



Town Hall | 61 Newland Street | Witham | CM8 2FE
01376 520627
witham.gov.uk

MINUTES

WITHAM TOWN COUNCIL

Date: **Monday, 8th July 2024** Time: **7:30 p.m.**

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

Members are hereby summoned to attend the above Meeting to transact the following business. Members are respectfully reminded that each item on the Agenda should be carefully examined. If you have any interest, it must be duly declared.

Present:

Councillors:

L.	Barlow	(Town Mayor)
P.	Heath	(Deputy Town Mayor)
E.	Adelaja	
P.	Barlow	
J.C.	Coleman	
J.M.	Coleman	
B.	Fleet	
L.	Headley	
J.	Martin	
B.	Taylor	
E.	Williams	
N.	Jones	(Principle Planner, Braintree District Council)
N.	Smith	(Town Clerk)
H.	Andrews	(Deputy Town Clerk)
G.	Kennedy	(Committee Clerk)

42. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Hewitt, Playle, Ramage and Sloma.

The Town Mayor reminded Members that they have to give a detailed reason for their absence before the apologies can be approved and whilst they will be accepted at this Meeting they will not in the future.

RESOLVED That the apologies be received and approved.

43. MINUTES

RESOLVED That the Minutes of the Meeting of Town Council held 11th June 2024 be confirmed as a true record and signed by the Chairman.

44. INTERESTS

Councillors Martin and Taylor declared non-pecuniary interests in Minute 55 – Asset Transfer.

45. QUESTIONS AND STATEMENTS FROM THE PUBLIC

There were no members of the press or public present.

46. PUBLIC OPEN SPACES

The Town Mayor welcomed Neil Jones, Principle Planner at Braintree District Council, to the Meeting to talk about the management of public open spaces on new developments.

Mr Jones explained that as well as being the Principle Planner he is also the lead on Section 106 – Open Spaces for new developments, and he wanted to explain the current process and the opportunities for local councils.

He said that over fifteen years ago the District Council took the decision not to take on additional open space as it was unsustainable to maintain. Prior to that time the District Council took on and managed both small and large spaces. The Section 106 agreement will now transfer the land to a management company to undertake the maintenance at a cost to the residents. Some management companies are set up specifically for new sites and are run by the residents themselves. He said that there was an opportunity for Town or Parish Councils to seek ownership of open spaces but that would come with the liability to maintain. Some councils seek a hybrid arrangement taking on an important area such as a ‘village green’ but not SUDs (sustainable drainage) or play areas. Should the Town Council wish to take on open spaces then a conversation needs to be had with developers and planners. Commuted sums which might cover 25 years of maintenance could be negotiated but then the Town Council would need to manage within its own resources after that which could lead to an increase in the precept.

Members then had an opportunity to ask questions or comment.

The complexity of ownership on Maltings Lane was cited with some dog bins owned and emptied by BDC whilst others by management companies. Mr Jones explained that whilst Maltings Lane estate was being built the policy changed. The system of management companies maintaining street lights was considered ludicrous and Mr Jones promised to look into this issue. In answer to a question Mr Jones explained that where there were blocks of apartments it was usual to pay a management fee for maintenance of the land surrounding the property. He said that it was usual for Housing Associations to undertake management of its own land.

In answer to a question Mr Jones said that whilst the developer was supposed to replace dead trees in the five year period after planting the planning obligations transfer to the management company.

Members questioned whether commuted sums could be reduced in value due to inflation and unlikely to cover 25 years of maintenance and that more effective management might be achieved when local residents were on the board of the management company.

Mr Jones explained that if the Town Council was minded to take on open space it should inform the developer during initial pre-application meetings when the outline plan was considered and part of the Section 106 agreement could be to offer the land to the Town Council.

The Town Mayor thanked Mr Jones for his interesting report and he in turn said that he would be happy to come to the Town Council again to discuss any aspects of planning.

47. ESSEX COUNTY AND BRAINTREE DISTRICT COUNCIL UPDATE

A Braintree District Councillor explained that there had not been any official meetings at the District Council during the pre-General Election period but scrutiny would consider the problems regarding errors on the polling cards and postal votes. Any problems to do with the voting procedure should be referred to the Chief Executive Officer at Braintree District Council. The problems with the voting station at The Courts was mentioned.

RESOLVED That the information be received and noted.

48. TOWN MAYOR'S ENGAGEMENTS

Details of the Town Mayor's engagements attended for period 5th to 30th June 2024 were received.

RESOLVED That the details be received and noted.

49. TOWN CLERK'S REPORT

The Town Clerk explained that that the recent Dog Show had been a success and that on the 9th August there would be the Teddy Bears' Picnic and Members were asked to volunteer to help.

RESOLVED That the information be received and noted.

50. MEMBERS' ALLOWANCE POLICY

Members were asked to review and approve the Members' Allowance Policy.

The Town Clerk said that if a Member resigns during the year, pro-rata re-payment would be required.

RESOLVED That the Members' Allowance Policy be received and approved.

51. BRAINTREE PRIDE

Members were asked to consider having a Town Council stall at Braintree Pride event on Saturday, 10th August 2024.

Members agreed that the Town Council should celebrate diversity and consider what message needs to be delivered.

Councillors P. Barlow, J.C. Coleman, Headley, Taylor and Williams volunteered to be available. A modest budget from the New Events budget line could be used.

RESOLVED That the Town Council would have a stall at Braintree Pride and that those Members involved would meet informally to discuss what would be on the stall.

52. COMMITTEE REPORTS

Planning and Transport Committee held 11th and 24th June 2024

Minutes 17 to 40 (inclusive)

Councillor P. Barlow, Chairman of the Planning and Transport Committee, gave a report en bloc.

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

53. 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 (S3) of the Local Government Act 1972.

54. LAND TRANSFER

An updated report was received.

RESOLVED That the report be received and noted.

55. ASSET TRANSFER

a) A request to rescind a previous motion was received.

RESOLVED That the rescission be received.

b) A report was received.

RESOLVED That the report be received.

There being no further business the Town Mayor closed the Meeting at 9.09 p.m.

Councillor L. Barlow
Town Mayor

NS/GK/11.7.2024