

**Minutes of the meeting of the
PARKS, OPEN SPACES, CONSERVATION & FOOTPATHS COMMITTEE
held on Monday 8th November 2021 at 7:30pm
in the Rochford Day Centre, 33a Back Lane, Rochford**

Cllrs present: Chairman S May, Mrs L Dalby, Mrs E Gadsdon, R Gardner, R Patient, M Strubel & Mrs M Weir.

P 21/40 Apologies for non-attendance at meeting:

Apologies were received from Cllr T Manyika.

P 21/41 Declarations of any:

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

on any matter on the agenda for 8th November 2021:

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.

P 21/42 Public Forum:

No members of the public were present.

P 21/43 To approve the Minutes of the meeting held on 20th September 2021 and to approve the destruction of the notes in respect of that meeting:

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

P 21/44 Action List Update – November 2021:

- 21/44.1** The condition of the wall in Elizabeth Close playground had not changed.
- 21/44.2** Members were referred to Agenda item 11. (Minute P 21/50) Members noted the pictures of the trees which had been coppiced due to disease and rot. A Member reiterated their personal view that it had been a shock to see the trees cut down.
- 21/44.3** Cllr Mrs M Weir was to retrieve historic risk assessment for the Friends of Hawkwell Parks (FoHP). Members of the FoHP were also to consider holding a special event/day to attract more volunteers.
- 21/44.4** The memorial bench for Magnolia Park had been installed in October. Members were also referred to Agenda item 12. (Minute P21/51) Members agreed to close the item.
- 21/44.5** The Clerk was investigating the use of 'smart water' for the new chipper.
- 21/44.6** The bins in Spencers park had all been installed. Members agreed to close the item.
- 21/44.7** The Magnolia Park Nature Reserve Working Group's (MPNRWG) first meeting had taken place on the 16th October 2021. Members were referred to Agenda item 10 (Minute P 21/49).
- 21/44.8** A badger hole had appeared in the Magnolia Bridlepath and the issue had been reported to Essex County Council Public Rights of Way (ECC PROW). ECC Cllr Mrs L Shaw had investigated the issue on Council's behalf and reported that remedial works were due to be scheduled in the future. It was noted ECC had carried out similar works before and the bridleway surface was their responsibility.
- 21/44.9** Members were referred to Agenda item 7 (Minute P 21/46).
- 21/44.10** Initial enquiries about how to remove the goldfish from the pond had shown that licences would be required from the Environment Agency, along with the possibility of a

Conservation Licence due to the presence of Great Crested Newts. The investigations were ongoing; a specialist contractor and a 're-homing' site would need to be considered as part of any plan to remove the fish.

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

P 21/45 Financial Report – October 2021:

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

P 21/46 Hawkwell Baptist Church (HBC) Christingle Event in Magnolia Park on 19th December 2021 – further emails:

Members noted the correspondence from HBC which addressed the use of fire pits. It was further noted there would be measures in place to cater for any possible fire damage caused by the pits. A Member suggested that HBC consider using 'Asbestolux board' opposed to plywood given it was not flammable. Members also felt it would be important to have a Fire Marshall as a precaution and that suggestion should be passed on to HBC. The risk assessments were being worked on by HBC and would be sent in due course, along with the relevant insurance documentation.

Members further noted HBC's additional request to include animals and that there may be some residual hay/straw left. It was agreed that the Clerk would request that HBC return to Magnolia on the morning following the event to ensure the overall clean-up had been successful, noting that the event was going to be held in the dark and therefore any clean-up operations may be hampered by a lack of visibility.

Members felt HBC had covered all eventualities and wished them success with their event.

P 21/47 Agree Parks Budget 2022-23 (bid 1) for recommendation to the Finance Committee:

Members noted the £1k increase within the Magnolia Park Grounds Maintenance cost centre; this would include costs for potential bird boxes/shrubs/new trees. £2k had been allocated to the Capital Purchase cost centre for the Adult Gym to cater for new pieces of equipment following feedback from the youth project sessions which had reported an appetite among the youth for pull-up bars. The surfacing works for Elizabeth Close playground had been reallocated to the Capital Purchases cost centre along with a budget allowance to replace the basketball hoop in Magnolia Park. Members noted the largest increase (£7k) was within the Litter & Dog Bins cost centre; this was due to having to take out a new bin emptying contract with a new contractor.

There were no questions and Members unanimously **agreed** the Parks Budget for 2022-23 of £60,500 be passed to the Finance Committee for recommendation.

P 21/48 Consider registering 'Church Strip' with Land Registry as belonging to Hawkwell Parish Council:

A Member expressed their view that it was imperative to try to establish ownership of 'Church Strip', pointing out Council had been maintaining it for nine years and had also installed benches on the land. The history of how Council had ended up the land was discussed, and it was noted Council had carried out considerable works to get the land to its current state. Some Members gave their view that if maintenance could be proved for over seven years that would give ownership rights. It was noted there were historic minutes which proved when Council started to tend to the land and the Clerk had those on file. One Member felt that it was Council's obligation to own the land so they could give it to the church when more burial ground was required. The Clerk enquired why the Church could not register the land themselves if the end purpose was for the church; one Member claimed the Rector had been approached many years ago but had not shown interest in acquiring the land. The Member therefore felt that it would be Council's responsibility to try to have burial grounds for

Hawkwell residents, if needed. Concerns were raised about the land being lost to over-development, with the suggestion a road may be put through it. A Member felt it would be prudent to involve a solicitor when it came to registering the land, noting that any claim for the land would require a public appeal which would involve newspaper/print publication. The Clerk was in the preliminary stages of investigation and could use the Land Registry online functions but as the land was not connected to a property it was likely there would be difficulties in establishing who, if anyone, owned it. It was noted historic efforts to find the landowner had been fruitless. One Member felt it would be beneficial to contact Land Registry and tell them the land had been taken over by HPC and request it be registered accordingly; they gave a recount of their historic personal experience with Land Registry. The Clerk pointed out that contact was no longer the same and would have to be guided by the online options. A Member suggested using a third-party consultant who would be able to map the land using co-ordinates and search for any ownership information; this would incur a fee. The Member would send the details to the Clerk. The Clerk read out information obtained from the Government website which explained that most land was owned, which was noted by Members. The Clerk would continue investigating the matter and make further enquiries.

P 21/49 Magnolia Park Nature Reserve Working Group (MPNRWG) Notes following site visit:

Members received the notes following the MPNRWG's visit. It was noted the group consisted of Cllrs Mrs L Dalby, R Gardner, S May and Mrs M Weir. A Member expressed their opinion the Magnolia compound had appeared to be untidy. The Clerk explained that was a rare situation, but the matter had already been in hand prior to the group's visit; a skip had been ordered to deal with the accumulation of rubbish. The rubbish had been unavoidable following recent, substantial works which had generated a lot of waste. The Clerk reminded Members that the long hire skip contract no longer existed and therefore skips could only be ordered for two-week periods, when required. The Clerk encouraged the Member to revisit the compound yard as it had reverted to its usual well-kept state. Another Member raised concerns about the raised drainage grill in the children's playground. It was noted the playground safety inspections had not marked the matter as an area of concern, but it was agreed that the Clerk investigate replacing the entire section given that the whole stretch was beginning to show signs of deterioration. A Member had cleared glass in the children's playground during the visit and that there was obscene graffiti on some of the old signs; the Clerk had ordered new replacement 'Deep Water' signs for the pond and had arranged to cover the obscene graffiti with anti-littering posters. The MPNRWG felt that some of the damaged fencing could be replaced with natural hedging by planting trees/shrubs. The group also felt the concrete wall by the Scout Hut was not aesthetically pleasing and suggested it be painted. Some Members suggested adding shrubs to the area, but it was noted that there had been significant work along and on the wall to clear evasive shrubs and vines and therefore maintenance access was important to ensure nothing would grow over the wall again. Members discussed giving jobs such as weeding and painting the wall to the Friends of Hawkwell Parks (FoHP) once up and running. Cllr R Gardner volunteered to draw a scaled plan for the wall area to suggest what may be done to improve it. Members started to discuss other sites, but it was noted the group had been formed for Magnolia Park Nature Reserve only. The other working group which had been established for the purpose of looking at tree plantings etc would need to arrange their meeting.

P 21/50 Tree Survey for Council's Parks and Open Spaces:

Members noted the three estimates which had been provided. A Member suggested an article be included in the newsletter about the tree surveys. Members discussed the options and Cllr R Patient moved that 'option 1' be selected as the contractor to carry out Council's Tree Survey. This was seconded by Cllr R Gardner and **agreed** by majority.

P 21/51 Thanks received from resident regarding Memorial Bench in Magnolia Park:

Members noted the thanks received. A Member questioned the cost of the bench and was reminded all costs were met by the residents' fund raising.

P 21/52 Summary of Decisions:

- Clerk to revert to HBC to suggest a Fire Marshall be present, an alternative use of plywood for the firepit and that clean-up operations are checked the following morning of the event.
- Parks Committee budget of £60,500 for 2022-23 to be passed to the Finance Committee for recommendation.
- Clerk to continue investigations into registering Church Strip; Cllr Mrs E Gadsdon to provide details for third party agent who may be able to assist with identifying and land registrations already in place.
- Clerk to investigate new drainage gullies for Magnolia Park playground.
- Cllr R Gardner to draw a scaled drawing for possible planting ideas for strip by concrete wall/Scout hut in Magnolia Park; working group for tree plantings to arrange a meeting.
- Contractor for tree surveys agreed.

The Chairman declared the meeting closed at 8:19pm.

Chairman