



## Wivenhoe Town Council

**MINUTES** of the Full Town Council meeting held in the Wyvern Room, William Loveless Hall on Monday 19 June 2023 at 7.30pm **Chair Approved**

Present: Cllr Multon, Cllr Evans, Cllr Maltby, Cllr Burke, Cllr Widgery, Cllr Luxford-Vaughan, Cllr Boughton, Cllr Andrew, ECC Cllr Cory, CCC Cllr Burrows, Peter Kay (Public Transport Representative) Maurice Howard (Accountant), Emma Buckley (RFO), Jo Beighton-Emms (Town Clerk) and 12 members of the public.

Public Questions: Phil Long gave a presentation to the council on the Broadfield Project stage 2. This follows the planting of 55 trees on the Taylor Wimpey site to mark the 55 names on the St Mary's Church war memorial. The next stage is to install commemorative screens which feature a design by Millfields pupils with help from Colchester Institute. Cllr Luxford-Vaughan said that she would get advice on whether advertising permission is needed from CCC although she doesn't think so. The councillors discussed the possibility of funding a bench.

Phil Long was thanked for his presentation and he left the meeting.

### PART A

FC/06.23/01 Apologies for absence: Cllr Wenaden, Cllr Aldis, Cllr Kane and Cllr Guy.

Cllr Multon reminded everyone of the need to give apologies. Going forward if apologies are not given for an absence from a meeting then this will be noted in the minutes.

FC/06.23/02 Declarations of interest: None.

FC/06.23/03 Minutes of the previous meeting: The minutes of the Annual Council Meeting held on 9 May 2023 were proposed by Cllr Burke, seconded by Cllr Maltby and approved as an accurate record of proceedings.

FC/06.23/04 Reports from Members of County and City Councillors & Public Transport Representative;

- a) The councillors considered a previously circulated report from Cllr Cory which is attached as **Appendix A**.

Cllr Cory reported that he had attended the Transport & Travel WG meeting and confirmed that funding has been secured for some bicycle racks. He is hoping that funding for works to Clifton Terrace will be secured- Cabinet have given the go ahead. Cllr Andrew commented that the widening of the access is the most important need. He asked Cllr Cory for his support on the total ban of HGV vehicles without a traffic survey being necessary. Cllr Cory said that whilst he does offer his support this must go to the Highways Panel. Highways coming under CCC is still an aspiration but would be very hard to enable.

The School Streets initiative are holding meetings at the schools- on 27<sup>th</sup> June at Millfields and on 29<sup>th</sup> June at Broomegrove . Both will be at school pick up times.

b) Cllr Burrows Report.

Cllr Burrows reported that she has been working with CARA- Centre for Action on Rape and Abuse in Essex. She asked if WTC could help in advertising their services. Cllr Multon said that he would take this to the Comms WG.

She has also been working on the 20's Plenty Campaign and held a surgery with other CCC councillors. The next one is on 24<sup>th</sup> June. Residents said that they would like a Community Centre at the top of the town.

Cllr Burrows attended a meeting on the KGV with Andrea Pearson, Essex Police and other councillors. This was to discuss lighting on the pathway through the KGV. This requires public consultation.

Cllr Luxford-Vaughan Report.

Cllr Luxford-Vaughan reported that she has been working on the response to the consultation on the DPD (Design Plan Document) for the Garden Community. She thanked Cllr Andrew, Peter Kay, Cllr Aldis, Cllr Evans and Jane Black for their help.

She is now holding two portfolios. None of the current projects affect Wivenhoe.

- c) The councillors considered a previously circulated report from Peter Kay, Transport Representative which is attached as **Appendix B**.

Cllr Luxford-Vaughan thanked Peter and Cyril Liddy for their work on successfully securing a PROW at the Paget Road crossing.

FC/04.23/05 Wivenhoe Chickens- Update from Cllr Multon

Cllr Multon reported that the group had attended the Estates Committee meeting on 31 May to see if WTC could help with finding a new home for the chickens as they can no longer use the Station Pub car park. A site is being suggested at the Jubilee Garden. The Town Clerk said that she needs a contact for the group. Cllr Cory said that he would forward one to her.

Cllr Luxford-Vaughan said that the CCTV now covers this area and the use of the Youth Hub should deter anti-social behaviour.

FC/06.23/06 Approval of External Audit Submission for 2022/23 following the Recommendations of the Finance & Administration Committee Meeting held on the 8 June 2023. ( This item was dealt with following Item 8).

a. Internal Audit

The councillors considered the Internal Audit Report which is attached as **Appendix F**.

b. Financial Regulations

The councillors considered the Financial Regulations which are attached as **Appendix I**.

The RFO highlighted the update at page 16 which allows for a spend of up to £5k without the need for 3 quotations being obtained provided best value had been demonstrated.

c. 2022/23 Internal Audit Report Audit Requirements

i. Approval of attached Asset Register

The councillors considered the Asset Register which is attached as **Appendix G**.

ii. Approval of attached Risk Assessment

The councillors considered the Risk Assessment and Report which are attached as **Appendix H**.

iii. Approval of Insurance proposals.

It was noted that a revaluation of the Council Offices will be needed once the building works are complete for insurance purposes.

iv. Approval of the attached 2022/23 Annual Governance Statement

The councillors considered the AGAR, **Section 1** (page 4), which is attached as **Appendix J**. Approval was proposed by Cllr Boughton, seconded by Cllr Andrew, with all in favour.

d. Audit Requirements – 2022/23 Accounting Statement

i. Approval of Bank Reconciliation as at 31st March 2023

The councillors considered the bank reconciliation as at 31 March 2023 which is attached as **Appendix K**.

ii. Approve year on year comparisons and explanations.

iii. Approve explanation of differences between comparisons.

The councillors considered the comparisons and variances which are attached as **Appendix L**.

iv. Approve Accounting Statement 2022/23

The councillors considered **Section 2** of the AGAR. Approval was proposed by Cllr Boughton, seconded by Cllr Widgery with all in favour

Maurice explained that the office development project has now gone slightly over budget and there were outstanding items such as the yard barrier and an intruder alarm. The Town Clerk confirmed that the intruder alarm is no longer required. Cllr Luxford-Vaughan said that the barrier should come from another budget. There should be no further issues and savings are being made where possible.

Cllr Multon thanked Maurice and the RFO.

Maurice left the meeting.

FC/06.23/07 Committees:

a) Planning: Cllr Boughton reported that the Chair and Deputy Chair will be elected at the next meeting. At the meeting on 6 June 2023 the councillors had supported the call-in made by Cllr Burrows in respect of an application for a new build on Rectory Road.

The councillors had considered the revised application from Taylor Wimpey for the Land at Broadfields application. The response requires clarification. Cllr Luxford-Vaughan said that she will advise the Town Clerk.

Cllr Luxford-Vaughan reminded councillors that the S106 allocation for this application needs considering by 22 June. Cllr Burke said that she would deal with this and contact the Town Clerk.

Cllr Luxford-Vaughan reported that she will be seeking the advice and support of a planning consultant on the DPD. She asked the Town Clerk to obtain a quote.

b) Finance & Personnel: Cllr Multon reported that the committee had agreed on an additional 7 hours per week for the role of Senior Receptionist & Administrator.

c)Environment: Cllr Evans reported that he is meeting with Annie Morgan of the Essex Wildlife Trust regarding working with housing developers. He is also meeting the Climate Zsar on 29<sup>th</sup> June.

Cllr Boughton has been reviewing the S106 agreement in respect of the Tarmac site and found that there should be a liaison group but this has not to date been set up. Cllr Evans is following this up.

d)Estates: (This item was considered following Item 7a).

Cllr Multon reported that the committee have expressed an interest in buying a garage from CCC. However there is an outstanding claim from a neighbour which needs to be dealt with before the matter proceeds.

The Chapel Museum is now open at the weekends from 10am to 1pm.

The Committee had considered a quote and had agreed to instruct a company to carry out a survey and trial bore holes at the old cemetery wall to consider the damage and repairs needed. The Town Clerk said that she is waiting for the company to get back to her.

The KGV dog walking area is currently not fit for purpose and a small team will be looking at options to make improvements.

The RFO provided an update on the skatepark project. She and the Town Clerk had a call with the contractor and have agreed to now revert back to the contract terms rather than the request from the contractor for funds being paid up front for materials which had caused concern. Cllr Luxford-Vaughan explained that the contractor had won the tender fairly, offering the best design for the lowest cost.

Cllr Multon reported that members of the public had attended the committee meeting on 31 May to speak about the oak tree in the High St car park. This had included locals who have relevant expertise. It was agreed that their views and comments would be collated and that WTC would write to the agents for the homeowner's insurers to ask further questions on the decision that the tree should be felled because of subsidence. There is time as trees cannot be felled during the nesting season.

He asked the members of the public present to speak.

Alisa Murphy explained that a Facebook Group had been set up and this now has over 300 members. She has sent a list of questions to the Town Clerk which the group would like to be put to the insurers.

Matthew Searle explained that he was a professional arboriculturalist. He considered the approach to challenge the homeowner's insurers on their decision to be a sensible one. The burden of proof is on the balance of probabilities and his view this has not been met. The group also want a proper solution for the homeowner and to protect the tree which is of high value.

In his view there are a number of discrepancies which in summary are:

- The soil in the affected area is not a shrinkable clay soil.
- The level monitoring is not consistent with what you'd typically expect to find in tree-related subsidence cases and there is no shared data after October 2022.
- The bore hole showed vegetation roots but not specifically oak roots, or any other tree roots.

He asked what mitigation measures have been considered and noted the potential side effects such as heave if the tree was to be removed. He thinks that the insurers will come in hard as they are looking for the cheapest solution.

Cllr Evans reported that he has been in contact with Oliver Morgan a local construction engineer who has offered to provide advice. His quote is for £350. Approval to instruct Mr Morgan was proposed by Cllr Evans, seconded by Cllr Luxford-Vaughan with all in favour.

Cllrs Cory and Burrows and the members of the public left the meeting.

FC/06.23/08 RFO Update: (This item was dealt with following item 4)

- a. The council considered a previously circulated RFO Report, which is attached as **Appendix C**.

The councillors considered the Final Year End Report which is attached as **Appendix D**. The RFO explained the underspend. Cllr Luxford-Vaughan asked if the budget for the Planning Committee could be carried forward to the following year. This was agreed.

The councillors considered the recommendations made by the RFO. These were proposed by Cllr Boughton, seconded by Cllr Widgery and approved by all.

The RFO reported that a Community Fund payment had been agreed by the Finance Committee for the Regatta Committee for £265. This is for extra bins from CCC.

The RFO explained that she and the Town Clerk had met with the council's insurers. They are obtaining quotations for cyber cover and key persons cover.

- b. The council considered a previously circulated list of payments, which is attached as **Appendix E**. The payments were proposed by Cllr Burke, seconded by Cllr Maltby and approved by all for payment.

Cllr Maltby volunteered to review the Bank Reconciliation for April and May.

FC/06.23/09 Working Group Reports:

- a. Office & Yard:

Cllr Luxford-Vaughan reported that the WG had received a quotation (£8k) for an access barrier to be installed to manage access to the council yard. She explained that the groundstaff would like it as otherwise the yard is unsafe for public access and it made sense to get it done now whilst the builders are on site. A decision is needed now as they need to know if the electricity supply is needed for it at the proposed location. Cllr Luxford-Vaughan explained the proposed location of the barrier and how it will work. Pedestrian and disabled access will still be options. She asked if access from the WLH car park would be maintained. Further meetings are needed with the staff on this.

Cllr Luxford-Vaughan proposed that an access barrier should be installed to the council yard as per the quotation received from the architect. This was seconded by Cllr Boughton and carried by majority. Cllr Andrew abstained and asked that his abstention was recorded in the minutes.

- b. Health & Wellbeing:

Cllr Multon reported that a Community Picnic had been held on 10 June and that this had been a success.

The group are now planning a Community Day in September.

c. Community Engagement:

The next edition of the newsletter is underway. Cllr Guy is now leading on this.

d. Travel & Transport:

Cllr Andrew had provided a previously circulated report which is attached as **Appendix M**.

e. KGV Electricity Installation:

The Town Clerk reported that an application has been made to UK Power Network to reconnect a lamppost near the playground. This would provide the power supply to lights on the pathway if the decision is to go ahead. It was agreed that public consultation is necessary. Cllr Multon said that the street safety officer had said that by installing lighting WTC may be solving a problem that isn't there.

f. Carparks & Market:

Cllr Burke reported that WTC's application to vary the S106 agreement for the Dinghy Park had been called in by Cllr Cory. Cllr Kane will now be attending the CCC Planning meeting on 6 July.

A working group meeting is needed to take forward the proposed changes to the car parks.

g. Children & Young People

The first meeting has not been held yet.

h. Mayoral Activities:

Cllr Multon had provided a previously circulated report which is attached as **Appendix N**.

FC/06.23/10 Town Clerk Report: The council considered a previously circulated report from the Town Clerk, which is attached as **Appendix O**.

FC/06.23/11 Date and time of the next meeting: The next Full Council meeting will be held on Monday 17 July 2023 at 7.30pm.

FC/06.23/12 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.

PART B

None

The Chair closed the meeting at 21.38.

**Appendix A**

**Cllr Mark Cory – Wivenhoe Town Council Report: 1.06.2023**

**Essex County Council matters:**

**1. Road Repairs/Roadworks:**

Pothole Repairs: I am still waiting upon outstanding repairs and follow-ups to my County Councillor pothole quota – such as the batch of potholes at the University junction.

High Street Railway Bridge: I have chased the Cabinet Member for Highways on the matter of a full repair – he has asked for an update. Repeated pothole patching is not sustainable here.

## **2. Local Highways Panel**

We have success!

At the meeting this month, I have managed to push forward to Wivenhoe Schemes, one to funding stage and one funding achieved. Thank you to Cllr Andrew for his support on these – particularly the Bike Parking scheme which he initiated through the WTC Transport Group.

- The Bike Parking Scheme has received funding – this will be sent to WTC in due course.
- The Clifton Terrace Station Access Project has now completed Feasibility and Design stages – I am still waiting for those design and study feedback, but I have succeeded in getting it agreed to be funded in this financial year.

## **3. School Streets**

Two successful face to face meetings have been held with lots of resident engagement. We await rescheduled online meetings to enable greater participation. Ideas are forming, but views were sought before any options would be put forward. I will share outcomes and proposals as they follow out of the final meetings.

## **4. Streetlights**

ECC have repaired most of the lights I have reported, including the worst patch in Heath Road.

## **5. Yellow Lines**

We have a number of problem areas around Wivenhoe where lines would help reduce bad parking, especially junction parking. I am engaging North Essex Parking Partnership on this issue and will use Essex for support if funding is required. Examples include Rosabelle Ave – junction with The Avenue; Leys Road/Vine Drive/Vine Farm Road; Manor Road junction with Rectory Rd and others (please contact me on any you believe should be investigated).

## **6. Flooding Issues**

The Cabinet Member answered my question in Full Council that there was no strategy in place for dealing with drainage and increased flash flooding. Meanwhile, I have reported specific drains that remain an issue.

### **Colchester Borough Report:**

#### **7. TCB Development Plan Document**

After reading the WTC submission, I will make my own before the deadline – this will follow on from points made in my objection to the DPD when voting at Colchester Council.

#### **8. Taylor Wimpey Application**

This has now arrived at CCC and is much improved. We are going through the detail as CCC Councillors and will put forward comment next week.

#### **9. West Quay**

I successfully patrolled West Quay with PCSO Emma Wright and plan more over the summer. PCSO Wright support the use of more signage to discourage Cycling and Dog Fouling. She has since spoken to a repeat Dog Fouling offender and given a warning.

#### 10. **Planting Projects**

I plan to replant the boat and add to the cyclepath planting over the coming weeks, using the remaining £170 from the planting budget held by WTC. I will ask for volunteers nearer the time.

I will support Cllr Evans and Mark Halladay with their ECC visit and video to promote the Green Verges project on 29<sup>th</sup> June.

#### 11. **KGV Path Lighting Project**

Michelle organised a visit from Angie Pearson of Essex Police to walk the path and give advice on ways forward to promote safety. Her recommendations ruled out certain options. More work and consultation will be needed on this project.

#### 12. **Ferry Marsh**

Lead officer on this project, Nick Christo, has left Colchester and I await a new officer contact. I have requested that the consultation feedback go to the Environmental and Sustainability Panel in July – this follows my promise to Jane Black to ensure public scrutiny of the findings.

#### 13. **Summer Surgery**

Our first Summer Surgery at One-Stop, Vine Parade, was successful and brought up a number of new matters and casework. Our next Surgery will be at the Coop on 24<sup>th</sup> June.

### **Appendix B**

#### **Peter KAY WTC Report June 2023**

##### PAGET ROAD

(Those with no particular interest in this matter need only read the first three paras).

Nearly a year after the ECC officer advised that she was about to finish off the report, it was published on 2<sup>nd</sup> June along with the ECC decision letter stating that they are going to add Paget Rd North and the railway crossing to the definitive map. They have not yet made the legal Order, which we must await until due course! But they have got to make it now.

ECC has no doubt from the evidence provided that this has been a public right of way since the early days of the railway up to the present. The most satisfactory aspect of the way in which things are expressed in the report is the total rejection of *all* of NR's arguments, in simple language that anyone can understand. NR were forced in desperation to roll out their legal fairyland argument that no railway company ever had powers to dedicate a foot route over its tracks, and that all persons using such routes are criminal trespassers. (This they keep 'trying on' in the hope of finding an Inspector or Court daft enough to agree with it). In particular NR made their case ridiculous by suddenly saying at the time our application was made that they no longer agreed with their own clear statements at the Essex level crossings inquiry that Paget Rd WAS already a PROW, and now wished to argue that it wasn't; their only 'evidence' to back this volte-face being that *the back passageway of the houses in Captains' Row* was not shown as a public route on an 1860s map.

Whilst the principal news is therefore all good, there are problems with other things in the report that might cause difficulties if NR should appeal against the Order when made, and force a further public inquiry in which everything will have to be gone over again. (No rational party would appeal against a decision where their own evidence has been wholly rejected as rubbish, but we know that NR are vexatious and vindictive



in their dealings with FP crossing users and quite willing to spend public money on the pursuing of poor cases to the last opportunity).

The ECC officer was (like the Inspector at the Essex LCs inquiry) seemingly not fond of people who present detailed researched cases, and latterly was becoming difficult to deal with, including making requests that I must supply her with documents not relevant to our case.

The whole way in which our application is dealt with in the report is odd. At the start it does not even say who made the application, then there is a reference to 'a Mr Liddy' and 'a Mr Kay' (not explained who they are), then our case is dealt with on p.23, with several snide comments about the evidence I submitted. (In fact much of what I sent her is described elsewhere). The most important thing relates to the notes I sent her explaining how the path must have come into being at the time of the line opening, which she dismisses as not having any source references, when it actually had nine attachments including all the most vital maps (which she seems to have separated off) plus several other references in the text. Instead she decided to do some 'research' of her own, and alighted on some excerpts from an old book (on the Wiv. History website) from which she ended up wrongly concluding that the path only dated from 1876-9. Had she looked properly at the 1874 OS map I sent her she could have instantly seen that the path already existed then!

Apart from being annoying to us (!), all this is significant if a further public inquiry is held, as we would then have to point out the errors in the ECC conclusions on several significant historical fronts, when it is obviously much better to present a unified front against NR.

(If however NR do *not* appeal, none of this really matters in practice, as a made Order based on some erroneous conclusion is as valid as an Order based on 100%-correct conclusions).

Finally the report contains (to some surprise) a whole page entitled evidence of Wivenhoe Town Council. (Cyril and I were in fact acting on behalf of WTC). It turns out that the ECC officer received emails and phone calls from someone in Wivenhoe claiming to be speaking on behalf of WTC, expressing personal views quite unrelated to anything agreed by WTC; and she has put these in the report. Jo is now going to contact the ECC officer to ask if a note can be added to the 'official copy' of the report pointing out that this is NOT WTC evidence.

TCBGC

I have now completed and am about to submit my evidence on transport (mainly public transport) matters, focused particularly on the unreality of their 'modal split' based on lots of ordinary car-minded NE Essex people being converted to cycling several miles in all weathers, and the failure of the DPD to include full details of the RTS as it is required by Section One to do. (It is not claimed that nobody will cycle / walk on *intra*-GC trips, but what happens within the GC is not of interest to the rest of the local population). The evidence is under my own name but if circumstances so emerge it could be presented together with the WTC case at the hearing. Also selections from my evidence are in any case being incorporated into the main WTC evidence.

In recent weeks I have been taking photographs of the 'GC countryside' in the spring evening sunlight, in case the GC proposals should start looking crumbly (most likely on finance) at some point, when it might become appropriate to focus public attention more on what would be lost, which has never been done to any extent hitherto, that not being helped by the fact that most Wivenhoe and other local people have no idea of the existence of these places 1-3 miles away!

**Appendix C**

## ***RFO Finance Report Update for June FTC***

We have closed the year 22/23. The system is up to 30.04.2023.

### **Finance regulations: All the same as last year but an amendment to point 11h:**

Point 11h is about obtaining 3 quotes: The recommended change would be that where the value is less than £5,000 (instead of £3,000) obtaining 3 quotes for work. It is extremely hard to obtain quotes for smaller jobs or purchases and also receiving quotes is sometimes not even possible due to the nature of the job and only one suitable supplier available. The Clerk and RFO would always seek best value.

Jo and I met with Andy our insurance contact at BHIB. The town council's insurance policy was due for renewal on 1<sup>st</sup> June. This year's policy was a total of £13,736.63, an increase of £795 from last year. From the meeting BHIB will be sending us further information on cyber cover, we have looked at this previously, but I will review our risks again this year. We have also asked for a quote for key person cover and will be assessing the value of regalia cover needed as this is currently not insured. We discussed the tenants that WTC has, I will be looking into our landlord commitments and any insurance that may be required. Our reinstatement survey for the properties is not due until May 2024. But we plan to undertake a valuation for the offices once the building work has been completed. This will be at a charge of £125 + vat. This will ensure the property is sufficiently covered for insurance purposes. We have been advised that an intruder alarm will not reduce our insurance policy premium and we have been made aware that if an alarm is fitted at the office and if any incident was to occur and the alarm had not been set, WTC would not be covered if a claim was made.

I have met with Michelle this week and she has started working on our internal audit for 22/23.

As you are all aware, we have had many IT issues with the wifi and Colchester Fibre. The system and internet service are back up and running, but with restrictions. We are unable to scan documents, use the sum-up card reader and some email addresses are having issues receiving our emails and attachments. We have requested that SYS3 install and manage our internet again at the hall. This means WTC will have to sign up to a 12-month contract, at the estimated cost of £40 a month again. I am waiting for SYS3 to confirm the details.

£2,498.37 was raised in total at the Turkey/Syria event. £833 was donated to Dec.org and £1,665.37 was donated to The White Helmets.

A VAT claim has been submitted for March and April.

Community fund application from Wivenhoe Regatta has been approved at Finance and Personnel

committee for £265, to enable them to hire bins from CCC on the event day.

**b) Bank Reconciliations –**

31/03/2023	Confirmed Bank Balances	£581,886
30/04/2023	Confirmed Bank Balances	£1,169,799

**c) Payments –** That the circulated Schedule of payments be approved. **£202,125.40 (Including £142,097.02 to Cadman for the Office & Yard Development) (See attached draft schedule)**

**d) Budgetary Control Reports - No Update**

**Appendix D**

**RFO Report for Finance Committee 08.06.2023 –**

**A Introduction**

The final budget report for the month ended 31/03/2023 is attached as an Appendix A for the Committee’s consideration.

The report shows an underspend of **£46,568** for 2022/23.

The purpose of this report is to review these figures and compare them with the revised budgets to explain significant variances which require management action.

**B Year End Adjustments**

There are a number of adjustments required to be made to the underspend to reflect funding to and from reserves:

<b>UNDERSPEND AS PER YEAR END BUDGET REPORT</b>	<b>£46,568</b>
<b>PLUS, EXPENDITURE FUNDED FROM EARMARKED RESERVES</b>	<b>£59,798</b>
<b>LESS INCOME TO BE CREDITED TO EARMARKED RESERVES</b>	<b>-£35,966</b>
<b>ADJUSTED UNDERSPEND AS AT YEAR END</b>	<b>£70,400</b>

**Expenditure that is has been agreed will be funded from earmarked reserves:**

Fees and other payments relating to the office rebuild	£27,290
Sensory Garden deposit	£2,475
Sensory Garden Expenditure during year	£16,463
Youth Hub Expenditure during year	£12,070
Defibrillator purchase from ERM	£1,500
<b>Total</b>	<b>£59,798</b>

**Income that is has been agreed will be transferred to earmarked reserves:**

Sensory Garden Grants during year	£17,576
Youth Hub Grants	£17,890
Grant from M.Cory KGV Path Lighting	£500
<b>Total</b>	<b>£35,966</b>

**Under spending’s that it has been agreed should be transferred to earmarked reserves are as follows:**

Loan repayments	£16,500
Minibus surplus	£583
Police House surplus	£26,591
Environment	£1,916
Planning	£2,500
Repairs & Renewals	£18,065
Wellbeing	£192
<b>Total</b>	<b>£66,347</b>

The balances on Earmarked Reserves are shown on Appendix B and total £407,693 This leaves a balance on General Reserves as at the 31<sup>st</sup> March 2023 of £164,543.

It should be noted that it is anticipated that the earmarked reserve balances will reduce substantially during 2023/24 with the completion of the new offices and the skatepark

### **C Reasons for Major Variances from Budget**

**Income was £54,733 more than expected was due to:**

<b>Other income including insurance claim</b>	<b>£3,708</b>
<b>Grants &amp; Donations</b>	<b>£16,400</b>
<b>Minibus</b>	<b>£764</b>
<b>WLH income over budget</b>	<b>£10,272</b>
<b>Police House's rent under budget</b>	<b>£967</b>
<b>Allotment rent under budget</b>	<b>-£112</b>
<b>Cemetery income over budget</b>	<b>£2,531</b>
<b>Grants for KGV garden</b>	<b>£17,576</b>
<b>Car park income over budget</b>	<b>£1,279</b>
<b>Other income items under budget</b>	<b>£1,348</b>

**Expenditure was £18,365 overspent the most significant variances are as follows:**

<b>Administration</b>	<b>£4,814</b>
<b>Planning</b>	<b>-£7,571</b>
<b>Community (mainly Youth Hub)</b>	<b>£14,962</b>
<b>Civic expenses (Hospitality during year)</b>	<b>-£1,555</b>
<b>KGV</b>	<b>£24,743</b>
<b>Other Variances</b>	<b>£1,037</b>
<b>Repairs &amp; Renewals (Improvements, New Equipment &amp; Maintenance)</b>	<b>-£18,065</b>

The income surplus relates to receipt of grants and service income.

The reduction in spending partly reflects savings from delays in the office projects and repairs and renewals delays, including the cemetery wall and renewal of vehicles.

It is understood that there are requests for the use of the under spending's from Planning and Community during 2022/23 to be carried forward.

### **Repairs & Renewals Transactions**

In 2022/23 a £56,784 budget for New Equipment, Improvements and Maintenance but we only spent £38,719.

This can be partly explained by delays in obtaining surveys and receiving quotes for works. These are required to enable the council to decide on the most cost-efficient way to progress work on the repair of the cemetery wall. There have also been postponements in carrying out a review to replace the Council's van and truck.

### **Office / Yard refurbishment to be funded from Reserve:**

The office refurbishment has been another project which has been delayed during 2022/23 but towards the end of the year the project has started to make progress.

The project will be progressed during 2023/24, now the £500,000 loan has been received, and the building work started. After year end adjustments there is £112,233 in the Town Redevelopment Reserve, which is expected to be sufficient as the project gains pace.

### **D Recommendations**

- 1. Confirmation that £2,500 of the underspend be carried forward to 23/24 for Planning.**
- 2. Confirmation that £192 from Wellbeing be carried forward to 23/24.**

3. It is now recommended that following the completion of the skatepark, the remaining balance be earmarked for future developments (possibly the pump track).
4. Repairs and Renewals from the 22/23 underspend allocate a further £5,000 for replacement Vehicles, £3,065 for WLH improvements and a further £10,000 for Cemetery wall repairs.
5. £27,290 of the EMR Town Redevelopment Reserve, be used to fund the expenditure, on professional charges.
6. £26,591 of the Police House surplus be allocated to the Town Redevelopment Reserve so as to progress the Office Refurbishment or other projects.
7. Confirm Council's previous decision to allocate £16,500 of the underspend on loan repayments in 2022/23 to the Town Redevelopment Reserve so as to progress the Office Refurbishment.
8. Consider the proposed transfers listed above between the earmarked and general reserves.
9. Review the Council's Budgetary and Reserves position as part of the 2022/23 year end process.

The net effect of this will be to increase the balance on General Reserves from £160,490 to £164,543 an increase of £4,053

#### **E Conclusion**

**The Council continue to have reliable financial information on their financial situation.**

**That information shows that the Councils finances are stable.**

**The Council are financially in a position to progress a number of improvements to the services they provide.**

**Appendix E- See attached**

**Appendix F- See attached**

**Appendix G- See attached**

**Appendix H- See attached for the assessment**

## **RISK ASSESSMENT REPORT FOR THE FINANCE COMMITTEE MEETING JUNE 2023**

### **Introduction**

The first draft of the annual Risk Assessment review has been prepared, as required for the 2023 AGAR. Once approved and finalised it will be possible for the documents to be formally approved by the Council, to enable the Return to be sent to the external auditor within the required deadline in June 2023.

### **Terms of Reference**

Each year the Council are required to carry out a risk assessment review.

Each year a revised "Practitioners Guide" is issued to Local Councils and their external auditors regarding Governance and Accountability. Included in the guide is new guidance regarding risk assessment.

An extract of the guidance which was provided this year can be found at Appendix A.

### Proposed Policy

The recognition and management of risk is integral to the Town Council’s stewardship of their assets and resources and the effective and efficient discharge of their duties and responsibilities to the community.

Risk assessment is a continual process for the Town Council. Risks may be financial or non-financial.

The Town Council is responsible for the management of risk in accordance with this policy and plan.

The Responsible Financial Officer in consultation with the Clerk is responsible for advising the Town Council on risk assessment and for conducting his/her duties in a manner, which avoids undue risks to the Town Council

Key risks are identified in the Risk Assessment Plan.

Risk Management is an aspect of the internal controls operated by the Town Council through their approved Financial Regulations.

Internal Controls are subject to scrutiny by the Internal Auditor.

**This Risk Management Plan was reviewed by the RFO in May 2022 and put forward for adoption via the Finance and Administration Committee and Full Council on 20th June 2022.**

**This document was due for review by 01/04/2023.**

### Risk Assessment

The draft 2022/23 Risk Assessment can be found at Appendix B which reflects the matters identified by the RFO following consultations with the Internal Audit, Wivenhoe Town Council and other sources. **Any risks raised on the internal audit will be reviewed and added to the risk assessment, internal audit report has yet to been received.**

Members are invited to review the document and suggest additions and deletions.

### Proposed Action for Progressing Risk Assessment

In 2020 the approach was to follow the “Practitioners Guide” categories. The following analysis was accepted last year and shown in red is the progress to date and areas where further work is required during 2022/23.

RISK CATEGORY	REVIEW AREAS
1 Financial – loss of money	a) Using computerised accounting system. <b>Operational from 18/19 to 22/23 year-end</b> b) Financial Control Review of: - Banking & methods of payment <b>(Revised during 20/21 and 22/23 more improvements introduced in 2022/23, including online access to approve payments and new signatories for all accounts including NSI)</b>

	<p>- Budgetary Preparation &amp; Control (Improved reporting operational from March 2019 and improved in 22/23 as part of 23/24 budget preparation. Budget effected by COVID wage inflation and project delays resulting in underspends, but 2 major projects commenced at start of 2023/24 which are expected to significantly reduce reserves by 31/03/2024. Precept increased for 2023/24 because of pay inflation experienced in 2022/23. 2021/22 recorded the final repayment of the PWLB loan on the police houses which will result in there being a £44,858 reduction in spending during 22/23. New £500,000 PWLB Loan taken out in April 2023. Increased debt charges annually of less than £35,000 in full year but £17,500 in 23/24</p> <p>- Payroll processing (Improved Controls introduced during in 22/23)</p> <p>- Payments to suppliers &amp; utilities (Direct Debits increased where possible)</p> <p>c) Insurance arrangements (Have been reviewed as part of 2020/21 and 21/22 renewal including visits from insurance company in June 2021 &amp; Mar 2022. Further meeting arranged June 2023)</p>
2 Security – fraud, theft, embezzlement	<p>Review of Internal Controls (Controls strengthened during 2020/21 for payroll and budgetary control. Changes to signatories and online access have been updated during 22/23)</p>
3 Property – damage to property	<p>a) Insurance including cover for Pontoon / Staff / Property Currently NO Subsidence cover possible (as Wivenhoe a red area.) (Cover has been reviewed generally in early 2021/22 &amp; restatement values for property undertaken in 2021, recommended to survey again in 3 years but may need to be brought forward because to completion of projects. Insurance cover has now been taken for Pontoon)</p> <p>b) Asset Register &amp; valuation (Computerised system used as part of 22/23 year-end. Insurance valuers report received for property in May 2021 with an increase of £700,000 in insurance valuation)</p> <p>c) Maintenance, repair and replacement New systems-based approach being continued in 22/23 linked to improved budgetary control reporting. Needs further improvements 23/24. Cemetery wall major repair work required as per EAP engineers survey dated May 2021, specifications for remedial work and quotations to be obtained. The surveys have been completed in</p>

	<p>2021 and May 2022 quote are still waiting to be received for planned work)</p> <p>Subsidence risk to be re-assessed by property manager on all properties, as insurance cover not available.</p>
4 Legal – breaking the law or being sued	<p>a) Public Liability arrangements</p> <p>b) Health and Safety (Risk reduced during 20/21 as a result of the retirement of elderly members and staff. During 20/21 and 21/22 where required steps have been taken to shield staff from COVID by taking appropriate precautions)</p> <p>c) Property Lease Renewals Post Office Lease ended in May 2022. New 1<sup>st</sup> floor lease to be arranged in 2023/24 but need to consider government’s proposed changes regarding letting property.</p>
5 IT – failure of IT systems or misuse	<p>IT security, backup &amp; Data ~Protection (Some Data Protection Training undertaken during 18/19. New Hardware and software acquired in 18/19 and 19/20 with new LAN. New email arrangements, social media and web site was introduced in early 20/21. Post Implementation Review of new arrangement required during 22/23 to identify further areas for improvement. Cyber threats to be reviewed and Data held by WTC. Proposed review of IT requirements undertaken as part of specification for new office project.</p>
6 Reputational – harm to WTC’s reputation	<p>Human Resources arrangements (2 New staff recruited during 18/19 with new contracts of employment and agreed career development and training plans. These plans have been progressed in 2022/23. Training plans being progressed in 23/24. Further work to be undertaken for other existing staff)</p>

### Recommendation

The Committee approve the proposed Policy

The Committee note the progress to date and approve that the risk assessment should be progressed using the approach proposed as the way forward.

The Clerk and the RFO review Appendix B to formulate an action plan to address the outstanding issues.

Emma Buckley  
RFO 31/05/2023

**Appendix I- See WTC Website for updated Financial Regulations**



**Appendix J- See attached**

**Appendix K- See attached**

**Appendix L- See attached**

**Appendix M**

## **Travel & Transport WG Report**

### **Policy Background:**

Essex CC constantly promotes a “Safer, Greener, Healthier” approach to travel & transport.

Colchester’s Future Transport Strategy (2021) stresses the urgent need to reduce congestion, and the pollution caused mainly by motor vehicles, by reducing non-essential car use, especially for short urban journeys. Achieving a significant modal shift to walking, **cycling** & public transport is key critical to the (approved) TCBGC development of a large new town.

Wivenhoe rarely suffers congestion, except on A133, and sea breezes mean our air quality is good, but the many new developments in & near Wivenhoe will inevitably generate more traffic. Wivenhoe Neighbourhood Plan (2019) also aims to encourage more people to travel sustainably more often, instead of always driving everywhere, but changing travel habits requires positive incentives to walk / cycle / use public transport – not deterrents.

Wivenhoe Town Council approved various travel & transport initiatives in 2022/23 (below) but most of them have not yet been implemented. Funding is not the only issue; the processes by which decisions are made are unclear and lack transparency. It is hoped that this can be addressed in 2023/24, otherwise the stated policy objectives, which have been agreed by all three levels of government will not be realised.

#### **1. Wivenhoe Trail Resurfacing**

As the only traffic free walking & cycling route between Wivenhoe & Colchester, the Trail’s importance as an incentive cannot be overstated. The path was resurfaced as far as Hythe in 2022 but its uneven, signage is lacking, and the Colchester end is poor quality. Some sections need shoring up to prevent erosion. Regular maintenance is essential to prevent it becoming overgrown again and to stop potholes developing – is there a commitment to it ?

#### **2. Station Access Upgrade**

There is no disabled access to the Clacton platform, which ought to be unacceptable, and the steps are in very poor condition making them hazardous for anyone with children, luggage or shopping. WTC councillors proposed a viable solution to ECC a year ago but still await their Feasibility Study. Widening the access point is the key to redesign; the neighbour is amenable to discussing releasing some of his land – has he been approached by ECC ?

Lighting is also poor and the rough access path at the top is unsurfaced – could not these issues be addressed asap, regardless of the feasibility ?

#### **3. Cycle Parking (phase 1)**

There is a general lack of cycle parking where its most needed in Wivenhoe – which is a deterrent. Modest low cost proposals for new / improved on-street cycle stands have only just been approval by ECC. Few locations are actually on ‘their’ Highway due to Wivenhoe’s pavements being too narrow. WTC will install them – not ECC; can we now expedite ?

#### **4. 24hr HGV restrictions**

Most other villages in this area ban HGVs from unsuitable roads 24/7, *as do some roads in Colchester*. But our HGV 'restriction' only applies between 11pm and 6.30 am – a bizarre anomaly which means HGVs can drive through Wivenhoe to the Quarry all day, on narrow residential roads – a major hazard / deterrent to walkers & cyclists – many do so at excessive speed. Primary school children use these roads to walk to school... a few cycle, but only on the pavement (understandably) which creates another hazard.

The alternative route via B1027 is much more suitable for HGVs as it has no frontages, no parked cars, and no pedestrians – furthermore it is a quicker 60mph road – there is no benefit in driving through Wivenhoe. This is very low cost intervention. Can the Traffic Order be raised asap – and implemented before Taylor Wimpey start construction ?

*An ECC traffic survey is NOT needed – why should Wivenhoe be an anomaly ?*

#### **5. 20mph speed limit – All urban streets**

No other road safety measure is more likely to increase cycling & walking – at low cost. Cycle infrastructure is costly and takes years to implement (ref. Crouch St); it also requires wider roads than Wivenhoe has. Unlike other villages, Wivenhoe's roads are not through routes to Clacton / Harwich etc – there is no need to drive the 'last mile' fast. Compliance with wide area 20 limits is much higher than piecemeal schemes. Rather than Wivenhoe unilaterally impose a 20mph limit however, WTC have decided to support the county wide EALC campaign which many other local councils support; but when will ECC decide ?

Could Colchester decide to make 20mph its default speed limit ?

Jo Wheatley is leading a 20's Plenty campaign to generate public support.

#### **6. Obstructing the Footway**

Pavement parking damages our already poor quality footways and is anti-social, especially on Wivenhoe's narrow pavements. There should be no need for it on most of our streets. If we continue to tolerate this practice it will become a more widespread problem.

Examples were reported to NEPP but has any enforcement action been taken ?

Very poor road surfaces are a problem that several residents have complained about to no avail; Station Road being the worst. Patchwork repairs are NOT a cost effective solution.

Exposed ironwork on the rail bridge is a serious concern, caused by double deckers having to turn sharply on exactly the same spot – lighter, single decker, e-buses would resolve this issue and be much quieter – and reduce the 'need' to park on pavements.

Poor pavement surfaces are also an issue – recently exacerbated by cable laying – there are many trip hazards. Piecemeal patching is not cost effective (as with the carriageway).

Could Colchester be more proactive ?

### **Appendix N**

#### **Mayor's Report**

This month I spoke briefly to help introduce the Involve Wivenhoe Community Workshop that aims to develop a Local Nature Plan. That same weekend Ildiko (my wife) and I enjoyed the mellow sounds of The Oxley-Meier Guitar Project, as guests at a jazz night organised by The Music Mix at the WLH. *Nice*.

'The bling' was first donned for the Parkside development topping off ceremony at Essex University, and then again at CCC's historic first City Mayor Making ceremony at the Old Public Library in Colchester.

I was very pleased to attend the grand opening of the Wivenhoe Youth Hub, and offer thanks to Ann Luckin and her industrious team for putting together (alongside cllrs.) such a splendid new facility for younger folk.

A visit to St. Mary's June Market resulted in the purchase of various 2<sup>nd</sup> hand books, and later that weekend, Ildiko and I had a wonderful day at Brightlingsea's Blessing of the Waters, where I got to steer a smack and amazingly didn't ground us. We dined with the Mayor of West Mersea (Sophie Weaver) and Mayor & Mayoress of Margate, Rob Yates & Iris Johnston.

Most recently, I joined Cllrs. Luxford-Vaughan, Burrows and Cory in meeting Angie Pearson (a 'Safer Streets' expert) to inspect the KGV path, with a view to installing lighting along there.

On the same evening, I met with the resident impacted by the car park oak tree problem, just to see how they are doing, update them on progress, and to listen.

## **Appendix O**

### Town Clerk's Report- Full Town Council Meeting 19 June 2023

1. Staffing: No update.
2. We have received one application to date for co-option. It's been agreed that he will be interviewed at the July FTC. I will circulate the questions we used last time. The closing date for applicants is 10 July.
3. Office & Yard-
  - The next monthly meeting with the contractor and the architect will be held on 14<sup>th</sup> June.
  - I am waiting for warranties from the M&E contractors requested on the advice from our solicitor so that the contract can be finalised.
4. The Health & Wellbeing WG held an International Community Picnic on 10 June on the KGV. Thank you to the staff who assisted on the day. The next meeting is on 20<sup>th</sup> June at which we will be planning the Community Day to be held in September to coincide with the opening of the renovated council offices.
5. The Funding WG is meeting on 13 June and will be discussing advertising for a Funding Officer and new funding opportunities.
6. The Comms WG are working on the next newsletter to be published in July. The next meeting is on 20 June. This newsletter will include a survey which I drafted to assist with the Local Nature Plan and for my course module this year on research. The survey will also be published on our Facebook page.
7. I have arranged for Colchester First Responders to give free training on CPR and using a defib. This will be on 27 June at the WLH. I am waiting for a poster from them to advertise this. It will be for the first 20 applicants so please let me know if you are interested.
8. I have responded to a number of FOI requests relating to the oak tree in the car park. Cllr Aldis will provide an update at the meeting.
9. Jim has installed picnic benches in the Sensory Garden- these are accessible for wheelchair users. We are now looking at options for low level lighting.
10. I am on annual leave from 1 to 15 July.

