



## Wivenhoe Town Council

**MINUTES** of the Full Town Council meeting held in the Council Chamber on Monday 26 September 2022 at 7.30pm **Chair Approved**

Present: Cllr Kane (Chair), Cllr Luxford-Vaughan, Cllr Burke, Cllr Aldis, Cllr Multon, Cllr Wenaden, Cllr Read, CBC Cllr Burrows, J Beighton-Emms (Town Clerk), Peter Kay and two members of the public.

Public Questions: None

### PART A

FC/09.22/01 Apologies for absence: Cllr Evans, Cllr Boughton, Cllr Maltby, Cllr Henley, Cllr Andrew, Emma Buckley (RFO) and ECC Cllr Cory

FC/09.22/02 Declarations of interest: None.

FC/09.22/03 Minutes of the previous meeting: The minutes of the Full Town Council meeting held on 15 August 2022 were proposed by Cllr Burke, seconded by Cllr Aldis and approved as an accurate record of proceedings.

FC/09.22/04 Reports from Members of County and Borough Councillors & Public Transport Representative;

- a. No report had been received from Cllr Cory.
- b. Cllr Burrows provided a verbal report. She was pleased to report on the success of the Constable Country Ride held on 18<sup>th</sup> September. This raised over £5000 for the Alzheimer's Society and other local charities. There were 162 riders in attendance and good engagement with local bands and groups. She would like more support to run the event in 2023, from which funds will be donated to Alzheimers Research UK.

Cllr Luxford-Vaughan provided a verbal report and advised that most matters she has been working on are Essex wide planning matters in her capacity as CBC portfolio holder. She will be providing a report on matters such as charter status and investment zone status which in her view will dismantle the planning system. Cllr Aldis agreed and noted that there are concerns on the impact on the Wivenhoe Neighbourhood Plan. CBC are reviewing these matters. More information is also needed on Colchester's City status which does not automatically bring extra funding.

- c. The council considered a previously circulated report from Peter Kay which is attached as **Appendix A**.

Cllr Aldis thanked Mr Kay for the update on the 20mph zone. The Town Clerk advised that there is not a further update yet from Cllr Andrew.

Cllr Andrea Luxford-Vaughan asked Mr Kay to whom should direct questions about the dangerous levels in the number of school children using buses to and from Colchester

Town. Cllr Wenaden raised the same overcrowding issue with the buses for The Colne school.

Mr Kay asked the Town Clerk to chase Cllr Cory regarding the RTS as per Mr Kay's report.

FC/09.22/05 Proposal by Cllr Kane- 'To apply for a deed of variation to CBC and Taylor Wimpey in respect of the Dinghy Park to allow for possible additional use of this site'.

Cllr Kane explained that the Car Parks Working Group have been looking at how to address the loss of income on WTC's four car parks, with the Dinghy Park being one of them. The loss is £2-£2.5k a year. Cllr Kane explained that it is the council's duty to try to maximise assets. By applying for a Deed of Variation regarding the S106 agreement with Taylor Wimpey and CBC, if successful, WTC will at least be able to consider alternative options for the site. Cllr Aldis said that WTC can show that the current use is not working and Cllr Read added that Taylor Wimpey were flexible in the original negotiations in 2011. The Town Clerk advised that the cost is £234 plus any additional legal fees. The proposal was seconded by Cllr Luxford-Vaughan, with all in favour.

Cllr Burrows left the meeting.

FC/09.22/06 Committees:

- a) Planning: Cllr Luxford-Vaughan reported that there will be a public enquiry held by the Planning Inspectorate from 13<sup>th</sup> to 16<sup>th</sup> December 2022 in the Congregational Church in respect of an appeal from Taylor Wimpey following the planning refusal for the planning application for the Land at Broadfields (reference 210965). She reported that the submissions from TW are complicated and she is working through them. There is a legal status which WTC can apply for which would provide a right to attend, although she needs to confirm if WTC would then be liable for costs. Cllr Luxford-Vaughan should have a statement for circulation to all councillors in one week. Witnesses can be called and CBC have instructed a landscape architect consultant and a barrister. She will ask questions as a CBC portfolio holder but if the legal status is granted also as a WTC councillor. The enquiry will be advertised in the forthcoming WTC newsletter. It was agreed that Cllr Luxford-Vaughan will work on the statement on behalf of WTC and will meet with Cllr Read, as chair of the Planning Committee.

Cllr Burke reported that there have been inconsistencies in decisions made by CBC on some recent applications, for example application reference 221884. Cllr Luxford-Vaughan said that she has requested further information from CBC planning officers on this- her understanding is that it is because the garage is now deemed legally to be too small for a vehicle. Cllr Read asked that this is added to the next Planning Committee meeting agenda. Cllr Aldis suggested that a CBC planning officer is invited to a meeting- Cllr Burke said that she is waiting on a response regarding another matter and then may request this.

Cllr Read confirmed that the committee also considered a further application from The Flag.

Cllr Luxford-Vaughan advised that an appeal against the refusal decision for planning application reference 211616 had failed- she will share the formal decision from CBC. Cllr Read said that the issue of the boat on the slipway at Bethany Street continues as CBC are unable to take action.

- b) Personnel: No update.
- c) Environment: No update.
- d) Estates: Cllr Aldis reported that the committee has agreed to insulate the lofts of 81 & 83 High Street and considered installing picnic benches on the KGV ( the Town Clerk will circulate options). Unfortunately, quotes have still not been received for repairs to the old cemetery wall; if not received by the October committee meeting then a different approach will be taken and a formal complaint regarding the surveyor will be submitted. The committee considered the follow up letters following allotment inspections and agreed that the bushes around the Jubilee Garden would be cut down to waist height to improve visibility following the spate of vandalism. Cllr Kane advised that he is trying to set up a further meeting with the PCSO and her Sergeant to discuss further action. Cllr Wenaden said that she would like to be invited.

There will be an article in the next newsletter on local crime.

- e) Finance & Administration: Cllr Kane reported that WTC is on target for the approved budget for the first 5 months of this financial year. Next month the annual budget cycle for next year will begin. Each committee chair needs to consider what plans they have and what budget will be required.

#### FC/09.22/07 RFO Update

- a. The council considered a previously circulated RFO Report, which is attached at **Appendix B**.
- b. The council considered a previously circulated Bank Reconciliation which is attached as **Appendix C**. This was proposed for approval by Cllr Kane, seconded by Cllr Burke, with all in favour.
- c. The council considered a previously circulated list of payments, which are attached as **Appendix D**. These were proposed for payment by Cllr Kane, seconded by Cllr Aldis, and approved by all.

Mr Kay left the meeting.

The councillors considered a previously circulated summary of Community Fund applications. Cllr Wenaden suggested that the Youth Choir is asked to perform at local events although it was agreed that there is no criteria on where events or groups are held. Cllr Kane confirmed that £4000 total fund had been agreed for this year. Cllr Burke suggested that next year the applications could be considered quarterly so that later applications were not penalised. Cllr Kane agreed and said that lessons had been learnt as this was the first year.

Cllr Kane confirmed that the applications had all been recommended by the Finance Committee for payment and proposed that they were paid. This was seconded by Cllr Multon, with all in favour.

#### FC/09.22/08 Working Group Reports:

- a. Youth Hub: Cllr Luxford-Vaughan reported that work continues on the container, such as installing electricity, a kitchen and windows. It is hoped that the Youth Hub will be open for the October half term school holiday.

- b. Office & Yard: Cllr Kane explained that a virtual meeting had been held with the architect to allow for the accountant to speak to them about increased costs. This is to ensure that the PWLB loan application is accurate and that WTC can meet the increased costs from the available budget. It is appropriate that the accountant is professionally conservative. The architects responded today to advise that any increase in the original estimates received is likely to be in the region of 11-12%. Cllr Kane will now contact the accountant to discuss the next steps and to finalise the PWLB loan application.

Cllr Luxford-Vaughan said that the plan and costs for the yard also need to be considered as soon as possible. Cllr Aldis said that a working group meeting is required.

- c. Health & Wellbeing: Cllr Wenaden reported that she had attended a WARG meeting with Cllr Kane. It had been agreed for awareness posters to be put up in the council offices and for diversity training to be circulated. The Town Clerk advised that the posters have not yet been received and the training had been circulated.

The Town Clerk advised that a further Cost of Living Crisis meeting was necessary to discuss how offers of locality funding from CBC councillors could be spent. Cllr Wenaden agreed that she will arrange a meeting.

- d. Community Engagement: Cllr Multon reported that he has met with the graphic designer who is working on the newsletter. This should be ready in the next couple of days to be sent to the printers. Further meetings have been held regarding the redesign of the WTC website.
- e. Travel & Transport: Cllr Kane provided an update from Cllr Andrew who had advised that cycle parking has been progressed by the TTWG and will be taken forward in two phases. Also, that Cllr Cory has agreed to ask Essex Highways why the HGV restrictions in Wivenhoe are an anomaly and whether they can be changed as the current 11pm to 6am time limit makes them ineffective.
- f. Mayoral Activities: The council considered a previously circulated Mayor's Report which is attached as **Appendix E**

FC/09.22/09 Town Clerk Report: The council considered a previously circulated report from the Town Clerk, which is attached as **Appendix F**. It was agreed that the Christmas get together for the volunteers would start at 3pm on 16 December to allow for those attending the TW public enquiry to attend. Cllr Multon asked that the museum volunteers are invited.

FC/09.22/10 Date and time of the next meeting: It was agreed that the next meeting will be held on Monday 17 October 2022 at 7.30pm.

FC/09.22/11 Exclusion of press and public: In accordance with Paragraph 1 (2) of The Public Bodies (Admission to Meetings) Act 1960, the Council is invited to consider if the press and public should be excluded from the meeting during the consideration of the following item(s) owing to the confidential nature of the business.

The Chair closed the meeting at 20.39.

None

## Appendix A

### Public Transport Rep's Report SEPTEMBER 2022

**Peter Kay**

As you were not allowed to deal with my August report at that meeting, I am repeating here (in blue) those parts of it that are still fully relevant. (Black = new content). Hence a long report.

#### **BUS**

I attended a public meeting in Rowhedge on Mon 8<sup>th</sup> August, organised by the parish council and chaired by Kevin Bentley. The attendance was about 60. To my knowledge this was the first outwardly visible sign in NE Essex of public anger at the April 2022 First cuts. The main speaker was the First Essex Commercial Director Gary Nichols. He advised that further small changes will come in October, with possible commercial abandonment of a few routes in April 2023 if they have not re-achieved full viability. He noted that the number of farepaying passengers (all Essex?) is now 80% of pre-covid, but senior cuts only 60% (hence the main cuts being in the interpeak period). He is personally working on alterations to the contactless system under which people will also 'check out' on leaving the bus. Over the last month new type card readers have been installed on most buses in connection with this, but the exact purpose of the change remains unclear.

At the Rowhedge meeting Mr Nichols also let out of the bag the fact that the 'clever' higher-management person responsible on the new town routes system was also wanting to split the 61 into two separate routes, removing the through service to North Station and the Hospital from many people in SE Colchester. However this was stopped by the more sensible First people! It still shows how much bus managers who never travel by bus have the power to mess up people's lives.

The much-advertised government '£2 bus fare' scheme to apply nationally from January to March 2023 is unlikely to have any very noticeable impact in Wiv / Colchester given the First fares are 2.50 single / 3.60 return. However it will greatly reduce paying passengers' fares into Colchester on long country routes.

The government's extension of the special covid bus operator revenue grants over another six months starting September 2022, to avoid major bus cuts everywhere this autumn, is also unlikely to have any impact here, given that First had already introduced its reduced 'post-grant' services in April, in order to restore commercial viability without being forced to rush. (Also the announcement was only made AFTER most operators had already had to register their autumn services!).

#### **RAIL**

The last Greater Anglia newsletter stated that Wivenhoe was one of many stations to have received a car park refurbishment (surfacing and white lining) earlier this year. Perhaps someone saw this happening, but I can't see any difference! Not that there is anything wrong on either front.

Wivenhoe passengers to parts of central London can now change to the Elizabeth Line at Liverpool St, but this is only of major benefit if going to Paddington. From the next stage of opening on 6<sup>th</sup> November, trains will run through between Shenfield and Paddington, making the shorter-walk change at Stratford the sensible choice, and this will also become the quickest option to Farringdon, Tottenham Court Rd, and Bond St. The Heathrow service will also start but there will be no Heathrow trains from Stratford; it will be necessary either to interchange at Liverpool St, or to change at Stratford and then a same-platform change at any central London station to join an Abbey Wood - Heathrow train.

## PAGET ROAD

The ECC case officer is now wanting to finish off her report. A public inquiry is likely whichever way she recommends.

Not mentioned before, because of the difficulty of getting an accurate understanding of it, is that there was a government statement earlier this year that the Jan 2026 deadline, under which all paths not on the Definitive Map could be closed then, is to be abolished. (There had been lobbying to have it *extended*, but abolition had not been expected). However I have now found a very good blog on the subject by a former Defra civil servant now departed and working with paths / open spaces groups. I have also been in communication with him. He has made it clear that anybody in the process of registering a path (or thinking of doing it) should continue with that notwithstanding, as there is no sign yet of the legislation that is needed to effect the abolition, and the promise that it will be abolished is not binding on any next government. In fact he thinks that a new cut-off would have to be reimposed by another government at some future date, anyway.

Thus whilst the registration application was made by us in 2019 principally because of the existence of the cutoff date, it remains a wise move to have paths added to the Definitive Map. WivSoc / WTC are also continuing with further applications.

## 'RAPID TRANSIT' AND TCBGC

The paper on Rapid Transit presented to the TCBGC Joint Committee meeting on 18<sup>th</sup> July stated that the cost of the RT within the TCBGC itself is to be paid by the *developers*. This conflicts with the recent officer report to ECC Cabinet on RT which stated that *ECC* is financially responsible within the TCBGC, but that they have a £10m-£12m RT budget shortage, and if that cannot be resolved they will not be able to build this section in the main work period / ufn. *That would in turn mean that no planning permissions could be given within the TCBGC*, because there is a condition that the whole of the RT as set out in the July 2019 Jacobs report must be agreed and funded prior to planning permissions.

So is one of the reports wrong? Or has there been some *change* made recently to eliminate the 'problem' by (really or notionally?) passing the buck to the developers?

I believe Cllr Cory is now able to answer this question.

## WIVENHOE 20 mph ZONE

(Mostly rewritten since August version). (I am assuming this IS to be reconsidered at this meeting as resolved last month).

I will not speak pro or con regarding this idea in principle – I suspect it would be rather polarising at the consultation stage!

However it is not clear that everyone understands the background facts on the matter. I mentioned in August that there is a very good ROSPA report which those who do not have a full understanding can read (in preference to having to get up all the govt material) if they want to make an informed decision.

As it is, the terms '20 zone' and '20 speed limit' are still being used by some as if they were different words covering the same thing, when they are actually two different things. (Albeit not as different as they used to be, now that 20 Zones no longer require so much speed-reducing infrastructure. Note also that 20 speed limits never did require any such infrastructure. Zones still require *some* and are therefore still significantly more expensive than speed limits). The Rowhedge people were seemingly (?) content to let ECC decide on which of the two they got, and ended up with a speed limit because they wanted Rectory Rd, the fastest road in the village, included. Initially at least Wivenhoe should cover the possibility of both options in dealings with ECC.

ECC policy is not to allow either on A and B roads, but they can breach that in rare cases when considered appropriate; it is not a national prohibition. (Permission was granted in the case of Station Rd and the High St with the Zone, on the basis that there was no 'through traffic' that far down). One's suspicion is that they would *not* be keen on it in the proposed all-Wivenhoe case, **and it might be best to approach ECC as to that at the start, rather than spend time working up a scheme that might be rejected on that front alone.**

**It must be understood that 20 speed limits can only be introduced where the average (mean?) speed currently is 24mph or less. Thus they are not a means of greatly reducing vehicle speeds. (To quote a 2007 letter ECC to WTC, research shows the average reduction in speeds is only 2mph). Given that speed reduction has been pushed so far as the intended *main aim* of the Wiv scheme, this reality has to be faced up to.**

As it is 'before our time' with most of you, it might also be useful to explain the origins of the Lower Wivenhoe 20mph Zone, which was promoted by me, under the WivSoc hat, in 2006. (Incidentally it was regarded as a 'big' area to make 20mph at the time!). One must also consider the question of (presumably) having it incorporated into a larger scheme.

The main reasons were:

- To rationalise the rather ridiculous situation that then existed with three different speed limits in this area. (Someone driving from Anglesea Rd to East St passed through 10, 30, 20 and 30 limits within a hundred yards!).

- To install an entrance feature at the Greyhound that would slow down vehicles coming down the High St. (This of course has never happened because of the grasping behaviour of Network Rail over the railway bridge priority working scheme – very long story! **It was brought up again in March at Cllr Cory's site meeting with Highways, but they have not come back on this point).**

- To introduce physical traffic calming features in Station Rd to slow down downhill (mainly) vehicles. The residents of Station Rd were initially the biggest supporters of the Zone, but when they learnt that it would involve speed humps they turned against it, because of the anticipated extra noise, and it had to be done without them, meaning that it is unenforceable.

*Thus initially-unanticipable problems have prevented the speed reductions desired.*

- To enable the removal of most of the ugly road signs that had mushroomed in the Conservation Area in the early 2000s. A dozen of them were removed when the Zone was laid out.

Because traffic calming infrastructure was (sensibly) not proposed in most streets, due to their already constrained nature, the scheme had to be specially agreed by DfT, without which it cannot legally exist. **ECC officers were once again asked, at the March High St meeting, to confirm whether this is still the case (as Julie Young was told it still was in 2015), but seem unable to answer. Cllr Cory is pursuing this.**

## Appendix B

### RFO Finance Report Update 31.08.2022 for September FTC

The system has been closed for August 22. Thanks to Cllr Boughton who will be checking the August

accounts this week.

An unqualified external auditor's report and certificate has been received for the AGAR for the year 2021/22. The notice of conclusion of audit has been uploaded to the council website and notice boards.

Our contract with SYS3 ended for the VOIP phone system, we have signed up for another 3-year contract. The phones have now been fully paid for and are the property of WTC. This has reduced our charges by £9 per month. The monthly charge for the VoIP system is £45 per month.

VXFibre has offered 12 months free fibre for the William Loveless Hall. This offer has been accepted, and notice has been given for our WIFI contract with SYS3 for the hall. After the 12 months period we are not obliged to continue the contract and there are no hidden fees.

Allotment rents from Oct 23 will be increased by 2.5%, this was agreed at Estates Committee and the notice letters to the allotment holders will be going out this October.

The container for the youth hub has now been added to our buildings insurance policy for the additional charge of £15 until the end of May 2023. The youth hub group has obtained their own liability and contents insurance.

NCJ Pay agreement has not yet been confirmed. A budget review is currently being undertaken by Maurice and myself.

a) **Bank Reconciliations** –

31/07/2022	Confirmed Bank Balances	£588,732
31/08/2022	Confirmed Bank Balances	£567,341

b) **Payments** – That the circulated Schedule of payments be approved. **£38,453.96 (See attached draft schedule) £40,132.73.**

c) **Budgetary Control Reports are available on the system up to 31/08/2022**

The council has received £227,273 (50%) of its budgeted income and spent £195,553 (44%) of its budgeted expenditure to date.

**Appendix C- See attached**

**Appendix D- See attached**

**Appendix E**



## Mayors Report

- I attended and gave out the prizes at the WAGA Wivenhoe Show
- I started the races for the Constable bike ride in aid of Alzheimer's and the Wivenhoe Dementia Group.
- I participated in a meeting on what to do to help with the cost of living crisis.
- I met with the Wivenhoe Anti Racist Group to see what we could do to help and what they could do to help us.
- We met with the architects on the office refurbishment and internally on budget issues.
- We met with Anglian Water in preparation for a public meeting.
- Articles were submitted for our newsletter.
- I met with the Rector of St Mary's to prepare for the Civic Service in October.

## Appendix F

### Town Clerk's Report- Full Town Council Meeting 26 September 2022

1. Staffing: I had a meeting with Cllr Read on 1 September.
2. I am drafting the contract for the skate park following advice from the solicitor and waiting on documents from the contractor.
3. The Youth Hub lease has been drafted.
4. Thanks to you all for volunteering to deliver the Cost-of-Living Crisis leaflets. They will be ready for collection later this week.
5. Following a meeting of the Comms WG on 5 September our website is being updated.
6. Office & Yard- We had a meeting with the architect for further information for the PWLB loan application. They will be getting back to us with updated indicative costs for the project and they are drafting the tender document as instructed.
7. The Book of Condolence for HM Queen Elizabeth II is available in reception if you would like to sign it.
8. Please let Cllr Multon have your articles for the newsletter ASAP.
9. The new defibrillator has been installed at the WLH.
10. Dates for your diary:

- 16 October Civic Service
- 13 November Remembrance Service
- 16 December Christmas get together with the volunteers.

11. I am on leave from 30 September to 10 October.