



# COGGESHALL PARISH COUNCIL

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## Minutes of a meeting of THE PARISH COUNCIL held on Monday 11<sup>th</sup> January 2016 at 8.00 pm in the Village Hall, Stoneham Street.

### 16/1. Those present and apologies for absence

Present: Wilson, Frith, Heaton, Norgrove, Unsworth, Plumb, Phillips, Shattock, Lewis & McDonald-Hermet

Apologies - None

Clerk – Debbie Morgan

Five members of public

### 16/2. To appoint a Vice Chairman following the resignation of Cllr Tames

The Chairman asked that the Council write to Cllrs Culemann and Tames to thank them for their past work in the council

Cllr Heaton objected to the letter being sent to Cllr Tames due to the accusations made in her resignation email

Cllr Wilson proposed that a letter was sent to Cllr Tames and Cllr Culemann thanking them for their past work, Seconded by Cllr McDonald-Hermet

**Resolved:** - Eight in Favour - Two objections

Cllr Shattock was proposed by Cllr McDonald-Hermet and seconded by Cllr Wilson

Cllr Unsworth was proposed by Cllr Plumb, seconded Cllr Heaton

**Resolved:-** Cllr Unsworth was voted as Vice Chairman – with a majority of two votes.

### 16/3. Councillors Declarations

Cllr Heaton would like it noted that he believed did not have a non-pecuniary-interest in item 16/9 as his wife was acting independently from him on this matter, but he would not vote on the motion.

Cllr Wilson read out advice from the monitoring officer as follows:

“Where there is a husband and wife relationship it is rare that the outside observer would say that there is a complete separation and therefore there would usually be a link inferred if nothing else. Therefore a declared NPI would be the usual course of events, with the decision to remain being a separate consideration based on the material under consideration and the prior conduct of the Councillor in respect of the wife.”

Cllr Unsworth requested clarification of the terms of “friendship” in relation to a Councillors and the clerk read out the following guidance from the Monitoring Officer.

“If the friendship is forged purely on the basis of proximity – the nodding of neighbours – this would be at one end of the spectrum. On the other hand were they to be routinely visiting each other for dinner or purposefully

meeting at the pub or other social locations, this would be seen in a very different light and would be less likely to be argued as acceptable."

**16/4. Minutes of previous meetings.**

Proposed Cllr Phillips Seconder Cllr Shattock – Unanimous

**16/5. Public Participation session with respect to Agenda items and other matters of mutual interest.**

A resident asked if a reply to a question should also be in the minutes  
 Cllr Wilson advised that it should be minuted and apologised to the resident  
 A resident asked if the council had budgeted for the financial assistance for the drains at St Peter's Church

Cllr Wilson advised that the maximum amount in the budget be £15,000 and this had been agreed by the Finance Committee

Cllr Wilson advised the resident that he could have a copy of the budget for 2015-16 if he called into the office

A resident asked if he could see a copy of the Finance meeting minutes before the next meeting as they are three months apart and was advised that they were not available until approved by the committee at the next meeting.

A resident also asked if the Church had explored other avenues for funding for the drains

Cllr Wilson advised that the CPC assist the Church with funds

A resident asked if the Parish Council were a secular Council

Cllr Wilson advised that the Parish Council were not secular

Cllr Frith advised that the Church also provides a number of community benefits including pre-school facilities

Cllr Unsworth suggested that we ask the Church for any applications they have made to the various grant bodies that are available and requested that the resident supplied a copy of the list to the clerk

A resident confirmed they had asked for the information in December in relation to item on Freedom of Information and believes the information should be available as although it could come under the legal privilege, she believes it is in the public interest to disclose the information.

A resident came in with a request that he is permitted to move the gated access to his land further down the boundary

Cllr Wilson asked him to write in to the office and the matter will be discussed at the next meeting

**16/6. County Councillor's & District Councillor's Report**

No County Councillors present

**16/7. Clerk's Report (Appendix 2)**

We are still waiting the templates for the new website and the designer is being chased.

**16/8. Correspondence received (Appendix 3)**

A Resident	Letter received about issues in the Cemetery Car Park
A Resident	Requesting date of next open space meeting re: shrub in churchyard

A Resident	Freedom of Information request regarding the legal advice on the proposed new parking area
Bruno Peek	Queen's 90 <sup>th</sup> Birthday Beacons

**16/9. To consider and agree a response to the Freedom of Information request in relation to the legal advice received by the Parish Council regarding the change of use of the old School Playing field in Stoneham Street to provide additional parking (Appendix 4)**

Cllr Phillips cannot see any reason why this information should not be made available to residents

Cllr Unsworth feels that some of it could be released and some could be retained.

Cllr Wilson felt that it could be commercially sensitive

Cllr Heaton felt that in this context that because the legal advice was discussed at Traffic Management meetings and at Full Council meeting therefore the advice was discussed in an open session of a meeting and then it should be disclosed.

Cllr McDonald-Hermet felt that in the interests of transparency it should be available

Cllr Plumb felt that the information should be made available

Cllr Lewis didn't feel that the letter should be made confidential however he would like to be reassured that disclosing this letter will not set a precedence should any future advice be sought,

Cllr Norgrove felt that this information should be made available

Cllr Unsworth advised that it is possible to charge up to £450 for an FoI request and if the letter should be released with conditions

Cllr Lewis felt that conditions should not be imposed

Cllr Wilson proposed that we will agree to disclose the information requested in the resident's letter without conditions seconder Cllr McDonald-Hermet  
**Resolved** - Proposer Cllr Phillips, seconder Cllr McDonald-Hermet - Nine in favour, one against – one abstention (Cllr Heaton)

**16/10. To note the report from the Finance Committee (Appendix 5)**

- i. To note the bank balances
- ii. To note the income and expenditure report
- iii. To agree the payments for December 2015

**Resolved** – Proposer Cllr McDonald-Hermet, Seconder Cllr Lewis - Unanimous

**16/11. To agree the final budget for net expenditure of £43,852 for 2016/17 including the final Localism Grant income from Braintree District Council of £16.135**

**Resolved** – Proposer Cllr Phillips seconder Cllr McDonald Hermet – Unanimous  
 Cllr Unsworth would like to minute a note a thanks to the RFO Clare Freeman for her hard work in preparing the budget

**16/12. To approve and sign the Braintree District Council precept form requesting a precept of £154,213 for 2016/17 (Appendix 6)**

**Resolved:-** Proposer Cllr Shattock, Seconder Cllr McDonald-Hermet – Unanimous

**16/13. To approve 2 new bank signatories for use on one or more of the bank accounts at Barclays, NatWest and Lloyds**

It was proposed that Cllr Plumb and Cllr Lewis were added as new bank signatories

It was resolved that a banking relationship will be maintained with **National Westminster Bank plc** in accordance with this mandate and that:-

The individuals identified as **authorised signatories** may, in accordance with the **signing rules**, sign cheques and give instructions for Standing Orders, Direct Debits, Electronic Payments, Banker's Drafts and other payments on the accounts even if it causes an account to be overdrawn or exceed any limit.

Any **authorised signatory** may give other instructions or request for information to the Bank in relation to the accounts; opening accounts with the same **signing rules** and **authorised signatories**; closing accounts; or other banking service or products.

The Bank may accept instructions that do not have an original written authorised signature provided the Bank is satisfied that the instruction is genuine and subject to any other agreement the Bank may require for those instructions.

The organisation will provide to the Bank a copy of its constitution and any amendment to the constitution, certified as correct by the secretary.

**Resolved:-**Proposer Cllr McDonald-Hermet Seconder Cllr Frith - Unanimous

**16/14. To discuss and agree if appropriate a council policy for the granting of rights of access across Parish Council owned land to individuals.**

Cllr Lewis felt that a local government should not grant rights over its land that may inhibit the future use.

Cllr Unsworth didn't feel that a policy was necessary

Cllr Frith advised that it could be an option for each case to be considered on its own merits and proposed an amendment to the motion to reflect this.

Proposed that each application is judged on its own merits – Proposer - Cllr Frith Seconder Cllr McDonald-Hermet

**Resolved** - Six in favour, one abstention three against

**16/15. This Council agrees that the Clerk and the 2016/17 Chair should be asked to accept that their immediate and most important task is to create good and lasting working relationships between Clerk, staff and Councillors.**

**We recognise that efficiency and smooth working of the Council depends on us all, Clerk, staff and Councillors, working together and that we are all equally responsible for these relationships.**

**These commitments will be clearer if we are able to say now which councillors will be available in 2016/17 and also whether we are able to identify the Chair whom those councillors are committed to supporting in this resolution**

Cllr Lewis felt that it was important that the Council proceed into the New Year with good intentions and will work to support the work of the council and create good working relationships.

Cllr Plumb felt that the key word was "democratic" and would like to reinforce that no individual councillor had the ability to make a decision.

**16/16. To consider and agree the provision of financial support to St Peter ad Vincula with relation to the upgrading of the drainage system.**

Cllr Unsworth suggests that the Council take on board the comments made by the resident regarding asking the Church which opportunities for grant funding have been explored and suggested the Clerk writes and asks for more information.

Mr Paul King is to also be asked to attend the next meeting.

**16/17. To consider and agree if appropriate the proposal from the Open Spaces Committee with regard to the improvements to the footpath in the recreation ground.**

It was proposed that the Council use the option of Braintree Council to project manage the refurbishment of the path

**Resolved:-** Proposer Cllr McDonald-Hermit Seconder Cllr Philips – Unanimous

**16/18. To consider and agree the appointment of a working party to investigate ways to improve the Coggeshall Thursday Street Market.**

**Resolved** – Proposer Cllr McDonald-Hermet, Seconder Cllr Phillips

Cllr Phillips, Cllr Heaton & Cllr Unsworth to be appointed and to report back to full Council in the March meeting

To agree to suspend standing orders to finish the meeting.

**Resolved:-** Proposer Cllr Wilson, Seconder Cllr Lewis – unanimous

**16/19. To consider and agree the appointment of a Councillor to represent Coggeshall Parish Council at the Bradwell Quarry meeting which is being held on 21<sup>st</sup> January**

Proposed Cllr Unsworth to attend the meeting as the representative of Coggeshall Parish Council –

**Resolved:-** Proposer Cllr Plumb, Seconder Cllr Wilson

**16/20. To note the report from the Village Hall Committee**

Postpone to next meeting

**16/21. To note the report from the Open Spaces**

The Council are still trying to establish ownership of the land and the Old Chapel.

**16/22. To note the report from the Traffic Management**

Working party has been organised to look at the various options and charges and a questionnaire is being circulated to all residents in Coggeshall. The three LPH requests for pavements have been refused by highways.

**16/23. To note the report from the Planning Committee**

Cllr Plumb has been appointed as Chairman and Cllr Unsworth as Vice Chairman

Cllr Wilson advised that Pigeon Developments, the proposed Developers at West Street have been asked to re-submit further proposals and this was due to be considered at the next Braintree District Council planning meeting which was being held on 19<sup>th</sup> January 2016

**16/24. Items for next agenda**

Financial assistance for drainage repairs to St Peter ad Vincula – Mr Paul King, Churchwarden is asked to attend the meeting to answer questions  
The Old Chapel

**16/25. To note date and time of next meeting**

Monday 8<sup>th</sup> February 2016

**16/26. To agree to close the meeting to the Press and Public due to the sensitive nature of the discussions**

**Resolved:-** Proposed – Cllr Wilson Seconder Cllr Shattock

The meeting closed at 23.25