

FRINTON & WALTON TOWN COUNCIL

The Council House, Triangle Shopping Centre, Frinton-on-Sea, Essex, CO13 0AU

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MINUTES of the Meeting of FRINTON & WALTON TOWN COUNCIL

held at

The Council House, Triangle Shopping Centre, Frinton-on-Sea
on Thursday 7th March 2024 at 7.15PM

Present:	Councillors ET Allen, I Johnson, N Turner, A Oxley, N Hayes, D Land, R Everett, F & J Robertson, A & M Cossens, D Miles, L Jacobs
In the Chair:	Mayor - Councillor P Clifton
Clerk:	Deputy Town Clerk – M Townsend
Also present:	Customer Service Assistant 'FWTC' – T Smith 8 members of the public and no press
Absent:	

Mayor's Welcome

The mayor welcomed all attendees.

Health and Safety announcements for all councillors and the public to note:

- During public question time, public may ask a question and speak for no longer than 3 minutes. Questions will be considered for answering however there is no right to reply or to start a debate.
- All members of the Town Council are bound by the code of conduct which asks all members to be mindful of their conduct to ensure it is appropriate and in line with the expectations of the Code of Conduct. Any examples of this not being in line will be addressed accordingly.
- The Mayor pointed out the fire exits and fire safety procedures.
- Council meetings held in public are all audio recorded for the purpose of minute taking, training and the wellbeing of all attendees.

FTC/23/215	<u>APOLOGIES FOR ABSENCE</u> Cllr R Morgan and Cllr M Platt
FTC/23/216	<u>DECLARATIONS OF MEMBERS' INTERESTS</u> <ul style="list-style-type: none">• Cllr Oxley in relation to Item 9, (Walton Skate Park). Cllr Oxley advised that she will stay in the meeting to answer questions but will abstain from voting• Planning, item 24/00131/VOC. Cllr Johnson declared an interest and will abstain from the voting.• Cllr Everett and Cllr M Cossens in relation to their positions as members of the Tendring District Council (TDC) Planning Committee and therefore will be abstaining from voting.
FTC/23/217	<u>MAYOR'S ANNOUNCEMENTS</u> <p>Cllr Clifton gave an apology. He felt that his performance as Chairperson at the past meeting did not meet the standards that he expects from himself nor the chamber. He said that we are all human, he has learned from his mistakes and will endeavour to do better for the rest of his term as Chairperson.</p> <p>The Mayor attended The High Sheriff's Awards in Chelmsford and congratulated the following organisations in the Tendring district area who received grants:</p>

	<p>'U Turn For Support' 'Lads Need Dads' Inclusion Ventures</p> <p>The Mayor was invited to attend the Pride of Tendring Awards and was pleased to report that Clacton Carnival received an award as well as Kevin Smith from our area, who was nominated by Cllr Oxley. Kevin runs the Youth Club at Walton and is a member of Frinton Rotary. He also works in local schools supporting mental health.</p>
<p>FTC/23/218</p>	<p><u>PUBLIC QUESTIONS</u></p> <ul style="list-style-type: none"> •A resident enquired about a construction notice displayed by GKC United Living on a development East of Halstead Road, Kirby Le Soken. Councillors responded that they are not aware of any developments nor planning applications. Cllr Turner offered his contact details and responded that he will look into this matter and contact Planning Enforcement. •A resident raised concerns about the potholes in Pork Lane which are now almost impassable and asked the Council to lobby Essex Highways to take action. Cllr Land acknowledged this is an issue and has tried to dissuade people from using this area via social media. He also added that Cllr Platt has been trying to get these and many other road issues sorted. Councillors empathised but concluded it was a national issue and local council have no sway on road repairs.
<p>FTC/23/219</p>	<p><u>TOWN PLANNING APPLICATIONS AS PER SCHEDULE ISSUED BY TENDRING DISTRICT COUNCIL</u></p> <p>The Town Council considered plans for development and recommended accordingly as detailed on the schedule.</p>
<p>FTC/23/220</p>	<p><u>OTHER PLANNING MATTERS</u></p> <ul style="list-style-type: none"> •Members noted the following determinations at variance to the Town Council's recommendations: 22/01746/FUL – Proposed development – 16 residential dwellings and associated infrastructure – Land east of Halstead Road, Kirby Cross. TDC approval – Town Council recommended refusal. 23/01766/FULH – Proposed ground and first floor extension to provide additional bedroom, utility room and improved kitchen, living and dining room layout, porch, and boundary wall – 36 second Avenue, Frinton on Sea TDC refusal – Town Council recommended approval • Cllr Everett raised a concern relating to signage replacement on the building that M&Co previously occupied. A request was not received for planning and asked members whether they could or should they do anything about this. Cllr Turner advised that he has already contacted Enforcement Department and will circulate the response via the Deputy Clerk. • Mayor suggested that members may wish to consider starting communications with 'TDC' to voice dissatisfaction of current practice of not following the Shop Front Design Guide
<p>FTC/23/221</p>	<p><u>PUBLIC CONVENIENCES – OLD WAY, FRINTON.</u></p> <p>The Deputy Clerk gave the following recap and update regarding the ongoing water leak issues.</p> <ul style="list-style-type: none"> •The Town Council entered in to a 20-year lease with TDC with 15 years remaining. •One clause within the lease states that for the building utilities, we the tenants must pay all costs in connection to the supply and removal of electricity, gas, water, sewerage, telecommunication, data, and other services to and from the property. •Despite numerous requests, the accounts for water and electric were not transferred over to the Town Council. Once they were, there were TDC errors and billing errors or missing bills. •Andy White of TDC agreed for the Town Council to take over utilities from April 2022 (rather than 2018) and agreed to write off all costs. •Electricity account (EDF) has now been transferred and paid up to date. <p>The water leak complaint continues – Members instructed Affinity Water and M&S (groundworks contractors) to investigate the leak under the footpath near the toilets, the leak was not found where it was originally assumed to be by both companies, and our complaint continues.</p>

	<ul style="list-style-type: none"> • Council was notified of the disconnection notice and the additional cost of works to continue with the water leak investigations and further agreed to a payment plan to clear the debt to maintain our water supply but not to instruct the work to locate and repair the leak. • There still remains a large outstanding water bill however 50% of the last bill has been paid and the first of the 6 monthly instalments is detailed on the schedule (as agreed by Full Council). • Do to conflicting information from various sources, we remain unsure of which organisation is responsible for the leak which is located either under a footpath or a highway. Castle Water T&Cs stipulate that customers are liable to pay for all water consumption registered by the meter and costs incurred by works inside or outside a property until a complaint is resolved. Customers can apply for a leak allowance, but this is discretionary as long as the criteria is met. • Consumer Council for Water were contacted and are confident that we are not responsible for the leak, find, and repair costs of the leak and gave us advice to progress our complaint to Stage 2 and will support us if they do not respond by a certain date. • To rule out another property being tapped into our meter, the Deputy Clerk requested the toilets be closed for 3 days to isolate the water supply. <p>RESOLVED: To close the toilets for a duration of 3 days and turn off the water to ascertain if anyone else is tapped into our water supply. Adequate signage to be displayed and designated staff to be re-deployed to other duties, or coincide with holiday or training.</p>
<p>FTC/23/222</p>	<p><u>WALTON SKATE PARK – UPDATE TO PREVIOUS ACTION</u></p> <p>The council noted minute Ref FTC/23/173 ‘Not to renew the lease with Tendring District Council for the skate park located by Bath House Meadow upon the expiry at the end of January 2024’ has not been concluded due to not being able to relinquish the lease until the matter of the skate ramp asset has been resolved.</p> <p>The previous lease expiring 31st January 2024 now become a rolling agreement until such time as cancelled.</p> <p>A lengthy discussion ensued, summary discussions: The Deputy Clerk confirmed councillors previous agreements; <i>In a previous meeting minute ref: 173 resolved to agree in principle to dispose of the asset of the slate ramp asset, not the land. Subject to investigation and confirmation of the legal process, allowing the council to dispose /transfer and asset at under the open market value.</i> <i>Further Resolved: Clerk to gain further guidance from TDC as to the requirement of the lease in relation to the condition of the land and removal of the skate ramp.</i> <i>Further resolved: Not to renew the lease with TDC for the skate park located by Bath House Meadow upon expiry at the end of January 2024.</i> <i>At the following meeting, the Clerk confirmed that TDC said we have to give a 6-month notice. No further resolutions and item was deferred.</i></p> <p>The Clerk requested direction as to whether councillor Oxley would still like to pursue the transfer of the asset and if pursued, council needs to consider what documentation and evidence is needed from Cllr Oxley for consideration.</p> <p>If no further action is agreed or taken, action will proceed in line with the current resolution. If councillors want to retain the lease a special resolution will be required.</p> <p>The mayor reiterated that this was not a motion for debate, this notification allowed members to understand the situation. He reiterated that the Clerk will be sending notice unless 3 members submit in writing (not email) to the Clerk a request for permission in writing via letter a special resolution to reconsider the resolution that members agreed to surrender the lease to the skate park.</p>
<p>FTC/23/223</p>	<p><u>WALTON SKATE PARK – PROPOSAL FROM CLLR A OXLEY</u></p> <p>Members received supporting information and proposal provided by Cllr A Oxley relating to Walton Skate Park as well as her sending an email to all councillors relating to the proposal from Walton Youth Club ‘WYC’ to install a new ramp at the skate park (subject to planning approval from TDC) and allow ‘WYC’ to manage the funds and oversee the project execution including site repairs.</p>

	<p>A lengthy discussion ensued, summary discussions: Cllr Everett raised the concern that the request shows a different applicant from the original applicant. Cllr Oxley confirmed the request is coming from the WTC as they currently hold the grant money for the proposed ramp. The Deputy Clerk confirmed that the funds cannot be accepted by FWTC as it forms part of grant funding with terms and conditions within an agreement between Active Essex and Walton Youth club and also incorporates the 'MUGGER'. This proposal is for the Youth Club to carry out the activity, not for the FWTC to accept the money. Members discussed suggestions to consider rescinding the proposal, considering how to upgrade the area if we retain it, perhaps consider a more permanent ramp of concrete, not wood. Cllr Allen said that he is being drip fed information from the Personnel Committee. The Mayor asked for clarification. Cllr Allen stated it was about getting the right information. The Deputy Clerk responded: What Cllr Cossens is talking about is clear directions on what your resolutions are. We have a situation here where a councillor has brought something to members for them to consider. It has been deferred, or she has been asked for further clarification or more information. You need to be very clear as to what information you would like her to bring to the meeting for you to make a decision and being very careful on what resolutions the council are making. A resolution has been agreed by this council to surrender the skate park. If the Town Clerk had already actioned this, we would be in the process of handing back the skatepark as a facility. Do you want to do that, or don't you want to do that? It is not clear. This is the message coming out from the office. Clarity was given in the notes RAMS being a Risk Assessment Management System. Cllr Johnson asked why we had not written to TDC to give the land back. The release of the skate park land was resolved in principle. The Deputy Clerk responded: There is a proposal regarding the asset that sits on the land so we cannot surrender a lease for the management of the land if councillors have not made the decision regarding the 'asset' it sits on. Cllr Allen said we all know what we want but others are pulling it apart, we just need to work together and make this happen. After heated debate, the Mayor moved the meeting on and members agreed to adjourn the discussion to the following meeting.</p>
FTC/23/224	<p><u>ASSET REGISTER</u> Members reviewed the Asset Register and the Deputy Clerk confirmed that the asset value is the cost at time of purchase. RESOLVED to approve the Annual Asset Register dated 7TH March 2024</p>
FTC/23/225	<p><u>FINANCIAL MATTERS</u> There being no comments or questions, it was RESOLVED: that the schedule of accounts No. 16 in the total sum of £30,603.97 net (£33,736.70 gross) and Schedule 16A in the total sum of £24,590.12 be approved for payment.</p>
FTC/23/226	<p><u>MINUTES OF THE LAST FULL TOWN COUNCIL MEETING</u> Members reviewed the minutes of the meeting held on 25th January 2024. Cllr Johnson stated that she gave Cllr Allen's apologies. Cllr Turner said in point FTC/23/192 there was no mention of the amendment to the budget which he withdrew on the understanding that there would be a meeting that never took place. The Deputy Clerk confirmed that the Town Clerk had sent Cllr Turner a recording of that element of the meeting. And you have a script of the actual recording. Which states: <i>Cllr T requested a one-off budget pot of £5k for Frinton in Bloom, advised by clerk that the Flower Enhancements Budget was being merged into the grants pot. Cllr T wanted FIB to access the money now before April but, the current policy only allowed one application per year.</i> <i>Clerk advised that she had emailed a copy of the new draft grants policy for feedback to members ready for consideration at the next meeting on 25th Feb.</i></p>

Cllr Turner asked if 'FIB' could access the funds before April, the Clerk advised that the proposed new policy read that we reserved the right to award an amount higher than £2k as long as it is not to the detriment to other competing organisations applying for grants from FWTC. It also states that the council now reserve the right to consider additional applications from the same organisation in the same year. In event of the request being for an extraordinary item. The clerk however was unable to confirm whether they would be given this grant due to pre-determination. Cllr Turner responded on that note I will withdraw my amendment".

Cllr Turner responded that was well after that amendment. That was not discussed at that time, that was just going on a bit further. Cllr Turner said he had put in an amendment asking for it to come out of general reserves, and the idea was, not that Frinton in Bloom made an application into the town Council, but that this town council granted £5k to Frinton In Bloom 'FIB'. Very different, and that did not come across on the night, and I accept that, because we didn't get a chance to do it. I was told that there was £12k in donations that would not need to come out of general reserves, and it was on that reason and on that reason alone and the fact that, myself and Mr Foster would meet with the Clerk and the officers to discuss a way forward. Not a demand just a way forward. And that was it and there is no mention of it.

Cllr Turner stated he was happy for this to be noted in the record, as a true record of the discussion.

Cllr Everett stated that he felt that if a proposal is put forward and even if it is later withdrawn, it should be minuted.

The Deputy Clerk responded said that at this stage The Town Clerk is not prepared to change the minutes and feels it is a true reflection of what happened at that meeting.

The Deputy Clerk gave an insight of recording minutes (reading from Clerk Guidance book) she stated, "The main purpose of minutes is to record resolution. A well worded resolution is clear in meaning to anyone not at the meeting and years later. The resolutions should visibly stand out when presented in the minutes for easy reference, this may for example be in bold, italics could be bold or upper case.

Minutes of a meeting are not verbatim record of the meeting. Neither are they a story of what happened at the meeting and should not document views or opinions that were expressed at the meeting.

The Town Clerk suggested that if Mr Turner is still unhappy with the wording of the minutes, he should discuss with the Town Clerk.

Cllr Turner stated that he thought the Clerk would not see him. The Deputy Clerk responded that she would see him, and Cllr Turner responded he was pleased to hear it.

Cllr Turner would not agree that the minutes were a true record he requested an amendment. He said he wanted the discussion relating to 'FIB', even though they were not resolved, to be mentioned.

Cllr Everett proposed that the following be added to the minutes:

A resolution was proposed by Cllr Turner to allocate funding to the Frinton In Bloom. Following discussions, the proposal was withdrawn.

RESOLVED: To approve as a correct record, the minutes of the Town Council meeting held on the 25th January 2024 with an amendments:

- To include the following statement in section FTC/23/192 'A resolution was proposed by Cllr Turner to allocate funding to Frinton In Bloom. Following discussions, the proposal was withdrawn'.
- To amend the minutes relating to the apologies from Cllr Allen via Cllr Johnson

The Deputy Clerk proposed a change to an administration procedure for members to consider. To avoid the long discussion relating to past minutes, draft minutes should be emailed to councillors for the opportunity to suggest feedback prior to full council meeting so that hopefully in front of you will be a set of meeting minutes that you can approve. But it does mean that people need to look at their council email addresses.

This was not considered.

	<p>Members reviewed the minutes of the meeting held on 15th February 2024. Cllr Turner FTC/23/206 did not accept the minutes relating to the Grant Policy. He had it from a good source that only one word had changed, Running costs for overheads. Also we asked for VAT where not applicable where an organisation can claim VAT that a company would only be paid the net amount of the grant application and not add the VAT element and that is not shown in the minutes. Our Grant Application Form currently offers a total amount, not showing whether it includes or excludes VAT. If an applicant applies for £5k, they get £5k (if approved) and this is how it always has been. Cllr Turner asked for this point to be minuted. In the meantime, Cllr Turner suggested behind the scenes discussions and then bring back for public discussion to approve. The amended minutes to be returned to the next full council meeting for approval.</p>
FTC/23/227	<p><u>MATTERS ARISING FROM THE LAST FULL COUNCIL MEETING</u> None</p>
FTC/23/228	<p><u>DATE OF NEXT MEETING</u> The next meeting of Frinton & Walton Town Council is scheduled to be held at The Council House, Triangle Shopping Centre, Frinton on Sea CO13 0AU on Wednesday 27th March 2024 at 7.15pm</p>
FTC/23/229	<p><u>EXCLUSION OF PRESS AND PUBLIC</u> RESOLVED: Pursuant to Sub-Section 2 of Section 1 of the public Bodies (Admissions to Meetings) Act 1960, the meeting is closed to the Press and Public for the transaction of the under-mentioned business because of their confidential nature; • Post Office Accounting Liabilities</p> <p>The Mayor closed the public part of the meeting at 9.55pm</p>
FTC/23/230	<p><u>UNDER EXCLUSION – POST OFFICE ACCOUNTING LIABILITIES</u> Members reviewed a report from the Clerk. A verbal update was given from the Deputy Clerk and Town Council Staff relating to the Post Office accounting liabilities and any necessary action relating to insurance and liability matters. Once a further update is received in writing from the post office, the Clerk recommends that we get legal advice to protect the council, members, and staff. Adjustments and additions may be needed with our insurance policy to protect any gaps for financial liabilities.</p> <ul style="list-style-type: none"> • The Mayor gave an update regarding the individual that attempted a robbery last year, recently threatened the staff, and the impact that it has had on staff and their unease to lone working. <p>RESOLVED: To fund external support for the Post Office Staff. FURTHER RESOLVED: To contract a security guard to support the staff on the next 2 Saturdays until the Post Office security glass is installed. Cost to be expended from general reserves and the situation reviewed at the next meeting if needed. FURTHER RESOLVED: Members agreed to give permission to the Clerk to review and investigate Post Office operations.</p>

The Mayor closed the meeting at 9.55pm

Signed:

Date:

SCHEDULE OF PLANS SUBMITTED TO FRINTON & WALTON TOWN COUNCIL
FOR TOWN COUNCIL MEETING 7th MARCH 2024

APPLICATION NO./ APPLICANT	PROPOSAL	LOCATION
24/00085/FUL Mr Lee O'Neil – Bare Care 1 Limited	Proposed removal of existing conservatory roof and windows and replacement with new insulated flat roof and double glazed windows.	Yew Trees Nursing Home 12 The Street Kirby Le Soken
Recommend Approval		
24/00131/VOC Mr Shaun Watcham – Hamford Homes Ltd	Variation of Condition 2 (Approved plans) of planning permission 22/02066/FUL in respect of changes to the fenestration and slight increase in roof height.	2A Upper Second Avenue Frinton on Sea
Recommend Approval Cllr Johnson asked for her abstention to be noted		
24/00196/FULHH Mr S Keen	Replacement of existing dormer windows with French doors and a balcony area.	Flat 17 Earlswood Lodge 77 Naze Park Road Walton on the Naze
Recommend Approval		
24/00199/FULHH Mr Clayton Browne	Erection of two storey side and rear extension, erection of four bay cart shed and indoor swimming pool building linked to main house.	Hogen House Pork Lane Great Holland
Recommend Approval		
24/00228/ADV Mr Andy Horwood – Tesco	Application for Advertisement Consent – Proposal to install 7no. fascia signs, 2no. dibond signs and 2no. vinyl signs.	Co-Op Triangle Shopping Centre Rochford Way Frinton on Sea
Recommend Approval Cllr Jacobs declared and interest and abstained from voting		
24/00139/WTPO Mrs Sylvia Bishop	Oak – Trim back.	Land to rear of 17 Plover Close Frinton on Sea

Recommend Approval		
24/00192/WTPO Mrs Bowen	T1 – Oak Tree – Reduce by 30% overall.	11 Raglan Road Frinton on Sea
Recommend Approval		
24/00232/TCA Mr Barry	Trees in a Conservation Area Notification – T1, reduce silver birch 30%, T2 remove Robina, T3, remove roadside Hawthorne.	1 Audley Way Frinton on Sea
Recommend Refusal		
24/00233/TCA Mrs Dore	Trees in a Conservation Area Notification – T1, trim back Holly by 1 metre neighbour-side, T2, boundary cutback on Holly/Ivy.	25 Third Avenue Frinton on Sea
Recommend Approval		
24/00244/TCA Anglian Water Ltd	Clusters of Vegetation to be cleared. To cut back approx. 5m.	Hillside Frinton on Sea
Recommend Approval Cllr Turner declared and interest and abstained from voting		
24/00240/TCA Mr George Moxon	Trees in a Conservation Area Notification – 1 no. Mimosa – crown reduction, 1.5m height reduction. 2 no. Holly – felled.	Pightle Cottage 64 Third Avenue Frinton on Sea
Recommend Approval		
24/00270/TCA Waddingham	Trees in a Conservation Area Notification – Hawthorn (T1) – Remove.	Flemish House 59 Second Avenue Frinton on Sea
Recommend Approval		

Schedule 16 - 07.03.2024.

No:	Invoice	Purpose	Net (£)	Gross (£)	Office Use Only
1	Barclays	Bacs File Charges	9.00	9.00	DDR
2	EE	Mobiles - Feb	159.00	190.80	DDR
3	EDF	Electricity for Toilets	1919.90	2303.89	
4	Defib Store Ltd.	Defib Batteries	598.00	729.60	
5	SEFE Energy	Electricity - Columbine	1038.12	1245.74	
6	SEFE Energy	Electricity - Council House	166.38	174.70	
7	SEFE Energy	Electricity - Council House	298.33	358.00	
8	Castle Water	Water - WWL	52.18	52.18	
9	Corona Energy	Gas - Columbine	6410.33	7692.40	
10	Mr S Lilley	Allotment Plot Return	50.00	50.00	
11	Birchwood Garden Services	Grounds Maintenance	1195.00	1195.00	
12	Birchwood Garden Services	Grounds Maintenance	1195.00	1195.00	
13	Rialtas Business Solutions Ltd.	Allotments Software & Licences	682.32	818.78	
14	Thorntons	Paint & Brush	26.00	31.20	
15	Vine Hr Limited	HR Consultancy Support Fees	204.75	204.75	
16	Viking Payments	2 x Shredders	109.98	131.98	
17	Keston Services Ltd	Shelter Cleaning	4320.00	5184.00	
18	TDC	Market Rent & Rates	772.60	772.60	
19	Castle Water	Water - Toilets	9769.00	9769.00	
20	Castle Water	Water - Toilets	1628.08	1628.08	
		Totals	30603.97	33736.70	
	Signed:	Chair	Date:		
				
	Print Name:			

SCHEDULE OF ACCOUNTS PAYABLE – NO. 16A

7th March 2024

Salary Month 11 (February) Payment Made on 26th February 2024

Superannuation Payment for February, to be Made in the Month of March 2024

HMRC/PAYE Payment For February, to be Made in the Month of March 2024

Total salaries/wages/expenses (February 2024)	£ 20,008.53
Employers N.I. (February 2024)	£ 1,421.10
Superannuation – Employer contribution (February 2024)	£ 3,039.49

	£ 24,469.12
Member's car allowance claim	£ 00.00
Petty cash drawn 31/01/24 – 27.02.24	£ 121.00
Cumulative total	£24,590.12