



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

Meeting of: **Town Council**

Date: **Monday, 2nd September 2019**

Present:	Councillors	Mrs	S.C.	Lager	(Town Mayor)
		Mrs	S.	Ager	
			K.L.	Atwill	
			P.R.	Barlow	
			J.C.	Bayford	
			J.C.	Goodman	
			S.E.	Hicks	
		Mrs	A.	Kilmartin	
			M.C.M.	Lager	
			T.A.	Pleasance	
			P.M.	Ryland	
		Miss	M.L.	Weeks	
			R.	Williams	
Essex County Councillor			J.	Abbott	(Witham Northern)
Braintree District Councillor		Mrs	S.	Wilson	(Witham Central)
			J.	Sheehy	(Town Clerk)
		Mrs	G.	Kennedy	(Committee Clerk)
		Miss	H.	Smith	(Assistant RFO)

And one member of the public.

44. APOLOGIES

Apologise for absence were received from Councillors Miss C. Jay, C.S. Livermore and R.P. Ramage who had previous engagements; and Councillor Mrs A. Kilmartin gave her apologies as she would be leaving the Meeting early as she had a previous engagement.

45. MINUTES

RESOLVED That the Minutes of the Meeting of the Town Council held 8th July 2019 be confirmed as a correct record and signed by the Town Mayor.

46. INTERESTS

Councillor Mrs C. Lager declared a non-pecuniary interest in Minute 50 Town Council Representative, as the Citizens Advice will be a beneficiary of her Town Mayor's Charity.

Councillor Mrs A. Kilmartin left the Meeting at this point.

47. QUESTIONS AND STATEMENTS FROM THE PUBLIC

There were no comments from the member of the public.

48. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE

Councillor James Abbott explained that the next Local Highways Panel Meeting would be held on 25th September 2019 but reminded Members that LHP schemes take considerable time to progress. He said that the maintenance work to the gully and drainage in Guithavon Valley had been due to commence but had probably been delayed due to ongoing road works in Spinks Lane.

The road would be closed between Armond Road and Guithavon Street for three to four days and new works would alleviate a repeated flooding problem. He was concerned that when road works are carried out there always seemed to be sections which remained unfinished and he had therefore raised those remaining problems in The Avenue previously considered by the Council. He had also asked for enforcement action to be taken against Redrow Developers who had put up signs along the High Street at a height where people could get injured.

He explained that the draft Local Plan Section 1 had again be referred to Public Consultation until 30th September 2019 and until such a time that it be approved, proposed works by Highways England for A12 & A120 projects would be kept on hold. He advocated that the A12 widening scheme should commence in the southern section rather than wait until the Local Plan examination.

He had nothing new to report on the Rivenhall Waste site. He had been appalled that the hedge in Motts Lane, an historic lane, had been ripped out. He had asked the Cabinet Member why Witham Recycling Centre has restrictions as residents would need to make a 14 mile round trip to the Braintree Centre.

The Town Mayor thanked Councillor James Abbott for his report and noted that the Witham Southern Member was always invited to the Meeting to make a report.

There was no report from District Members.

49. TOWN CLERK'S REPORT

The Town Clerk explained that he had spoken to the Chairman of the Mill Lane Bowls Club and would assist with advertising for new members through the Voice and social media.

He said that the Charter Market would open on Tuesday, 3rd September 2019. He recognised the amount of work it had taken to come to fruition.

He said that an additional Meeting of the Community Committee would be required in October to consider the refurbishment of the Information Centre and a date would be negotiated with the Committee chairman. A comprehensive business plan was nearing completion and there would be three different options for Members to consider.

Members were notified that the Unity Trust Bank account was now open with funds transferring from Lloyds Bank leading to cheques being dispensed with over the course of the next working month. Signatories would be provided with new instructions on authorising payments.

Finally, he explained that he had received an email from a resident of Avenue Road thanking the Town Council for its assistance in resolving the parking issues.

RESOLVED That the Town Clerk’s report be received and noted.

50. TOWN COUNCIL REPRESENTATIVE

Councillor Mrs S.C. Lager had declared an interest.

Members were asked to nominate a Town Council representative to serve on Citizens Advice.

Members considered that Councillor Mrs S.C. Lager would make an eminent representative.

RESOLVED That Councillor Mrs S.C. Lager be nominated as the Town Council representative for Citizens Advice.

51. CONSIDERATION OF APOLOGIES

Councillor M.C.M. Lager recalled that when a Member did not attend a Meeting for six months without the Council’s approval, they thereby ceased to be a Member, and that therefore the Council should be asked on each occasion to resolve to approve a reason for absence when apologies were received if the Member wished to restart the clock.

RESOLVED That the information be received and noted.

52. MEMBERS’ SURGERIES

A report was received and Members asked to give consideration of Ward Members’ surgeries.

Members agreed that Ward Members’ surgeries would not be appropriate but considered that a pop-up stall on a Saturday either in the Grove or Newlands Centres would be. The suggestion was made that going onto estates would also be useful.

RESOLVED That the report be received and ‘pop-up’ events be organised.

53. GOVERNANCE

(a) Standing Orders

A recommendation was received from the Policy and Resources Committee Meeting held 19.8.2019 – That the Standing Orders, as agreed at this Meeting, be adopted.

Members discussed non-members attending Committee Meetings as members of the public. It was suggested that they should sit separately so the public know they cannot participate or vote. This point would need to be amended in Standing Orders.

The membership of the Planning Applications and Transport Sub-Committee would be reduced. It was also noted that those Meetings must end by 7.30 p.m. Members discussed whether Standing Orders should be suspended if Meetings overran, but it was agreed that any outstanding items should be adjourned to the next Meeting. Members noted that Chairmen should be rigorous

with enforcement of standing orders and not allow Members to keep coming back on discussions on points previously raised so as to maximise use of debate time.

Members commented on the use of the male gender throughout the Standing Orders rather than his/her. It was agreed that there should be an indication on the Standing Orders that the Interpretation Act applies to enforce gender neutrality when interpreting rules.

It was pointed out that the Standing Orders will be reviewed at the Annual General Meeting but sooner if necessary.

RESOLVED That the Standing Orders be adopted with a statement concerning interpretation of rules, clarifying that all references to gender are general neutral and shall apply equally to any Member.

(b) Model Code of Conduct

A recommendation was received from the Policy and Resources Committee Meeting held 19.8.2019 – That the Model Code of Conduct be adopted.

RESOLVED That the Model Code of Conduct be adopted.

(c) Members' Gift Protocol

A recommendation was received from the Policy and Resources Committee Meeting held 19.8.2019 – That a Members' Gift Policy that gifts in excess of £50 be reported to the District Council's Monitoring Officer within 28 days be adopted.

This had been included in the Model Code of Conduct.

RESOLVED That the information be received and noted.

54. HATFIELD PEVEREL NEIGHBOURHOOD PLAN

An email was received from Braintree District Council regarding the Hatfield Peverel Neighbourhood Plan.

Members understood that when Hatfield Peverel began its Neighbourhood Plan a section of land was included which is now in the town of Witham. Members agreed not to make any objections to this land being included in the Neighbourhood Plan until adoption.

RESOLVED That the email be received and no objection be made to the section of land by Wood End Farm, now part of Witham, being included in the Neighbourhood Plan until adoption.

55. TOWN MAYOR'S ENGAGEMENTS

Details of the Town Mayor's Engagements were received.

The Town Mayor said that she had made the decision to change the format of the Civic Service and make it about the town. She would be holding it at the United Reformed Church and hoped that all Members would attend on Sunday, 26th April 2020 when she would be presenting awards. She had circulated to Members a list of forthcoming events and asked for sponsorship for her walk on Saturday, 14th September 2019.

RESOLVED That the details of the Town Mayor’s Engagements be received and noted.

56. COMMITTEE REPORTS

(a) **Community Committee Meeting held 5th August 2019**

Minutes 19 – 33 (inclusive).

Councillor J.C. Bayford, Vice Chairman of the Community Committee, gave his Report en bloc.

RESOLVED That the Report be received.

(b) **Environment Committee Meeting held 23rd July 2019**

Minutes 15 – 33 (inclusive).

Councillor T.A. Pleasance, Chairman of the Environment Committee, gave his Report en bloc.

RESOLVED That the Report of the Environment Committee be noted.

(c) **Policy and Resources Committee Meeting held 19th August 2019**

Minutes 21 – 35 (inclusive).

Councillor M.C.M. Lager, Chairman of the Policy and Resources Committee, gave his Report en bloc.

Minute 32(b) – Budget Statements and Earmarked Reserves

A recommendation was received from the Policy and Resources Committee Meeting held 19th August 2019 – That £1,000 be vired from the photocopying budget, £1,000 from insurance, £2,000 from community safety and the remainder from general reserves to augment the audit and legal budget.

RESOLVED That the audit and legal budget be augmented by viring £1,000 from the photocopying budget, £1,000 from insurance, £2,000 from community safety and the remainder from general reserves.

Minute 35 – Period Garden

Details relating to the appointment of a Planning Consultant were received.

The Town Clerk explained that the drawn plans will be considered by Town Council before submission. The plants in the Period Garden will remain until planning consent has been given.

RESOLVED That the information be received and the Town Clerk given the mandate to appoint the Planning Consultant.

RESOLVED That the Report be received.

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED That under the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the Meeting for the

following items of business on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted, namely the consideration of legal advice and proposed contractual arrangements regarding allotments.

57. COMMITTEE REPORTS (Continued)

(a) **Community Committee Meeting held 5th August 2019**

Minutes 34 and 35.

Councillor J.C. Bayford continued his Report en bloc.

RESOLVED That the Report of the Community Committee be received.

(b) **Policy and Resources Committee Meeting held 19th August 2019**

Minutes 36 – 38 (inclusive).

Councillor M.C.M. Lager continued his Report en bloc.

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

58. LEGAL ADVICE

The Town Clerk gave a verbal report.

RESOLVED That the report be received and noted.

59. ALLOTMENTS

A report was received.

RESOLVED That the report be received and noted.

60. PUBLIC DOMAIN

Members agreed that no item discussed in Private Session should be moved into the Public Domain.

RESOLVED That no item discussed in Private Session should be moved into the Public Domain.

There being no further business the Town Mayor closed the Meeting at 8.58 p.m.

Councillor Mrs C. Lager
Town Mayor

JS/GK/6.9.2019