

BRIGHTLINGSEA TOWN COUNCIL

Minutes of the Council Meeting held at
The Parish Hall, Victoria Place, Brightlingsea,
on: Thursday 21st November 2024 at 7.00pm.

Present:

Councillors

J Carr (Mayor)

M Court (Deputy Mayor)

D Atkinson, J Chapman, J Howard,

M Judson, K Mitchell, R Morgan,

C Paveley, K Pentney and G Steady

In attendance:

Tracey Pulford – Town Clerk

10 Members of the public

County Councillor Goggin

106. APOLOGIES FOR ABSENCE: Councillor Barry.

107. TO RECEIVE THE MINUTES OF THE COUNCIL MEETING HELD ON THE 17TH OCTOBER 2024 AND TO CONFIRM AS A CORRECT RECORD:

Councillor Mitchell proposed that the Minutes of the meeting held on the 17th October 2024 were accepted as a true record. Seconded by Councillor Chapman. Agreed.

108. MAYORS ANNOUNCEMENTS:

A copy of the Mayor's Announcements are annexed to the Minutes (see attached Appendix 1).

The Mayor advised members that a meeting was recently held with the tenant of Batemans Tower Café, and an update will follow on the Council website shortly.

109. DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS:

The Mayor reminded Members to declare interests when necessary.

110. UPDATE FROM COUNTY COUNCILLOR GOGGIN:

A copy of County Councillor Goggin's notes had been circulated to all members.

Councillors asked the following questions:-

- Councillor Paveley asked if there was any update on the Gravel site. County Councillor Goggin replied no.
- Councillor Steady mentioned the meeting that he and Councillor Pentney attended with James Drabwell and County Councillor Goggin. He said that better signage is needed, stating children crossing, mirrors etc., A copy of the pinch point report was given to both James and County Councillor Goggin, and we have liaised with the school. County Councillor Goggin replied that it is not what County want but want Brightlingsea Town Council see as important. He also added that he was impressed with the number of parents that park in the Community Centre car park, to pick up their children from school. A discussion took place about the accident with a child on a bicycle and a van at the same location.

- Councillor Mitchell asked if there was any update on the small wildlife signs. County Councillor Goggin replied that there are no funds available for this.

As there were no questions from members of the public, County Councillor Goggin then reported on the following:-

- Attended the recent Environment and Transport Team meeting and discussed the possible Speed and Volume Survey. Essex County Council picks up the bill if there has been an incident, otherwise the Town Council would have to pay for the survey to be carried out.
- Works on Bellfield Avenue are progressing.
- Have dealt with some issues around the Royal Visit on the 11th December.
- The Members Initiative – Brightlingsea has had a lot of success. A press release was made last Thursday and some 9,500 items have been completed/fixed. There is more money available, and we will be looking at pavements and/or street furniture.

111. UPDATE FROM DISTRICT COUNCILLORS:

Councillor Chapman informed members that the decision on the future of Care Line has been delayed.

Councillor Steady briefed members on the site visit for Lower Farm, and also the Local Government Re-organisation.

112. TEAMS REPORTS:

Reports from the Facilities & Community Assets Team, Environment & Transport Team and Welfare & Residents' Services Team had been circulated to all members.

Facilities & Community Assets Team – Councillor Morgan briefed members on the meeting held on the 11th November 2024. The Facilities & Community Assets Team report was then accepted, and the following recommendations agreed:-

- Grounds Manager to view the Boat Yard with Councillors Morgan and Atkinson to see what remedial action needs to be undertaken, including sweeping up and re-lining. Report to follow.
- The application of soft surfacing to the whole of Pawsons Playground, using S106 monies, to be approved by the Finance Committee.
- The Council is to write to Julia Hunt to request a letter confirming that the new build Cricket Club will be all inclusive to many organisations within the town and giving an explanation as to how that will be achieved.
- Brightlingsea Town Council to distribute widely a Town Survey to ascertain public, group, club, and all interested associations views on Brightlingsea Town Council responsibilities?
- A topographical survey should be undertaken of the low area plus to also survey the drainage on Lower Park Playing Fields.
- Three quotes for the refurbishment of the Seafront Shelter and works completed as soon as finance or S106 monies available.
- The visitor to Oyster Tank Road Car Park that damaged their tyre on the raised drain, would be compensated for their loss, and a letter to be sent to them giving our full and final offer. Grounds Manager to take on remedial works to make the area safe.

Environment & Transport Team – Councillor Atkinson briefed members on the meeting held on the 12th November 2024. The Environment & Transport Team report was then accepted, and the following recommendations were agreed:-

- Brightlingsea Town Council takes a stand at the Ec0-Showcase event and helps with general support.
- The Council buys a 'Telraam Traffic Monitoring Device' and also looks at requesting a Speed and Volume Survey from Essex County Council. These requests to be taken to the next Finance Committee meeting for approval. Also to ask the Police if they can carry out speed checks in:- Top of Chapel Road, Ladysmith Avenue, Lower Park Road, Colne Road, Red Barn Road and Samsons Road at around 7am.
- Town Clerk to check the Lozenge recycling site about the rubbish. Councillor Steady to check with Damian Williams to see if they are aware of whether Sainsburys are keeping the site or not.
- Bin Stickers - Agreed to go with Quotation 1 and take this recommendation to the next Finance Meeting.
- Beach Hut 312 – This item is to be discussed at the next Finance Meeting to discuss the disposal of the asset.

Welfare & Residents' Services Team – The Welfare & Residents' Service Team report was then accepted.

Communications & Tourism Team – Councillor Paveley briefed members the Chairman of every Committee should pass on information to the Communications Team, with information on the meeting, so this can be passed on to the public via the Council web-site/Facebook page.

County Councillor Goggin left the meeting at 7.45pm.

113. TO RECEIVE AND APPROVE THE MINUTES OF THE FINANCE MEETING HELD ON 19TH NOVEMBER 2024 AND TO CONFIRM THE RECOMMENDATIONS THEREIN:

Councillor Atkinson proposed that the Minutes of the Finance and Property Meeting held on the 19th November 2024 are accepted as a true record, and the recommendations (as written below) be accepted:

- Outstanding Debts - Councillor Court would contact the Cherry Tree, and the Rosebud Public House and Thames Estuary Lobster Hatchery would be emailed again, asking that payment is made within the next 7 days.
- New bank account - A Post Office account be looked at, so any surplus money could be transferred to this account. Also, it can be used as a petty cash account.
- 16 payments totalling £3,922.86 are approved for payment, with Councillors Paveley and Chapman signing off the invoices.
- The Dispensation Policy is accepted in principle, subject to review by the District Monitoring Officer. The policy is amended to add how the dispensation is implemented, and a copy of the Act is attached to the policy.
- (1) The Interim Audit Report would be reviewed at the next Finance meeting; (2) The Internal Controller would be Councillor Morgan; (3) A Post Office account would be looked into, which would also be used as a petty cash account; (4) Financial Regulations to be reviewed by the end of the financial year.
- The new member of staff is offered a permanent contract and also joins the Essex County Council Pension Scheme.
- The quotation for £72.50 including artwork is accepted, and the stickers are ordered.
- Beach Hut 312 - Councillor Morgan would look at prices to (1) repair the hut and sell, (2) replace the hut and sell or (3) sell in the current condition. Any monies from this sale would be earmarked for the general improvements of assets, taking out the money spent to buy and/or refurbish.

- An amount of up to £1,000 would be allocated in the budget for Speed Data Collection Systems.
- Budgets for 2025-2026 to be discussed at the next meeting.

Seconded by Councillor Morgan. The minutes were then **agreed** by all present.

114. TO RECEIVE AND APPROVE THE RECOMMENDATIONS OF THOSE MEMBERS EXAMINING THE ACCOUNTS FOR THE CURRENT PERIOD:

The Payments and Accounts for the period October 2024 (as attached – see Appendix 2) were proposed by Councillor Paveley as follows:-

General Current T2 Account - 16 payments totalling £3,922.86 (as attached - see Appendix 3) be authorised for payment and statement of balances on the following accounts be accepted:-

Barclays Current Account (XXXX7055)	£33,779.65
Barclays Premium Account (XXXX8295)	£85,000.00
Barclays Premium Account (XXXX9433)	£593.95
Instant Access Account (XXXX0373)	£85,000.00
Current T2 Account (XXXX0360)	£5,381.22
Making a total of	£209,754.82

Income for October 2024	£145,621.86
Expenditure for October 2024	£25,645.98

Employee payments paid for the month of October 2024 were:	£16,444.28
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Income to date 1 st April – 31 st October 2024	£348,288.49
Expenditure to date, 1 st April – 31 st October 2024	£225,492.15

Seconded by Councillor Chapman. **Agreed**.

115. TO NOTE PLANNING DECISIONS OF TENDRING DISTRICT COUNCIL:

Councillor Paveley proposed that the planning decisions from Tendring District Council be accepted. Councillor Chapman briefed members on the planning application for the Robinson Road development. Much discussion took place. It was then **agreed** that the Council should write to Essex County Council and Tendring District Council Planning regarding the restrictions on the amount of local people that can join the club, because of the size of the road, with a restriction of 100 people. Councillor Carr said that we should also contact our MP and ask our County Councillor to take this up on behalf of the Town Council.

The Minutes were then seconded by Councillor Chapman. **Agreed**.

116. YOUTH COUNCIL:

Councillor Howard briefed members that she is still waiting for a date form the Colne Community School for the next meeting.

117. BRIGHTLINGSEA VOLUNTEER FESTIVAL:

Councillor Court briefed members that a working party has been formed, and we would like to proceed with feasibility costs, funding opportunities etc. Agreed.

118. QUESTIONS FROM THE PUBLIC:

Written Question 1) In February 1898 the Urban District Council met upon the hard and agreed to dedicate a 30ft strip as public highway. This meeting was recorded as official and has had been viewed by Councillors, the Archivist and Clerk. We then proceeded to a court process and the judge confirmed a public highway had been created irrespective of any such dedication by public use over 120 years. Brightlingsea Town Council has now also made comment in a recent public statement that they had been maintaining an area known as the highway upon the hard for 120 years yet in 2018 you said it didn't exist. Now all of this information is available and you have published a statement acknowledging the area, why have Brightlingsea Town Council not asked our elected County Councillor to follow up on the judge's verdict and place it on the official public rights of way map so it's never lost again, especially as this would fall in the category of good governance and time runs out in 2025.

Written Question 2)

Brightlingsea Town Council are fully aware with the documents they hold that in the late 1800s the town jetty had been slowly built out for the purpose of the ferry collecting passengers and loading and unloading. Bearing in mind that Brightlingsea Town Council only recently gained full title of the land the jetty sits on under adverse possession in 2018, it should be noted that this also could not extinguish the rights gained by the public of loading and unloading in whatever capacity that is and when it had first been installed. It was already free open land not owned by Brightlingsea Town Council use by the anyone is a prescriptive right no matter how the structure evolves and no charging can occur. This would explain why it had always been referred to as the public pedestrian causeway and installation of a new structure would not override those rights gained, this should also be put on the public rights of way map as the ferry route has been in place since the 1600s.

Answer 1) Councillor Carr responded that the Council would give a copy of the Judgement, together with the question, to County Councillor Goggin, and ask him to take this further with Essex County Highways.

Answer 2) Councillor Carr responded that a question has not been asked, so we will ask the resident to quantify the question.

Question 3) If you are taking over the Boat Park will you be increasing the fees? In 2020 you recommended 50% increase and in 2021 triple portions again, each time you said you would make improvements and nothing has been done.

Answer 3) Councillor Morgan replied that there is no plan to increase the fees.

Question 4) At the recent Facilities and Community Assets Team meeting, shame on Brightlingsea Town Council for spending \$106 monies for the Cricket Club. Would this not be better spent on the Recreation Ground by giving an Activity Centre, or a soakaway area around the perimeter of the ground to allow people to ride?
These comments were noted.

Question 5) The Museum forecourt has been re-laid. A lot of people around the town are saying that the Council paid for it. Can you confirm that the Museum did not request or pay for it?

Answer 5) The Mayor replied that the Council were never approached, lobbied or paid for the work. He also congratulated them on their new block paving.

Question 6) With the new Local Government reform, can you please keep us informed and let the general public know how it would impact on daily life.

Answer 6) The Mayor replied yes, the three District Councillors will keep us all informed.

119. TOWN CLERK'S REPORT:

This was for information only.

Councillor Carr then moved, in accordance with the Public Bodies (Admissions to Meetings) Act 1960, in order to discuss items of a sensitive nature and items which are commercially confidential, the press and public be excluded. This was seconded by Councillor Chapman.

120. MOTION TO EXCLUDE THE PUBLIC IN ACCORDANCE WITH THE PUBLIC BODIES (ADMISSION TO MEETINGS) ACT 1960 –To discuss the following:-

- To discuss future legal requisites.

121. TO DISCUSS FUTURE LEGAL REQUISITES:

Councillor Paveley briefed members and after discussion it was **agreed** to employ Holmes & Hills to deal with ongoing specific issues.

Councillor Atkinson briefed members on the Playcentre.

122. CLOSE OF MEETING:

There being no further business, the meeting closed at 9.06 pm.

Chair

Date: 12th December 2024

Mayor's Report:

Attended the following:

24 th November	Clacton Concert Orchestra at St James Church, with Mayoress
28 th November	Meeting with BHL Residents Association, with Councillors Chapman and Paveley
2 nd December	Choosing Day, with Mayoress
8 th December	Lodge of Hope Christmas Lunch, with Mayoress
	Christingle Service at St James' Church
9 th December	Brightlingsea Stroke Association Christmas Meal, with Mayoress
10 th December	Brightlingsea Town Carol Service, at the United Church
11 th December	Brightlingsea Museum for the visit of HRH the Princess Royal
12 th December	Community Choir Christmas Concert at the Community Centre
	Present Jack Petchey Award to a young Brightlingsea resident at 4-Youth.

AG brief notes for parish meetings. Thorrington, Alresford & Gt. Bentley. December 2024.



“I attend meetings, & take calls on your behalf”

Coming up. Dec 11 Royal visit **Brightlingsea Museum with Princess Anne**. The huge amount of work at **Bellfield** is progressing. It is causing substantial inconvenience but the residents that I have spoken to, are looking forward to the outcome. Still awaiting coroner's report for B1027 speed reduction at Flag Hill. Emergency LHP budget to be considered if any major changes.

B1027 speed changes originally expected December finish. Now Jan 6/7/8.

Dec 19. Place Services scrutiny meeting. Agenda includes waste, flooding, & whole council transformation. Plus in evening St. Osyth parish.

1 Dec 10. Full Council ECC. Chelmsford. AG proposes and speaks request for budget reflection from Government. Much discussion re **DEVOLUTION**. Awaiting Government white paper being issued Dec 18. Important to boundary changes in my **Brightlingsea division**. In evening attended **BTC ENT** meeting. Report will be submitted by chair. Serious discussion around parking, speeding and hedgehogs plus requests outside the “system”.

2 Dec 9. Attended **Stroke Unit** Xmas lunch. Opportunity to update their grant application for physio help. Being submitted. Must be spent before financial year end

3 Dec 6. Local Highway Panel meeting. Pressure to spend budget before end financial year. Several long outstanding items removed where not proceeding for one reason or another. Extra budget provided for possible extension to Flag Hill speak reduction costs pending ruling from Coroner's department. Frustratingly long, and stopping completion of works. No choice over Coroners Court.

Levelling up meeting. Grant approved under locality overall Tending fund for **Tending Wellbeing and Teentalk**. Collectively TDC ECC Councillors agree £41,000. Includes spends in my division.

4 Dec 5. Attended Elmstead Market parish meeting as deputy for Carlo. Then to Great Bentley. Both concerned speeding in villages. Zebra crossing still slowly progressing

5 Dec 4. Attended Thorrington & Alresford parish meetings in evening. Both involved with speed reductions on B1027. Both pleased to have firm work sheet dates.

6 Nov 28. Meeting with Highways re list of works over last 4 full years, plus 2024 to date. Focus on works “completed” rather than “reported”. Some interesting numbers when all items taken into account. 766 in my division. This does not always include large surface dressing and top surface. To be circulated to all Clerks & Councillors in next few days.

• 67 – Alresford

• 94 – Thorrington

• 114 -Gt. Bentley

• 235 – St. Osyth

• **256 - Brightlingsea**

7 Nov 27. Pension steering committee. Chelmsford. Awards for performance of funds and customer satisfaction. One of biggest in country. Much discussion re Government attempt to direct where money “invested”. Strong views and consequences analysed.

8 Nov 21. PSEG scrutiny Chelmsford. Highway key performance indicators across all fields, plus Essex Air Quality recommendations

In evening attend Brightlingsea and St. Osyth parish meetings. Much discussion re “devolution” and effect locally. Much speculation. Government white paper due out

	Dec 18. Will have huge effect on Tendring & Essex Councils.
9	FOI. At some recent meetings reference has been made to FOI requests regarding outstanding highway repairs in my division. A number of 1300[plus?] was mentioned. I promised that I would investigate and seek advice but originally felt that whilst the numbers quoted were correct, they related to "reports" to ECC, rather than specific individual items "for repair". In other words, there was an element of duplication by "repeat reporting" of the same defect. Having checked I confirm the following:- 1. I believe I have found the corresponding FOI. It appears not to have been shared. 2. There are indeed 1,338 reports for the 12 years starting 03/02/2012 and ending 13/08/24 – i.e. 12 years. 3. In 2012 there are still 38 reports listed. For 2013 this number is 21, and for 2014 this is 139. 4. Reports continue every year on a regular basis through to 2014 where the year-to-date figure is 169. 5. Whatever the numbers every effort should be made to initiate repairs and maintenance as soon as possible – especially where safety is concerned. 6. The data is very comprehensively described and include potholes, footway defects, blocked gulleys, overgrown vegetation, kerbs damaged/misaligned, verges overgrown, road signs obscured/dirty, road marks faded, missing bollards and even debris on the highway. 7. I believe the worst site is Church Road in Brightlingsea with 97 reports between Aug 2012 and Jun 2024. ECC are criticised as being very poor at updating data when works completed. Mentioned by myself at a recent scrutiny of highways standards. 8. The right for residents FOI applications should be defended at all times. Nov 18. Brightlingsea traffic flow & parking given to AG on site 15th. Bulk of recommendations relate to runs of yellow or red lines. Second paper relates to recent site visits by Brightlingsea Councilors. Again bulk of recommendations around request for lineage to resolve parking and congestion. Suggested applications to North Essex Parking partnership via Tendring. Priorities from Council to be established. REPEAT- STILL RELEVANT. Still problems with demand on services, availability of staff and expectations in some areas. Nothing unique to Essex. Some items previously expected to be quick are put on a waiting list. Apologies if this leads to unexpected delays. I am having to exercise some patience in areas I would not have expected. Sad to report. With changes at National level and impending changes locally there is some double-checking of some potentially cancellable projects. Not unexpected but frustrating sometimes.
	AG CONTACT POINTS:- 07860 519117 OR 01206 308023 cilr.alan.goggin@essex.gov.uk or alan@agoggin.co.uk FACEBOOK:- Alan Goggin Essex County Councilor - Established 1947. "Report it" tool for road or highways issues. https://www.essexhighways.org/tell-us You can tell us about maintenance issues online by using our highways reporting tool. If you think there's a risk to public safety, do not report it online, please call ECC immediately on 0345 603 7631

Over 9,000 extra road repairs in Essex thanks to new initiative

Initiative enables each County Councillor to prioritise what matters most to their local residents.

Thousands of extra repairs to highways defects across Essex have been carried out following the launch of a new initiative. The Members' Highways Initiative enables Essex County Councillors to identify road and pavement issues which matter most to residents in their divisions. This has included pothole and pavement repairs, kerbs installations, sign replacements and refreshing white carriageway lines.

Launched in April, the Members' Highways Initiative sees each County Councillor have an Essex Highways crew carry out their prioritised works around every eight weeks. 9,406 repairs across the county, in addition to routine works by Essex Highways, have been completed since April as a result of the new initiative. The Members' Highways Initiative is being delivered alongside Priority One, the new resurfacing programme funded by £25 million of further investment.

Councillor Mark Platt, Lead Member on Priority One works at Essex County Council, said: "This is a fantastic start for the Members' Highways Initiative. It empowers County Councillors to identify and tackle what matters most to their local residents, while contributing to a safer, greener and healthier Essex for all.

"I'm pleased to have received positive feedback from colleagues who have received improvements in their divisions so far. The Tell Us tool can still be used to report or track defects at www.essexhighways.org/tell-us, while risks to public safety can be reported by calling 0345 603 7631. The extra repairs made under the Members' Highways Initiative are in addition to £25 million Priority One repairs, capital programmes and usual maintenance and operations work

Councillor Jayne Chapman

26/11 – Full Council

Councillor Graham Steady

28/11 - Webinar – AI presentation

03/11 – Full Council – Discussed amongst other items, farmers inheritance tax proposal by Government, recommendation for a letter to be sent requesting a rethink. Agreed the Community Leadership Overview and Scrutiny Committee, which I chair, will undertake a review of a proposal to establish town councils for Clacton, Holland on Sea and Jaywick.

04/12 – Task and Finish Group, Resources and Overview Committee, TDC assets and IT overview.

05/12 – Audit Committee pre meeting briefing

09/12 – Audit Meeting, please see agenda item 5 –

5. Report of the Director (Finance and IT) & Section 151 Officer - A.1 - External Auditor's Planning, Completion and Annual Reports relating to 2020/21, 2021/22 and 2022/23 PDF 112 KB

To present for consideration and approval the following, to enable final opinions on the accounts and value for money arrangements to be formally issued by the External Auditor:

- The External Auditor's Updated Audit Completion Report relating to 2020/21.
- The External Auditor's Combined Audit Planning and Audit Completion Reports relating to 2021/22 and 2022/23.
- The External Auditor's Combined Annual Report for the years ended 31 March 2021, 31 March 2022 and 31 March 2023.
- The Council's Statement of Accounts (including the Annual Governance Statements) for 2020/21, 2021/22 and 2022/23 for consideration and approval for publication by the backstop date of 13 December 2024.

FOR INFORMATION:

This week, the government will unveil the long-awaited English Devolution White Paper, setting the stage for significant changes to local government structures.

At its core, the framework will prioritise reorganising districts and counties into single-tier Unitary Authorities, underpinned by a promise of delivering cost savings. But as the headlines land, the real questions emerge: are these savings tangible? What will the reimagined services look like in practice? And is the data guiding these decisions today fit to shape the councils of 2025, 2026, and beyond?

For many councils, the scale of change is daunting. Leaders and CEOs will need clarity, foresight, and actionable insights to navigate this transformation effectively.

It's not just about spreadsheets and budgets; it's about understanding how real lives and communities will be impacted. Specialist expertise, like that offered by itelligent-i, will play a critical role in translating data into strategy. But are SMEs like us being fully leveraged to provide these insights? With our tools and experience, we can help leaders decipher not only what the data says now but what it could reveal about the future.

If you're in a leadership role, the question isn't whether change is coming – it's whether you're ready. Are you equipping your organisation with the analytical tools and partnerships to stay ahead of the curve?

Agenda Item 07

Facilities and Community Assets Team / Strategic Meeting

Notes of Meeting held on Monday 9th December 2024 at 6.30pm at the Parish Hall

Present:- Councillors

R Morgan (Chairman)

D Atkinson, J Chapman, J Howard, M Judson,

K Mitchell, C Paveley, K Pentney and G Steady

1. **Apologies for Absence** – Councillors Barry, Carr and Court.
2. **To receive the notes of the Meeting held on 11th November 2024** – Noted.
3. **The Hard – Update on the following:-**
 - **Brightlingsea Harbour Commissioners Lease** – It was reported that the lease still had not been signed by the Brightlingsea Harbour Commissioners, through a reported technicality to the diagram. Councillor Atkinson to meet with the Harbour Commissioners to resolve.
 - **Land Registry Correspondence** – A response has been received by the Land Registry but the Council still awaits their decision on the AP1 application.
4. **Boat Park Update:-** The Committee discussed the administrative system for the Boat Park. It was agreed to send a letter to existing licensees, that currently have a boat park space, in December. The Committee recommended that there will be no increase to charges in 2025 and the report by Terry Hamilton received and accepted regarding early remedial works to the Boat Park in early 2025.

Recommendation: A letter is sent to existing licensees, that currently have a Boat Park space, in December. There will be no increase to charges in 2025 and the report by Terry Hamilton received and accepted regarding early remedial works to the boat park in early 2025.

5. **Western Promenade - Update on the following:-**
 - **Beach Hut 312** – Councillor Morgan reported that he had discussed the beach hut with the local Estate Agent that handles the sales of most huts in the town. The advice was that the Council Hut 312 in its present condition would sell at an opportune market time, at around £18,000. In a repaired condition it would sell for £20,000. The Estate Agents' charge would be £650.00 plus VAT on completion of sale. Also, a new build price, by Springfield Beach Huts, double-door hut, 6ft x 8ft x 8ft, would be £1350 plus £200 delivery plus £200 erection, all plus VAT. It was recommended to discuss further at a Finance Meeting that we offer Beach Hut 312 on sale for £18,000 at a market opportune time and the monies to be split £5,000 to reserves, and the remainder to good community projects.

Recommendation: To discuss further at a Finance meeting that we offer Beach Hut 312 on sale for £18,000 at a market opportune time and the monies to be split £5,000 to reserves, and the remainder to good community projects.

6. **Bayard Recreation Ground – Update on the following:-**
 - **Playcentre** – Still awaiting the structural survey response.
 - **Letter to the Cricket Club** – A letter was sent to the Cricket Club requesting further details as to how the new Cricket Club Pavillion would be more inclusive to all organisations within the town.

Agenda Item 07

A response was received, however the committee felt that it did not adequately explain how all organisations would be able to participate in the new Cricket Club and it was recommended that further meetings should take place with the intention of understanding better the inclusion of other organisations in such a build.

Recommendation: Further meetings should take place with the Cricket Club with the intention of understanding better the inclusion of other organisations in such a build.

7. Report from Terry Hamilton – Grounds Manager – Reported received and agreed.

8. Any other Business – None.

9. Date of next meeting – Monday 13th January 2025 at 7pm.

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STRATEGIC MEETING

1. To receive the notes of the Meeting held on 7th November 2024 – Noted.

2. To review the Neighbourhood Plan Survey – The Committee reviewed the Neighbourhood Plan Survey and felt it was very different to the survey the Council wish to proceed with.

3. To discuss the Brightlingsea Town Council Community Survey - Committee discussed the proposed Town Survey and recommended it goes to immediate wide circulation throughout the town, in all areas of public awareness. Also, the results should be widely circulated to all public organisations for their comments.

Recommendation: The Town Survey goes to immediate wide circulation throughout the town, in all areas of public awareness, including the Christmas Tree Festival. Also, the results should be widely circulated to all public organisations for their comments.

4. Further projects:- A discussion was taken regarding further projects; however, the result of the survey would be most useful in this regard.

5. Any other business:- None.

The meeting closed at 8.45 pm.

Environment and Transport Team

**Notes of Meeting held on Tuesday 10th December 2024 at 5.30pm
at the Parish Hall, Victoria Place, Brightlingsea CO7 0BP**

Present:

**Councillors J Howard (Chairman)
K Mitchell, R Morgan, K Pentney and G Steady**

Also present:

County Councillor Alan Goggin

1. **Apologies for Absence** – Councillor Barry.
2. **To receive the notes of the meeting held on 12th November 2024** – Noted.

The Committee spoke about the Eco Showcase, which will now be held on the 15th February 2025. It was agreed that Brightlingsea Town Council would have a stand at the event, highlighting 'Adopt the front of your house'. Councillor Steady to contact Tendring District Council about them also having a stand.

3. **Speed Camera Update** – The Committee were advised that the Telraam Traffic Monitoring Device had been ordered, but not yet received, and will be placed in Ladysmith Avenue, and then moved around the town. The Essex County Council Speed and Volume Survey was discussed with County Councillor Goggin. County Councillor Goggin to contact Essex County Council about this. Once the invoice has been received by the Council, the survey will go ahead.

Post meeting note: The Telraam Traffic Monitoring Device was delivered on 11.12.24.

4. **Update on Western Road / Lower Park Road Junction** – Councillor Howard informed members that there is no further update at the moment.
5. **Update on lights on the Western Promenade** – Councillor Howard informed members that she has contacted UK Power Networks and has an old job number. She is waiting for them to get back to her with an update.
6. **Parking Issues – Strangers Corner** – A discussion took place and it was agreed that Councillors Howard and Morgan would contact the Colne Community School to discuss the situation and possible solutions to the parking issues.

Recommendation: Councillors Howard and Morgan would contact the Colne Community School to discuss the situation and possible solutions to the parking issues.

7. **Parking outside Bakers in High Street** – The Committee discussed the parking restriction in the High Street/outside the Bakers and agreed to ask Councillor Barry to look into the parking measures in the unrestricted areas.

Recommendation: Ask Councillor Barry to look into the parking measures in the unrestricted areas.

8. **War Memorial – road markings/signs** – The Committee discussed the road markings approaching war memorial, and asked County Councillor Goggin to enquire about the possibility of a ‘no right turn’ sign coming down Ladysmith Avenue.

Recommendation: County Councillor Goggin to enquire about the possibility of a ‘no right turn’ sign coming down Ladysmith Avenue.

9. **Any other Business** – Councillor Mitchell informed County Councillor Goggin that they now have some money to offer towards the purchase of the small animal signs.
10. **Date of Next Meeting** – Tuesday 7th January 2025 at 5.30pm.

Meeting closed at 6.45pm

**Welfare & Residents Services
Report from Councillor Chapman**



**DO YOU NEED
A WINTER COAT?**

**A SELECTION OF PRE-LOVED COATS AND
JACKETS ARE AVAILABLE FOR ANYONE
THAT NEEDS ONE TO KEEP WARM AND DRY
THIS WINTER.**

BRING ONE OR TAKE ONE – NO CHARGE.

COLLECTION FROM:-

SPIRALS

46 VICTORIA PLACE

BRIGHTLINGSEA CO7 0AB



**Please ensure all donations are clean and in good
condition. Thank you.**

Attended a briefing with the Manager on the new system at Doctors surgery.

Another walk-in session for Covid Vaccination at YMCA, took place on Wednesday 11th December 2024.

**BRIGHTLINGSEA TOWN COUNCIL
FINANCE & PROPERTY COMMITTEE**

Minutes of the Meeting held at the Parish Hall, Victoria Place, Brightlingsea
on Tuesday 10th December 2024 at 10.00 a.m.

Present:

Councillors

D Atkinson (Chairman)

J Chapman (Vice Chairman)

J Carr, M Court, J Howard, R Morgan and C Paveley

Also in Attendance:

Tracey Pulford - Town Clerk

3 Members of the Public

F.083 APOLOGIES FOR ABSENCE: None received.

F.084 CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON THE 15TH OCTOBER 2024, RECEIVED BY COUNCIL ON THE 17TH OCTOBER 2024:

The Minutes were **accepted** as a true record.

F.085 DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS:

Members were reminded of the requirement to disclose any interest in relation to items on the agenda when these are discussed.

F.086 BUDGET AND FINANCIAL REPORT UP TO 31ST OCTOBER 2024, INCLUDING:

- **CHAIRMAN'S SUMMARY**

A copy of the Chairman's Summary – November 2024 and Budgets & Actuals 2024/25 had been circulated to all members. Councillor Atkinson briefed members and said that these figures are the best realistic estimates with targets to be achieved. A discussion took place.

- **FINANCIAL MONTHLY OVERVIEW:**

The Town Clerk informed members that:-

Income for November 2024	£9,532.43
Expenditure for November 2024	£31,362.11

- **DEBTORS LIST AS OF 30TH NOVEMBER 2024:**

A copy of the Debtors List as at 30.11.24 had been circulated to all members. A discussion took place on three outstanding amounts for the Town Guide adverts. **Agreed** that the Cherry Tree debt would be written off, and that an Independent Debtors Notice would be issued to the Rosebud Public House and Thames Estuary Lobster Hatchery. Councillor Morgan to contact the debt for the mooring on the Heritage Jetty.

Recommendation: Outstanding Debts - The Cherry Tree debt would be written off, and that an Independent Debtors Notice would be issued to the Rosebud Public House and Thames Estuary Lobster Hatchery. Councillor Morgan to contact the debt for the mooring on the Heritage Jetty.

F.087 EXAMINING OF ACCOUNTS:

The Town Clerk informed members that there are 18 payments in the sum of £8,214.13 to be authorised for payment, and statements of balances on the following accounts are as follows:-

Current Account (7055)	£11,874.39
Business Premium Account (8295)	£80,000.00
Business Premium Account (9433)	£485.95
Instant Access Account (0373)	£85,208.00
Current T2 Account (0360)	£9,356.80
Making a total on all accounts of	£187,925.14

Income, for November 2024	£9,532.43
Expenditure, for November 2024	£31,362.11
Income, to date 1 st April – 30 th November 2024	£357,820.92
Expenditure, to date, 1 st April – 30 th November 2024	£256,854.26
Employee payments paid for the month of November 2024 were:	£21,424.78

Councillors Court and Paveley agreed to examine the accounts after the meeting.

Recommendation: 18 payments totalling £8,214.13 are approved for payment, with Councillors Court and Paveley signing off the invoices.

F.088 BANK ACCOUNTS:

Councillor Paveley informed members that the CCLA Public Sector Deposit Account is not covered by the FSCS guarantee, however it does have a AAAMmf credit rating by Fitch, which is incredibly high, and well above most British banks. A discussion took place and it was agreed to continue with the account, formally update the Risk Assessment and inform the Internal Auditor of our intentions. This was agreed by all present, Councillor Howard abstained in the vote.

Recommendation: Continue with the CCLA Public Sector Deposit Account, formally update the Risk Assessment and inform the Internal Auditor of our intentions.

F.089 TOWN COUNCIL LOTTERY:

Councillor Court briefed members on the idea of a Brightlingsea Community Lottery. Much discussion took place. It was agreed that Councillor Court would circulate information on the lottery to all Councillors, for discussion at a future meeting.

Recommendation: Councillor Court would circulate information on the lottery to all Councillors, for discussion at a future meeting.

F.090 BOAT PARK PRICES FOR 2025-2026:

Councillor Morgan briefed members that at the Facilities and Communities Assets Team meeting, members agreed the Boat Park prices for 2025-2026, with no increase.

Recommendation: Boat Park prices for 2025-2026 would not be increased.

F.091 STANDING ANNUAL GRANTS:

Councillor Atkinson briefed members that in June it was agreed that a review of the Town Council grants would be carried out. After discussion it was agreed that Councillor Chapman and the Town Clerk would put together a paper detailing all the grants that have been given out over the past few years.

Recommendation: Councillor Chapman and the Town Clerk would put together a paper detailing all the grants that have been given out over the past few years.

F.092 BUDGETS FOR 2025-2026:

A copy of a Draft Budget for 2025/26 had been circulated to all members. The Chairman briefed members on this report and stated that these need to be approved at the January Finance/Full Council Meeting. Much discussion took place and various amendments were made to the figures. It was then agreed that a precept figure for a 5%, 7% and 10% increase would be provided.

Recommendation: Amendments are made to the budgets for 2025-2026 and a precept figure for a 5%, 7% and 10% increase is provided.

Before closing the meeting to the public, the Chairman invited questions from the public:-

Q1) S106 Monies – How much is in the pot, how long has it been there and why has it not been used?

A1) Councillor Paveley replied that there is around £120,000 in the S106 pot, and the oldest has been there for around 10 years.

Q2) In your negotiations with the Cricket Club, if they are providing a Social Club, S106 money is to be spent for the whole community. How does this work for a Social Club?

A2) Councillor Paveley replied that the Council has written to the Cricket Club asking for them to confirm how they meet the criteria for S106 monies. The reply is not entirely satisfactory; however, another meeting is to be arranged to discuss further.

F.093 CLOSE OF MEETING: There being no further business, the meeting closed at 11.46 a.m.

Received by Council on: 12.12.24

Approved by Committee on:

Signed by Chairman:

Signed by Chairman:

Financial Summary - Cashbook

Summary of receipts and payments between 01/11/24 and 30/11/24 inclusive. This may include transactions with ledger dates outside this period.

Balances at the start of the year

Ordinary Accounts

Barclays Treasury Deposit	£0.00
Business Current	£2,823.91
Business Premium (Client A/C)	£8,781.95
Business Premium (Reserve A/C)	£72,147.92
Capital Reserve Account	£0.00
CCLA Public Sector Deposit Fund SC4	£0.00
Instant Access Account	£206.09
Unity Current Account T2	£2,998.61
Total	£86,958.48

Balances at start of period

Ordinary Accounts

Barclays Treasury Deposit	£0.00
Business Current	£33,779.65
Business Premium (Client A/C)	£593.95
Business Premium (Reserve A/C)	£85,000.00
Capital Reserve Account	£0.00
CCLA Public Sector Deposit Fund SC4	£0.00
Instant Access Account	£85,000.00
Unity Current Account T2	£5,381.22
Total	£209,754.82

RECEIPTS	Net	Vat	Gross
Council	£9,410.16	£122.27	£9,532.43
Total Receipts	£9,410.16	£122.27	£9,532.43
PAYMENTS	Net	Vat	Gross
Council	£30,704.21	£657.90	£31,362.11
Total Payments	£30,704.21	£657.90	£31,362.11

Closing Balances

Ordinary Accounts

Barclays Treasury Deposit	£0.00
Business Current	£11,874.39
Business Premium (Client A/C)	£485.95
Business Premium (Reserve A/C)	£80,000.00
Capital Reserve Account	£0.00
CCLA Public Sector Deposit Fund SC4	£1,000.00
Instant Access Account	£85,208.00
Unity Current Account T2	£9,356.80
	£187,925.14
Total	£187,925.14

Financial Summary - Cashbook

Summary of receipts and payments between 01/04/24 and 30/11/24 inclusive. This may include transactions with ledger dates outside this period.

Balances at the start of the year

Ordinary Accounts

Barclays Treasury Deposit	£0.00
Business Current	£2,823.91
Business Premium (Client A/C)	£8,781.95
Business Premium (Reserve A/C)	£72,147.92
Capital Reserve Account	£0.00
CCLA Public Sector Deposit Fund SC4	£0.00
Instant Access Account	£206.09
Unity Current Account T2	£2,998.61
Total	<u>£86,958.48</u>

RECEIPTS	Net	Vat	Gross
Council	£354,636.09	£3,184.83	£357,820.92
Total Receipts	<u>£354,636.09</u>	<u>£3,184.83</u>	<u>£357,820.92</u>
PAYMENTS	Net	Vat	Gross
Council	£246,391.93	£10,462.33	£256,854.26
Total Payments	<u>£246,391.93</u>	<u>£10,462.33</u>	<u>£256,854.26</u>

Closing Balances

Ordinary Accounts

Barclays Treasury Deposit	£0.00
Business Current	£11,874.39
Business Premium (Client A/C)	£485.95
Business Premium (Reserve A/C)	£80,000.00
Capital Reserve Account	£0.00
CCLA Public Sector Deposit Fund SC4	£1,000.00
Instant Access Account	£85,208.00
Unity Current Account T2	£9,356.80
	<u>£187,925.14</u>
Total	<u>£187,925.14</u>

Signed _____

Chair


Clerk/Responsible Financial Officer

Brightlingsea Town Council

Expenditure transactions - payments approval list Start of year 01/04/24

No	Payment Reference	Gross	To pay	Heading	Invoice date	Invoice no.	Details	Payment Reference Total
13295	241108 Winter&Co	£1,554.00	£1,554.00	1002/1	21/10/24	B000124A0012	Winter & Co (marine) Ltd - Marine Insurance	£1,554.00
Sub Total		£1,554.00	£1,554.00					
Total		£1,554.00	£1,554.00					



Signature



Signature

Date

Brightlingsea Town Council

Expenditure transactions - approval list

Start of year 01/04/24

Supplier totals will include confidential items

No	Payment Reference	Gross	Heading	Invoice date	Details	Invoice
13309		£278.14	1004/1	31/10/24	3C - Computer Charges etc	623233
		£278.14			3C - Total	
13310		£118.20	1010/2	25/11/24	A&J Lighting Solutions - Carry out maintenance to lights around fountain	38781
		£118.20			A&J Lighting Solutions - Total	
13311		£3,519.69	9998	28/11/24	Brightlingsea Lido - Return of RTS Annual Allowance Refund re Lido 2023	
		£3,519.69			Brightlingsea Lido - Total	
1332	707537	£255.00	1090/3	09/12/24	Brightlingsea Stroke Support Services - Donation from Mayors Charity Fund Raising	
		£255.00			Brightlingsea Stroke Support Services - Total	
13321		£380.00	1004/1	26/11/24	C Billings - Works to LED Panel lights in Parish Hall	24129
		£380.00			C Billings - Total	
13331		£126.00	1010/4	30/11/24	Capel Plant - Toilet on Allotments 01.11.24-01.12.24	156211
		£126.00			Capel Plant - Total	
13320		£69.60	1062/2	29/11/24	James Todd & Co Ltd - November 2024 Payroll Fee	76288
		£69.60			James Todd & Co Ltd - Total	
13324		£71.40	1006	22/11/24	Office IS - Stationery	13633
		£71.40			Office IS - Total	
13312		£720.00	1010/3	26/11/24	Premier Sports Turf Contractors - Verti drain pitch	2674
		£720.00			Premier Sports Turf Contractors - Total	
13329		£132.00	1008	06/12/24	R J Osborn - Xmas Cards - Mayor	199278
		£132.00			R J Osborn - Total	
13313		£27.48	1010/2	20/11/24	Sibbons - 48 Tine Poly Landscape Rake	64052
13317		£9.40	1010/2	28/11/24	Sibbons - Cable Ties	64254
13318		£19.62	1010/2	28/11/24	Sibbons - 14m Extension Lead	64272
13323		£30.78	1010/3	21/11/24	Sibbons - Maintenance Works	64093
		£87.28			Sibbons - Total	

Signature

Date

09/12/24 11:46 AM Vs: 9.03.02

Signature

Page 1

Brightlingsea Town Council

Expenditure transactions - approval list

Start of year 01/04/24

Supplier totals will include confidential items

No	Payment Reference	Gross	Heading	Invoice date	Details	Invoice
13319		£100.20	1090/3	02/12/24	Simon Waddoup - Tyre damage - Oyster Tank Road Car Park	
		£100.20			Simon Waddoup - Total	
13314		£12.00	1004/1	20/11/24	Top Glass Window Cleaning - Clean Windows at Parish Hall	20.11.24
13330		£26.00		04/12/24	Top Glass Window Cleaning -	
1		£14.00	1004/1		Parish Hall Window Cleaning	
2		£12.00	1010/2		Bus Shelter Cleaning	
		£38.00			Top Glass Window Cleaning - Total	
13322		£386.88	1090/1	30/11/24	Tower Security (Tendring) Ltd - Nightly gate lock up	INV-15669
		£386.88			Tower Security (Tendring) Ltd - Total	
13315		£151.80	1009/1	28/11/24	Upsons - Works to Ventrac 4500Y	105606
		£151.80			Upsons - Total	
13316		£130.00	1004/1	29/10/24	Window & Door Repair Service Ltd - Supply and fit replacement door and window handles	2410-60
		£130.00			Window & Door Repair Service Ltd - Total	
13333		£95.94	1010/2	06/12/24	Wurth UK Ltd - Maintenance items	4036375469
		£95.94			Wurth UK Ltd - Total	
Total		£6,660.13				

Signature

Date

Signature

BRIGHTLINGSEA TOWN COUNCIL

Minutes of the Planning Committee Meeting held at
The Parish Hall, Victoria Place, Brightlingsea on
Tuesday 26th November 2024 at 10.00 a.m.

Present:

Councillors:

C Paveley (Chairman)

J Howard (Vice Chairman)

J Chapman, J Howard, M Judson and R Morgan

Also in attendance:

Tracey Pulford – Town Clerk

051. APOLOGIES FOR ABSENCE: None received.

052. CONFIRMATION OF THE MINUTES OF THE MEETING HELD ON 15TH OCTOBER 2024:

The Minutes of the meeting held on 15th October 2024 were **approved** as a true record.

053. DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS:

The Chairman reminded members to declare interests where necessary.

Councillor Chapman informed members that she is declaring a personal interest in application 24/01644/FUL and will leave the meeting whilst the application is discussed.

054. TO MAKE RECOMMENDATIONS IN RESPECT OF PLANNING APPLICATIONS SUBMITTED TO TENDRING DISTRICT COUNCIL UP TO AND INCLUDING 26TH NOVEMBER 2024:

The following applications had been received by Tendring District Council:

Application No: 24//01594/FUL – Planning Application – Retrospective change of use of property from Sui Generis (beauty salon) to Class E (office and retail/shop). Redecoration of frontage including removal of rotten wood signage frame and UPVC panel, re-rendering and painting of frontage to match first floor of building and updating signage – 49 Victoria Place, Brightlingsea

☐ Object ☒ Support ☐ Neutral

Reason for comment:

- ☐ Makes observations on the application
☐ No comment on the application
☐ No objection to the application
☐ Objects to application
☒ Supports application

The discussion of application number 24/01644/FUL was moved to the end of the meeting, to allow Councillor Chapman to remain in the meeting, to discuss the other agenda items.

055. TO CONFIRM THE RECOMMENDATIONS, PREVIOUSLY AGREED BY EMAIL, ON THE FOLLOWING APPLICATIONS:-

Application No:	24/01570/WTPO
Proposal:	6 No. Lime – crown lift
Location:	Dial House, Love Lane, Brightlingsea
Recommendation:	Support

Application No:	24/01615/FULHH
Proposal:	Householder Planning Application – front extension
Location:	10 Hastings Place, Brightlingsea
Recommendation:	Support

Application No:	24/01463/FUL
Proposal:	Planning Application – Non-permanent bike rack
Application No:	24/01464/LBC
Proposal:	Application for Listed Building Consent – Non-permanent bike rack
Location:	All Saints Church, Church Road, Brightlingsea
Recommendation:	Support

056. TO NOTE THE FOLLOWING APPLICATIONS WHICH ARE ‘FOR INFORMATION ONLY’:

Application No:	24/01620/LUPROP
Proposal:	Application for Lawful Development Certificate for Proposed Use or Development for loft conversion incorporating a rear dormer
Location:	34 Eastern Road, Brightlingsea

Application noted.

057. TO NOTE THE FOLLOWING APPEAL DECISION:
None.

Councillor Chapman left the meeting at 10.06am, whilst application number 24/01644/FUL was discussed.

Application No: 24/01644/FUL – Planning Application – Variation of 21/01017/FUL to amend the design of detached garage to create first floor guest accommodation – Land at Folkards Lane, Brightlingsea

☐ Object ☒ Support ☐ Neutral

Reason for comment:

- ☐ Makes observations on the application
☐ No comment on the application
☐ No objection to the application
☐ Objects to application
☒ Supports application

058. CLOSE OF MEETING:

There being no further business to discuss, the Meeting closed at 10.14 a.m.

Received by Council on: 12.12.24

Approved by Committee on:

Signed by Chair:

Signed by Chair:

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
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Agenda Item 09 – Planning Decisions for Brightlingsea Town Council

<u>24/01570/WTPO</u> Approval - Full 22.11.2024 Delegated Decision	Mrs Penelope King <i>Brightlingsea Town Council supported this application, provided the TDC Tree Officer agrees.</i>	6 No. Lime - crown lift	Dial House Love Lane Brightlingsea Colchester Essex CO7 0QQ
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01 COMPLIANCE REQUIRED: COMPLETION TIME LIMIT

CONDITION: The work authorised by this Decision Notice must be completed within two years of the date of this Notice. If the work is not completed within this period, for whatever reason, the authority to proceed expires.

REASON: To ensure that the permitted works are arboriculturally appropriate.

NOTE/S FOR CONDITION:

- 1) Please note that any approval given to by the Council does not give an exemption from the requirements to comply with the Wildlife and Countryside Act 1981 (as amended), the Countryside and Rights of Way Act 2000, the Conservation (Natural Habitats etc.) Regulations 1994 or any Acts offering protection to wildlife. All birds (except those listed in schedule 2 of the Wildlife and Countryside Act 1981), their nests and eggs are protected by law. It is an offence to intentionally or recklessly kill, injure or take any wild bird, or damage, destroy or intentionally disturb the nest of any wild bird whilst it is in use or being built. For this reason tree work should not be undertaken during the nesting season (broadly March to August) unless a survey for nesting birds confirms their absence. Should you require any further information on nesting birds, please contact Natural England on 03000 603900.
- 2) You are advised that trees have the potential to support roosting bats. Bats and their roosts are legally protected. It is an offence to disturb or harm a bat, or damage, destroy or obstruct any place used by bats for shelter, whether they are present or not. Trees should be inspected before any works commence and if the presence of bats is suspected works must cease and advice sought from The Bat Conservation Trust on 0845 1300228.
- 3) This decision is valid for two years from the date of this decision or until the work is completed, whichever is the sooner. You are advised that the appropriate standards for tree work are set out in British Standard 3998:2010. Failure to ensure the proposed works are carried out to these standards may result in damage to the tree(s) and may result in legal action by the Council.
- 4) The council not objecting to/approving the proposal does not give the legal right for a person to enter another person's land to prune or fell their tree(s). Permission should be sought from the tree owner before works to a tree(s) are carried out.

<i>Application No. Decision Date of Decision Conditions/Reasons</i>	<i>Applicant's Name</i>	<i>Proposal</i>	<i>Location</i>
<u>24/01462/FULH</u> <u>H</u> Approval - Full 27.11.2024 Delegated Decision	Mr Paul Batchelor Brightlingsea Town Council supported this application, however questioned how close to the boundary the new garage extension is.	Householder Planning Application - Single storey infill extension to rear and single storey side extension to accommodate garage.	6 Edward Avenue Brightlingsea Essex CO7 0LZ

01 COMPLIANCE REQUIRED: COMMENCEMENT TIME LIMIT

CONDITION: The development hereby permitted shall be begun not later the expiration of three years from the date of this permission.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

NOTE/S FOR CONDITION:

The development needs to commence within the timeframe provided. Failure to comply with this condition will result in the permission becoming lapsed and unable to be carried out. If commencement takes place after the time lapses this may result in unlawful works at risk Enforcement Action proceedings. You should only commence works when all other conditions requiring agreement prior to commencement have been complied with.

02 APPROVED PLANS & DOCUMENTS

CONDITION: The development hereby permitted shall be carried out in accordance with the drawings/documents listed below and/or such other drawings/documents as may be approved by the Local Planning Authority in writing pursuant to other conditions of this permission or such drawings/documents as may subsequently be approved in writing by the Local Planning Authority as a non-material amendment following an application in that regard (except for Listed Building Consents).

Drawing No's
0000-A-002 00
0156-A-001 00
0156-A-200 02

REASON: For the avoidance of doubt.

NOTE/S FOR CONDITION:

The primary role of this condition is to confirm the approved plans and documents that form the planning decision. Any document or plan not listed in this condition is not approved, unless otherwise separately referenced in other conditions that also form this decision. The second role of this condition is to allow the potential process of Non Material Amendment if found necessary and such future applications shall be considered on their merits.

Please note in the latest revision of the National Planning Policy Framework (NPPF) it provides that

Local Planning Authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used). Accordingly, any future amendment of any kind will be considered in line with this paragraph, alongside the Development Plan and all other material considerations.

Any indication found on the approved plans and documents to describe the plans as approximate and/or not to be scaled and/or measurements to be checked on site or similar, will not be considered applicable and the scale and measurements shown shall be the approved details and used as necessary for compliance purposes and/or enforcement action.

<u>24/01477/LUPR</u> <u>OP</u> Lawful Use Certificate Granted 29.11.2024 Delegated Decision	Gym Atomic Ltd This application was for information only.	Application for Lawful Development Certificate for Proposed Use or Development for proposed use to be a gym, use class E(d). The hours of operation will be 7 days a week, 6am until 10pm.	2 Harbour Square Waterside Marina Brightlingsea Essex CO7 0GE
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- 01 The proposed development constitutes permitted development by virtue of the provisions of Schedule 2, Part A, Class E of The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020



Publication Scheme

1. Introduction

Brightlingsea Town Council (BTC) is committed to openness and transparency. This policy outlines how individuals can access information held by the council under the [Freedom of Information Act 2000](#) (FOIA) and the [Environmental Information Regulations 2004](#) (EIR).

2. Purpose

The purpose of this policy is to ensure that BTC complies with the FOIA and EIR, providing public access to information held by the council while safeguarding sensitive data.

3. Scope

This policy applies to all recorded information held by BTC, regardless of format, including documents, emails, photographs, and audio recordings.

4. Publication Scheme

BTC has adopted the [Information Commissioner's Office](#) (ICO) [Model Publication Scheme](#). We proactively publish information about the council's activities, finances, and services. Our [Publication Scheme](#) is available on our website or upon request from the council office.

5. How to Make a Request

If the information you require is not available through our [Publication Scheme](#), you can make a request by:

- **Email:** townclerk@brightlingseatowncouncil.gov.uk
- **Post:** Town Clerk,
Brightlingsea Town Council
The Parish Hall, Victoria Place
Brightlingsea, Essex CO7 0BP

Please include:

- Your full name and contact address (email or postal address)
- A clear and specific description of the information you are requesting

6. Response Times

- We aim to respond to all FOI and EIR requests within **20 working days** of receipt.
- If clarification is needed, we will contact you as soon as possible.
- In rare cases where more time is required, we will inform you of the delay and provide a new response date.

7. Fees and Charges

- **Standard Requests:** There is no fee for standard requests.
- **Disbursement Costs:** We may charge for photocopying, printing, and postage if the total cost exceeds £10. We will notify you of any charges before proceeding.
- **Excessive Costs and Aggregation of Requests:** If the estimated cost of fulfilling your request exceeds £450 (equivalent to 18 hours of staff time at £25 per hour), we may refuse the request or ask you to refine it. In accordance with the Freedom of Information Act and

related fees regulations, we reserve the right to aggregate the costs of fulfilling related requests for the same or similar information. This may occur if multiple requests are:

- From the same person, or from people acting in concert,
- Concern the same or similar subject matter, and
- Received within a 60-working-day period.
- If, when aggregated, the total estimated cost of fulfilling these related requests exceeds £450, we may refuse them or ask you to narrow their scope to bring the cost below the threshold.

8. Exemptions

Certain information may be exempt from disclosure under the FOIA or EIR, such as:

- Personal data protected by the Data Protection Act 2018
- Information intended for future publication
- Commercially sensitive information
- Information that could prejudice law enforcement or public safety

If we refuse your request, we will provide a written explanation citing the relevant exemption(s).

9. Environmental Information Requests

Requests for environmental information are handled under the EIR. These can be made verbally or in writing and are subject to similar response times and procedures as FOI requests.

10. Data Protection

Requests for personal data about yourself are treated as Subject Access Requests under the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act

2018. Please refer to our [Data Protection Policy](#) for more information.

11. Vexatious or Repeated Requests

We may refuse requests that are considered vexatious or repeated. Factors include:

- Unreasonable persistence
- Harassment of staff
- Burden on the council's resources
- Lack of serious purpose

12. Advice and Assistance

We are committed to helping applicants access information. If you need assistance formulating your request, please contact the council office.

13. Complaints and Internal Review

If you are dissatisfied with our response, you may request an internal review by writing to:

The Mayor
Brightlingsea Town Council
Parish Hall, Victoria Place
Brightlingsea, Essex CO7 0BP
Email: cllr.carr@brightlingseatowncouncil.gov.uk

Please include your reference number and the reasons for your dissatisfaction.

We will aim to complete the internal review within 20 working days.

14. External Review

If you remain dissatisfied after the internal review, you have the right to appeal to the Information Commissioner's Office (ICO):

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Website: www.ico.org.uk

15. Records Management

We maintain records in accordance with our Document Retention Policy to ensure information is accurate and accessible.

16. Training

Staff and councillors involved in handling FOI requests will receive appropriate annual training to ensure compliance with this policy.

17. Policy Review

This policy will be reviewed every four years or sooner if legislation changes.

18. Contact Information

For further information or assistance, please contact:

Town Clerk
Brightlingsea Town Council
Telephone: 01206 303535
Email: townclerk@brightlingseatowncouncil.gov.uk
Visit: www.brightlingseatowncouncil.gov.uk



Freedom of Information Act / Environmental Information Regulations Request

BTC Reference:

Response date:

Questions:

Response:

Town Clerk

Brightlingsea Town Council

Telephone: 01206 303535

Email: townclerk@brightlingseatowncouncil.gov.uk

Visit: www.brightlingseatowncouncil.gov.uk



Publication Scheme

Publication Scheme and Guide to Information

Adopted on:

Introduction

Brightlingsea Town Council is committed to openness and transparency. This Publication Scheme sets out the classes of information we make routinely available, how the information can be accessed, and whether any charges apply.

We have adopted the ICO's Model Publication Scheme without modification.

How to Use This Guide

The table below outlines the information we publish under each class, how you can access it, and any associated costs.

Class 1: Who We Are and What We Do

Organisational information, structures, locations, and contacts.
Information Available:

Councillors and Committees

- **Who's who on the Council and its Committees**

- **How to Access:** Published on our website under [Councillors](#) and [Committees](#). Also available in the Parish Hall.
- **Cost:** Free

Contact Details

- **Contact details for the Town Clerk and Councillors**
 - **How to Access:** Available on our at the bottom of every page. Also displayed on the Parish Notice Board.
 - **Cost:** Free

Location and Accessibility

- **Council Office Location and Accessibility Details**
 - **How to Access:** Published on the bottom of every page on this website.
 - **Cost:** Free

Staffing Structure

- **Details of Staff Roles and Responsibilities**
 - **How to Access:** Available [here](#) on this website and at the Parish Hall.
 - **Cost:** Free

Class 2: What We Spend and How We Spend It

Financial information relating to projected and actual income and expenditure, procurement, contracts, and financial audit.

Information Available:

Annual Governance and Accountability Return (AGAR) and Auditor's Report

- **How to Access:** Published on our website under [Finance](#). Also available for inspection at the Council Office by appointment.
- **Cost:** Free online; copying charges may apply for hard copies.

Finalised Budget and Precept Information

- **How to Access:** Published on our website under [Finance](#).
- **Cost:** Free

Financial Standing Orders and Regulations

- **How to Access:** Available on our website under [Policies](#).
- **Cost:** Free

Grants Awarded and Received

- **How to Access:** Published in meeting minutes on our website under [Minutes](#).
- **Cost:** Free

Contracts Awarded and Their Value

- **How to Access:** Available upon request by contacting the Town Clerk.
- **Cost:** Free

Members' Allowances and Expenses

- **How to Access:** Published on our website under [Finance](#) or available upon request.
- **Cost:** Free

Class 3: What Our Priorities Are and How We Are Doing

Strategies and plans, performance indicators, audits, inspections, and reviews.

Information Available:

Town Plan or Strategic Plan

- **How to Access:** Published on our website under [Plans and Strategies](#).
- **Cost:** Free

Annual Report to the Town Meeting

- **How to Access:** Available on our website under [Reports](#).
- **Cost:** Free

Quality Status

- **How to Access:** Not applicable at this time.
- **Cost:** N/A

Local Council Award Scheme Status

- **How to Access:** Not applicable at this time.
- **Cost:** N/A

Class 4: How We Make Decisions

Decision-making processes and records of decisions.

Information Available:

Timetable of Council Meetings

- **How to Access:** Published on our website under [Meetings](#) and displayed on the Parish Notice Board.
- **Cost:** Free

Agendas of Meetings

- **How to Access:** Available on our website prior to meetings under [Agendas](#).
- **Cost:** Free

Minutes of Meetings

- **How to Access:** Published on our website under [Meetings & Agendas](#). Excludes confidential items.
- **Cost:** Free

Reports Presented to Council Meetings

- **How to Access:** Available upon request unless confidential.
- **Cost:** Free

Responses to Planning Applications

- **How to Access:** Published on our website under [Planning](#).
- **Cost:** Free

Class 5: Our Policies and Procedures

Current written protocols, policies, and procedures for delivering our services and responsibilities.

Information Available:

Council Policies and Procedures

- **Procedural Standing Orders**
- **Code of Conduct**
- **Financial Regulations**
- **Complaints Procedure**
- **Data Protection Policy**
- **Freedom of Information Policy**

- **How to Access:** All available on our website under [Council Policies](#).
- **Cost:** Free

Equality and Inclusion Policy

- **How to Access:** Published on our website under [Policies](#).
- **Cost:** Free

Health and Safety Policy

- **How to Access:** Available upon request.
- **Cost:** Free

Class 6: Lists and Registers

Information held in registers required by law and other lists and registers relating to the council's functions.

Information Available:

Assets Register

- **How to Access:** Available on our website under [Finance](#) or upon request.
- **Cost:** Free

Register of Members' Interests

- **How to Access:** Published on our website under [Members' Interests](#).
- **Cost:** Free

Register of Gifts and Hospitality

- **How to Access:** Available upon request.
- **Cost:** Free

Class 7: The Services We Offer

Information about the services we offer, including leaflets, guidance, and newsletters produced for the public.

Information Available:

Allotments

- **How to Access:** Information on availability and regulations published on our website under [Allotments](#).
- **Cost:** Free

Parks, Playing Fields, and Recreational Facilities

- **How to Access:** Details available soon.
- **Cost:** Free

Parish Hall

- **How to Access:** Details available soon.
- **Cost:** Free

Seating, Litter Bins, Clocks, Memorials, and Lighting

- **How to Access:** Available upon request.
- **Cost:** Free

Shelters

- **How to Access:** Information available upon request.
- **Cost:** Free

Schedule of Charges

We aim to provide information free of charge where possible. However, the following charges may apply:

Disbursement Costs:

- **Photocopying/Printing**
 - Black & White: £0.15 per page
 - Colour: £0.35 per page
- **Postage**
 - Actual cost of Royal Mail standard 2nd class

Statutory Fees:

- Charged in accordance with relevant legislation

Note: No charge will be made for documents sent via email unless the volume of information requested incurs significant staff time, in which case we may charge £25 per hour pro-rata for staff time.

Contact Details

Town Clerk

Brightlingsea Town Council
Parish Hall, Victoria Place
Brightlingsea, Essex CO7 0BP
Email: townclerk@brightlingseatowncouncil.gov.uk
Phone: 01206 303535

Additional Guidance

Availability of Information

- Information is available on our website: www.brightlingseatowncouncil.gov.uk
- For information not available online, please contact the Town Clerk.

Exempt Information

- Some information may be exempt from disclosure under the FOIA or other legislation. We will inform you if this is the case.

Review and Updates

- We will regularly review and update this Publication Scheme to ensure accuracy and compliance.



Habitual or Vexatious Complaints Policy

Brightlingsea Town Council Habitual or Vexatious Complaints Policy

Date Adopted:

Date of Review:

1. Introduction

1.1 Brightlingsea Town Council is committed to dealing with all complaints equitably, comprehensively, and in a timely manner. We aim to provide high-quality services and to address complaints constructively. The Council does not normally limit contact with complainants; however, a small minority of complainants may pursue complaints in a manner that is obsessive, harassing, unreasonably persistent, or vexatious.

1.2 Such behaviour can impede the investigation of their complaint or place a disproportionate burden on the Council's resources, as well as potentially cause distress to Councillors, employees, and volunteers. This policy sets out how to identify and manage unreasonably persistent and vexatious complainants.

1.3 This policy should be read in conjunction with the Council's Complaints Procedure and its Dignity at Work Policy. It applies to complaints made under the Council's Complaints Procedure, as well as requests made under the Freedom of Information Act

(FOI), Environmental Information Regulations (EIR), Data Protection legislation, or any other related framework.

2. Definitions

2.1 Habitual: Done repeatedly or as a habit. In this context, it refers to complainants who repeatedly and persistently engage with the Council in a manner that is unreasonable.

2.2 Vexatious: Denoting an action initiated without sufficient grounds, primarily aimed at causing annoyance or distress. A vexatious complaint is one that, without merit, is pursued in a manner intended to cause inconvenience, harassment, or expense to the Council.

2.3 Unreasonably Persistent or Vexatious Complainant: A complainant who, due to the frequency or nature of their contacts with the Council, hinders the Council's ability to consider their own or other people's complaints. The terms may apply jointly or individually.

3. Identifying Habitual or Vexatious Behaviour

3.1 Complainants (and/or anyone acting on their behalf) may be deemed unreasonably persistent or vexatious if they meet one or more of the following criteria:

- Refuse to accept that certain issues are not within the Council's remit.
 - Persist in pursuing a complaint where the Council's Complaints Procedure has been fully and properly implemented and exhausted.
-

- Consistently raise new issues or seek to prolong contact by introducing trivial or irrelevant matters during the investigation of a complaint.
- Repeatedly refuse to accept documented evidence as factual or deny receipt of adequate responses, despite correspondence clearly addressing their points.
- Continuously shift the basis of a complaint, making it difficult to resolve.
- Make excessive contact with the Council by any means, placing unreasonable demands on time and resources.
- Use threatening, abusive, or offensive language or behaviour towards staff, Councillors, or volunteers.
- Repeatedly make the same or substantially similar requests or complaints, despite having received a full response.
- Attempt to record meetings or conversations without prior knowledge and consent.
- Adopt a 'scattergun' approach, pursuing a complaint through multiple channels simultaneously, including external agencies, and refusing to engage with the Council's proper channels.

3.2 The list above is not exhaustive, and each case will be judged on its own merits.

4. Initial Response to Potentially Vexatious Behaviour

4.1 Before classifying a complainant as unreasonably persistent or vexatious, the **Clerk or RFO**, in consultation with the **Chair or Vice-Chair**, will ensure:

- The complaint is being, or has been, investigated properly and in line with the Council's Complaints Procedure.

- All appropriate responses and clarifications have been provided.
- The complainant is not raising legitimate new points or evidence significantly different from those already considered.

4.2 If behaviour is deemed concerning, the **Clerk or RFO**, in consultation with the **Chair or Vice-Chair**, will contact the complainant to explain why their behaviour is problematic. The complainant will be asked to change their approach and advised of the actions that may be taken if the behaviour does not change.

5. Deeming a Complainant as Habitual or Vexatious

5.1 If the disruptive behaviour continues after the initial warning, the **Clerk or RFO**, in consultation with the **Chair or Vice-Chair**, will prepare a report for the Council. The Council will then decide if the complainant should be treated as habitual or vexatious.

5.2 If the Council decides to classify a complainant as habitual or vexatious, the **Clerk or RFO** will write to the complainant explaining:

- Why the Council has taken this decision.
- What action the Council will take.
- The length of time any restrictions will apply.
- That legitimate new complaints will still be considered, but the Council may refuse to engage further with repeated or vexatious correspondence.

5.3 A copy of this policy will be enclosed with the letter to the complainant.

6. Possible Restrictions

6.1 Restrictions imposed on a habitual or vexatious complainant may include (but are not limited to):

- Limiting contact to a single named member of staff or Councillor.
- Restricting contact to letters only (no e-mails, telephone calls, or face-to-face meetings).
- Specifying times and days when contact is acceptable.
- Declining to respond to correspondence unless new and substantive issues are raised.
- In extreme cases, banning the complainant from visiting Council premises or attending Council meetings without prior written consent.

6.2 Restrictions will be proportionate and appropriate to the nature of the complainant's behaviour.

7. Extreme Behaviour

7.1 Where a complainant's behaviour is so extreme that it threatens the immediate safety and welfare of staff, Councillors, or volunteers, the Council may:

- Report the matter to the Police.
- Take immediate legal action.
- Cease all contact with the complainant without further notice.

8. Duration and Review of Restrictions

8.1 Restrictions will typically be imposed for an initial period of three to six months, depending on the circumstances. In exceptional cases, this may be extended.

8.2 The Council will review any restrictions at the end of the specified period. If the complainant's behaviour has improved significantly, restrictions may be lifted. If not, restrictions may continue, subject to periodic review.

9. New Complaints from a Complainant Classified as Vexatious

9.1 A decision to classify a complainant as vexatious does not mean that any new complaint from them will be ignored. Each new complaint will be considered on its merits. However, existing restrictions may still apply if the vexatious behaviour continues.

10. Record Keeping

10.1 Adequate records will be kept by the **Clerk or RFO** of all contacts with a complainant classified as habitual or vexatious. Records will include:

- The name and address of the complainant.
- The date(s), nature, and details of restrictions imposed.
- Details of any decisions to refuse contact.
- Notes of any telephone calls, correspondence, or meetings.

10.2 These records will be reviewed periodically to inform decisions on whether restrictions should continue or be lifted.

11. Final Notes

11.1 This policy is intended to support the Council's staff and members in dealing with those rare individuals who use inappropriate methods to further their complaints. It ensures that while the Council remains open, transparent, and accessible, it also protects its members, staff, and resources from persistent harassment and abuse.

11.2 In all cases, the Council will strive to be fair, consistent, and proportionate. This policy does not override a complainant's right to refer the matter to external agencies (e.g., the Local Government Ombudsman) if they remain dissatisfied with the Council's handling of their complaint.

This policy was adopted by Brightlingsea Town Council on **[insert date]**.

Town Clerk's Report – Agenda Item 12
Council Meeting 12th December 2024

Items requiring action:

We have received an enquiry from Russells International Circus, as follows:-

“Good morning

I am contacting you from Russells international circus. we are currently booking our 2025 tour and looking for new venues. We are very interested in visiting Brightlingsea and have found Bayard recreation ground as a potential site.

Could you let me know if a circus visit would be something you could facilitate on the dates 5th until 11th May 2025. Please feel free to ask any questions you may have and more info about us can be found on our website.

I look forward to hearing from you soon

Regards”

Are members happy for me to liaise with the Grounds Manager over location etc?

Issues reported since the last meeting:

ECC Highways potholes/road issues (reported using What 3 Words – with photos attached to report)

Outside Tesco – large pothole, asked for updates – 20.11.24

Street Lights/Signs – ECC:

Outside 22 Marennes Crescent (reported to AG 21.11.24) after reporting to ECC last year (unsure of date) – ref: 2905838 (issue has been resolved)

Outside 29 Ladysmith Avenue, wires exposed – Emergency fix put in place

Tendring District Council:

Reported rubbish at Lozenge built up again, sent photo – 21.11.24.

Reported rubbish bags outside a property in the High Street for a resident, which is causing rats – 09.12.24.