

**Minutes of the meeting of the  
PARKS, OPEN SPACES, CONSERVATION & FOOTPATHS COMMITTEE  
held on Monday 1<sup>st</sup> October 2018 at 8:35pm  
in the Committee Room, The Freight House, Bradley Way, Rochford.**

**Cllrs present:** Chairman Mrs P Young, Mrs E Gadsdon, R Gardner, S May, R Patient, Ms A Rees-Jones, M Strubel, Mrs M Weir & S Wootton.

**37. Apologies for non-attendance at meeting:**

Cllr Mrs N Shaw had given her apologies.  
Members received the apologies tendered.

**38. Declarations of any:**

- a) **Disclosable Pecuniary Interest;**
- b) **Other Pecuniary Interest; or**
- c) **Non-Pecuniary Interest**

**on any matter on the agenda for 1<sup>st</sup> October 2018:**

No declarations were made relating to a), b) and/or c). Members also made no declarations relating to any change in their Register of Members' Interests.

**39. Public Forum:**

One member of the public was present.

**40. To approve the Minutes of the meeting held on 10<sup>th</sup> September 2018 and to approve the destruction of the notes in respect of that meeting:**

Cllr R Gardner enquired why the Minutes were not present with the Agenda papers and was reminded that a full set was within the Full Council papers and that the agenda instructed Members to refer to their Full Council papers. The Clerk explained this was a cost cutting exercise to ensure that printing/photocopy costs were kept to a minimum with no duplicate copies printed unnecessarily.

Cllr Mrs M Weir commented on her absence at the meeting held on the 10<sup>th</sup> September 2018 and raised concerns regarding Minute 34, noting that Members had agreed the Clerk contact Swallows about the fish which had been dumped illegally in Magnolia Pond. She requested that the Great Crested Newts be considered, and the Clerk informed her that no action would be taken until professional advice and all relevant parties were involved, including the Great Crested Newts expert(s).

The Minutes of the meeting were **approved** as a correct record and Members approved the destruction of the notes in respect of that meeting.

**41. Action List Update – October 2018:**

- 41.1 Members noted that the wall post in Elizabeth Close Playground was being monitored and that the Clerk had received a call from a resident who had suspected the wall had started to move. The Clerk informed Members she would be carrying out a site visit with the resident to ascertain what level of movement, if any, had occurred.

- 41.2 Members noted there had been no updates regarding the RDC Parish Parks Forum.
- 41.3 Members were reminded of the approach from KeyMed regarding assisting towards the costs of improving the pond. Stillwater had carried out the second treatment for duckweed removal and the silt remediation work would take place in November.
- 41.4 Members noted the Clerk was waiting to obtain advice from Essex County Council (ECC) Public Rights of Way (PRoW) regarding the land grab matter in Magnolia Park which was not in accordance with the Definitive Map/Footpaths. Cllr S Wootton sought assurances that both the triangular piece of land and footpath 'grab' was being addressed and the Clerk confirmed she was trying to deal with both matters. The Clerk informed Members that she was now in receipt of the Title Plan of the offending resident's property and that confirmed the triangular land which had been sectioned off was not the resident's land. The Clerk was trying to seek advice about how to move forward and she was in contact with the resident who had raised the matter, given he had shown a large amount of knowledge and expertise in the matter.
- 41.5 Members noted that they were to alert the office when the boggy area in Spencers Park returned so a site visit could be arranged.
- 41.6 Members noted the HMRC online form which the Clerk had completed and showed that the status of the contractor's work was regarded as self-employed as a sole trader. It was also noted that the payroll rules in relation to IR35 were not relevant to the engagement. Cllr R Gardner informed Members he did not agree with the information and that he had contacted HMRC himself and the form he had compiled gave a different result. Member raised concerns and were unclear why Cllr R Gardner had not shared the information with the Clerk and Members earlier, noting it was not appropriate to expect Members to review the information without knowledge or notice. It was agreed that Cllr R Gardner, and any other Members who wanted to be present, visit the office and go through the two forms to see where the information differed. It was further agreed that a report would be presented to Members at the next meeting.
- 41.7 Members noted the Tree Survey report would be distributed in the November papers as the Clerk had received it a day after the papers had already been issued for October. The Clerk informed Members that the report had highlighted some urgent priorities which she was dealing with, given the advice had been to deal with urgent priorities with a ten-day timeframe. One priority was a Willow tree in Magnolia which bordered the playing field and Nature Reserve which had decayed and needed to be removed. The Clerk showed Members a picture of the tree, noting that it was a significant tree, and informed Members she was in the process of obtaining quotes with the aim to get the work done within the next week or so. It was noted the Willow would be removed and a further Willow which neighboured it would be pollarded by 50%.
- 41.8 The Clerk had contacted Swallows Nursery who had recommended a specialised pond company. The Clerk had made contact with that company and was awaiting a response. It was noted the Newt experts would be contacted too.
- 41.9 Wicksteed had agreed to raise the swing in Magnolia Playground by circa 5cm to ensure it met the correct standards and had been informed the work would be done at some point in the current week.

41.10 The regular contractor had taken down the Willow tree near to a resident's wall on the outskirts of Glencroft Open Space, along with three trees which had self-seeded, during the Autumn. It was noted the resident had emailed in their gratitude. Members agreed to close the item.

41.11 Members noted the Parish Truck was in for repair.

41.12 Members noted the three sets of correspondence from 3 residents and that two residents had been informed of Members' decisions. Information was still awaited from one resident.

Members noted and **accepted** the Action Update List and **agreed** to the removal of the closed items.

**42. Financial Report – September 2018:**

Members noted that Council remained under budget.

There were no questions and Members **accepted** the Financial Report.

**43. ECC CIF Grant – Clerk submitting bid for upgrade of Glencroft Footpaths:**

**a) Footpaths will be similar specification to those in Spencers Park**

Members noted the information.

**b) Bid deadline is 24<sup>th</sup> October 2018; Panel decision is in November 2018**

Members noted the information.

**c) Two quotes received so far; one awaited.**

Members noted the information.

**44. Parks Budget: Copy of 2018-19 Parks Budget for information before the budget round meeting in November:**

Members noted the information and were requested to familiarise themselves with the information to enable discussions to take place in November's meeting.

**45. Summary of Decisions:**

- Clerk to carry out a site visit with resident at Elizabeth Close Playground to ascertain what level of movement, if any, had occurred with the concrete wall.
- Clerk and Cllr R Gardner to compare HMRC form results in office; any other Members interested in attending to contact the Clerk to arrange a suitable date and time.
- Urgent tree work to be carried out at Magnolia Park following receipt of latest Tree Survey.
- Members requested to familiarise themselves with the 2018-19 budget to enable discussions to take place for 2019-20 budget.

The Chairman declared the meeting closed at 8:50pm.

Chairman