May 2021 to consider the Highways Devolution Pilot and the constraints of the scheme.

**RESOLVED** That the Town Council continues to monitor the Highways Devolution Project.

**56. EVENTS**

The Deputy Town Clerk explained the difficulties in trying to organise this year's Puppet Festival due to the global pandemic, recommending that the event be cancelled.

**RESOLVED** That the 2021 Puppet Festival be cancelled.

**57. LOCAL COUNCIL AWARD SCHEME**

It was explained that the Local Council Award Scheme was very prescriptive and it was necessary to make a full resolution as contained in the report.

**RESOLVED** That

(a) Standing Orders & Financial Regulations, Code of Conduct, Publication Scheme, the last Annual Return, Transparent Information about Council Payments, A Calendar showing all meetings, Minutes, Current Agendas, The Budget & Precept Information, Complaints Procedure, Accessibility Statement, Privacy Notice, Council Contact details, Action Plan, Evidence of Consulting the Community, Publicity Advertising Council Activities, Evidence of Participating in Town and Country Planning.

The council also confirms by resolution at a full council meeting that it has:

(b) the following items of the Foundation Level have been achieved: A Risk Management Scheme; A Register of Assets; Contracts for all members of staff; Insurance, Disciplinary and Grievance Procedure; A Training Policy; A Record of all training; The Clerk has achieved 12 CPD points in the last year.

**RESOLVED** That

(a) the Parish Council has achieved items (below) of the Quality Level and that all documentation relating to these items can be found on the Parish Council website:

Draft minutes of all Council and Committee Meetings, within four weeks of the last meeting. A Health and Safety Policy  
Policy on Equality  
Councillor Profiles  
A Community Engagement Policy  
A Grant Awarding Policy  
Evidence showing how electors contribute to the Annual Parish Meeting  
An Action Plan that relates to the Budget  
Evidence of Community Engagement  
Evidence of helping the community plan for the future

(b) the following items of the Quality Level have been achieved:

A Scheme of Delegation;  
Evidence of Customer Service;  
At least two thirds of its Councillors are Elected;  
An Annual Report which is actively shared;  
A Qualified Clerk;  
A Formal Appraisal Process for Staff;  
A training Policy and Record for all Staff and Councillors.

Councillor Livermore left the Meeting at this point.

**58. 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.

**59. COMMITTEE REPORT – CONTINUED**

**Policy and Resources Committee held 14<sup>th</sup> June 2021**

Minute 18.

Councillor R. Williams, continued the Report of the Policy and Resources Committee.

**RESOLVED** That the Report of the Policy and Resources Committee be received.

**60. FOOTPATH & CYCLEWAY PROGRAMME**

A report was received.

Members reviewed the Footpath & Cycleway programme business case, endorsing the case and approving the project progression recommendations

**RESOLVED** That the business case be proceeded with in accordance with recommendations set out within and progress to Stage 4 report.

**61. LEGAL MATTERS**

A report was received.

Members noted the completion of the Cut Throat Lane Allotments acquisition from Braintree District Council, with the Town Council commencing its statutory duties as allotment authority.

Members further noted the completion of the River Walk Freehold acquisition from Braintree District Council and thanked the Town Clerk for his work in completing the transfer of ownership.

**RESOLVED** That the report be received and information noted.

There being no further business the Town Mayor closed the Meeting at 9.44 p.m.

Councillor A. Kilmartin  
Town Mayor

JS/GK/01.07.2021