

**Present:** Cllrs Barwick, Brown, Ewing, Henderson, Munson, Scott

**In the Chair:** Cllr Smith – Chairman

**Clerk:** Michelle Curtis

**Also Present:** District Councillor Thompson  
Steve and Denise – Parish Working Group  
8 Members of the Public

**1. Welcome**

The Chairman welcomed everyone to the meeting.

**2. Apologies for Absence**

There were no apologies for absence. All members were present

**3. Declarations of Interest**

There were no declarations of interest disclosed.

**4. County Councillor and District Councillors**

There was no new information from Cllr Thompson.

**5. Public Forum**

Two residents expressed their concern regarding the planning application on the Land Adjacent to 13 Church Street, application ref FUL/MAL/22/1002.

It was agreed to move to agenda item 9.

**9. Planning**

**9.1 Planning Applications**

To consider Planning Applications received from Maldon District Council

Application No: FUL/MAL/22/01002 PP-11552511

Proposal: Detached three bedroom house with adjoining car parking in garden of adjacent residence

Location: Land Adjacent To 13 Church Street Tolleshunt D'arcy

**Resolved:** Unanimously agreed to recommend refusal of this planning application due to the following:

- Overdevelopment of the site
- Bulk, size and scale
- It is not in keeping with the area
- Concern about vehicle access – the road access does not meet the Essex County Council standards
- Impact on the setting of the Church opposite which is in a conservation area
- The arboricultural report is out of date – The document is dated March 2020 and states it is valid for 12 months.
- The proposal includes the removal of an Oak tree which has a strong amenity value and an existing TPO.
- The proposed development would result in the loss of amenity space for 13 Church Street.

Application No: 22/01008/TELPN PP-11561178

Proposal: The removal and replacement of 1 no 12.8m lattice tower for proposed 1 no 20m lattice tower, relocation of 6 no antennas, installation of 3 no antennas, installation of 2 no 0.3m antennas, relocation of 1 no 0.6m dish, installation of 2 no equipment cabinets with ancillary development thereto.

Location: Mobile Broadband Network Limited Communication Station TMobile (68101) Greenfield At Limesbrook Farm Kelvedon Road Tolleshunt D'arcy

**Resolved:** Unanimously agreed to recommend approval of this application.

Application No: 22/01068/LDP PP-11617527

Proposal: Claim for lawful development certificate for a proposed erection of a two storey rear extension and reduction of the depth of the existing detached garage to suit.

Location: 20 Festival Gardens, Tolleshunt D'arcy

**Resolved:** Unanimously agreed to reply with no comment.

## 9.2 Planning Decisions:

HOUSE/MAL/22/00567 - Oxley House Oxley Hill – Approved

PDE/MAL/22/00286 - 16 D'arcy Way – Prior Approval Not Required

## 9.3 Appeals

To receive notification of Planning Appeals from Maldon District Council – None received

## 9.4 Planning Appeal Decisions

To note decisions made by the Planning Inspectorate – None received

## 9.5 Tree Preservation Orders (TPO)

To note TPOs made by Maldon District Council – None received.

A resident left the meeting.

## 6. Parish Working Group

Steve reported:

- The PWG had reported several signs in the village that were faded and obscured from vegetation via the Essex County Council online reporting tool. An acknowledgement for some of the signs had been received to advise they are not a priority and would be monitored.

The Clerk reported the following regarding the applications to the Local Highways Panel:

Cllr Durham has advised that a review of the LHP system is underway and that he is unsure of the outcome at this stage. Currently, there are nearly 50 applications under validation and he is not certain of the funding levels for the coming year.

Cllr Durham does not want to lead parishes with unrealistic expectations until the review is concluded, therefore it is unrealistic to add any further applications to a long list that may not be deliverable. Once Cllr Durham has more certainty, he will sign off new applications, but until then they will have to be held over.

Status of current LHP applications submitted:

1) Grass Verge – Tollesbury Road

The Clerk reported on 28th September 2022, she had requested an update on this application from Cllr Durham. Cllr Durham advised that there wasn't a meeting of the LHP until mid-October. As Essex County Council Member, he has agreed on the application but it was yet to come to the panel.

The Clerk had received a further update from Cllr Durham that day who advised that he won't know for a few more weeks whether they can resume with pending applications. It is hoped the LHP will meet in December.

2) Signage – Station Road/North Street

Cllr Durham has advised that he had received the speed survey results for North Road. Unfortunately, the data shows a good level of compliance which inevitably means that our options are limited.

The Clerk had asked Cllr Durham whether new signage could be considered which would help notify drivers that the road narrows.

3) Village Gateways

Following the information received from Cllr Durham, the Clerk asked whether the Parish Council could purchase the gates. Cllr Durham advised that he wasn't sure about but he didn't think so. As he understands things, third-party works are not permitted on the highway network. Cllr Durham would check and report back. Cllr Durham advised that the LHP option is still possible but not this year.

**Action:** Steve to investigate costings

The Clerk reported that Essex County Council were due to cut back the overgrown vegetation on the footpath opposite the Village Hall.

## 7. Minutes

### Minutes 27<sup>th</sup> September 2022

**Resolved:** The Minutes of the Parish Council Meeting held on 27<sup>th</sup> September 2022 be approved as a true and accurate record of the meeting. Unanimously agreed.

The Vice-Chairman signed the Minutes.

## 8. Finance

### 8.1 Monthly Financial Report

Councillors received the monthly Financial Reports as of 30<sup>th</sup> September 2022.

Bank Reconciliation – a Closing balance of £39,250.40

Expenditure to date – Budget £30,079 – Actual £16,566

Income to date (including Precept (£21,514) £29,764 – Actual £27,004

Earmarked Funds – Closing Balance - £7,532.43 – Net Transfers £5,180.00

The Vice-Chairman signed the Reports.

### 8.2 Payments

It was reported that the adjustments had been made to the roundabout, it was therefore agreed to release the payment for £3,240.00.

**Resolved:** To approve the payments totalling £1,996.80. Unanimously agreed.

## 10. Training

The Clerk reported that with permission of the Chairman, she had booked the following training courses:

Civility and Respect – Understanding Psychopathic and Narcissistic Behaviour  
Civility and Respect – Uncovering the Issues for the Public Sector  
Civility and Respect – The New Code of Conduct  
Civility and Respect – What Makes People Become Challenging  
Civility and Respect – Personal Resilience and Self-Protection

The training is via the Society of Local Council Clerks and costs £75 + VAT

## 11. Civility and Respect Project

**Resolved:** Unanimously agreed to sign up for the Civility and Respect Project pledge.

## 12. Reverse Decision - Grant Application

**Resolved:** Unanimously agreed to reverse the decision resolved on 27<sup>th</sup> September 2022 agenda item 12.

**Resolved:** Unanimously agreed to give a grant of £500 to the Village Larder for storage cupboards and set-up costs.

## 13. Dog Fouling Complaint

The Clerk reported that following the last meeting she had contacted Maldon District Council to seek clarification as to whether dog owners did not have to pick up their dog mess on a field, only on a footpath.

Nicola Syder, Senior Community Engagement Co-ordinator – MDC, advised that dog fouling is an offence anywhere in the open air. The only time this would not apply is when the landowner has given permission for them and to be used in this way. There are exemptions such as working dogs/guide dogs.

Cllr Henderson advised there was not an issue with dog fouling on the footpath.

This concluded the matter and no further action is to be taken at this stage.

## 14. Police/Community Protection Officers (CPOs)

### 14.1 Police Report

The Police Reports were received and noted.

### 14.2 Community Protection Officers (CPOs)

#### Patrol Reports

The CPO Report for September 2022 was received and noted.

During the CPOs Patrols in September, there were 10 speeding offences of which 2 of them were in Kelvedon Road (45-minute patrol).

## 15. Administration

Queen Elizabeth II – At the previous meeting a suggestion was put forward to change the name of the Recreation Ground to the Queen Elizabeth II Playing Fields. The Clerk had advertised this suggestion via Facebook and a few people had responded some in favour and some against.

Councillors discussed other options i.e. renaming the Pavilion rather than the Recreation Ground and planting a tree.

Councillors agreed it needed further discussion and wider consultation.

**Action:** Cllr Thompson agreed to speak to the legal department at MDC to see if there would be any legal costs to change the name of either the Recreation Ground or the Pavilion.

Email Policy – The Chairman reported that he had circulated suggested wording to amend the Email Policy. If there are no comments from Councillors before the next meeting, it is proposed that the amendment is adopted at the next meeting.

## 16. Representative Reports

### 16.1 Burial Ground

#### 16.1.1 Update from Cllr Henderson

Cllr Henderson reported there were no issues to report.

### 16.2 Recreation Ground/Pavilion

#### 16.2.1 Update from Cllr Brown

- The fence post near the gate facing the zip-wire is loose.  
**Action:** Clerk to ask Bonz to look at it.
- A branch of a tree near the Pavilion has snapped off.  
**Action:** Clerk to ask Bonz to remove the snapped branch.
- The path is overgrown and needs attention otherwise the path will get lost in the growth.
- The ditch needs scrapping to ensure there are no issues in the winter months. Cllr Brown agreed to scrape the ditch.

The Chairman reported that the Clerk and himself had met with Tazz from Bee-Fit and he had suggested a small extension to the front of the Pavilion. The Chairman advised Tazz to speak to the Conservation Officer at MDC before putting together a proposal to be considered by the Parish Council.

Previously, it had been suggested that a new bench is purchased for the Recreation Ground. The bench would be a replacement for the metal bench near the goalposts.

**Action:** Clerk to obtain a quotation.

### 16.3 Public Rights of Way

#### 16.3.1 Update from Cllr Henderson

Cllr Henderson reported:

- On Festival Gardens, there is a section of pavement with vegetation growing through.  
**Action:** Cllr Henderson to speak to the Contractor to see if they can remove the growth.

### 16.4 Road Safety/Highways

#### 16.4.1 Update from Cllr Munson

Cllr Munson reported there were no issues.

**17. Community Concerns – Information Exchange/Next Agenda Items**

Next Agenda:

Precept - Councillors are to submit any ideas/suggestions for the Precept to the Parish Clerk as soon as possible.

Suggestions: Elections, village gate

**18. Date of the Next Meeting**

The next meeting of the Parish Council will be held on:

**Tuesday 29<sup>th</sup> November 2022 – Full Council Meeting – 7.30 pm**

The Chairman closed the meeting at 8.32 pm.

Signed.....

Date:.....