

Minutes of Meeting on 9th January 2025
Meeting of Elmstead Parish Council
Community Centre, School Road, Elmstead Market, CO7 7ET

Present: Cllrs Adam Gladwin (Chairman), Amanda Brennan, James Chable, Michael Hare, Maxine Jeggo, Tony Sanders and Martine Ward.

Also Present: Mrs Baxter (clerk) and 4 members of public.

District Councillor Ann Wiggins.

County Councillors Carlo Guglielmi and Alan Goggin.

Absent: Cllrs Sarah Donaldson and Liz Richfield.

25/001 Chairman's welcome and notifications.

Cllr Gladwin welcomed everyone and reminded everyone that the meeting was being recorded. He announced the resignation of Cllr Gill Williams and said that we appreciated her staying on to complete the banking.

25/002 Apologies for Absence.

Apologies were received from Cllr Donaldson. Apologies were also received from District Councillor Scott.

25/003 Declaration of Pecuniary Interests and Personal Interests.

None.

25/004 Approval and signing of the minutes from 5th December 2024.

It was resolved to accept the minutes from 5th December 2024 as true and accurate.

Proposed: Cllr Brennan, Seconded: Cllr Hare, all in favour.

25/005 To receive an update about the progress of resolutions from the meeting above not covered in this agenda.

The clerk reported that the mower has been serviced and is back with the council.

25/006 Public Speaking

A resident reported that vehicles are parking on the grass verges on Lucerne Road and Church Road and ruining the grass. It was thought that the area on Lucerne Road, adjacent to 31, 33 and 35, is private land. Cllr Gladwin will check both areas.

He also reported that vehicles are driving over North Green to access Chapel Lane and suggested a bollard go across the diagonal footpath on the green. We will look into this. He asked when the developer for Pavilion View will finish putting the kerbstones in and tarmac the entrance. We can speak to the developer about this and raise this with enforcement at TDC. Cllr Sanders has already raised this with TDC.

25/007 County Councillor report. To include where relevant an update on items in progress.

Cllr Guglielmi reported that there would be an emergency full council meeting tomorrow where Essex will accept an invitation from Government to be part of the devolution priority programme. One of the meeting recommendations will be asking for the postponement of the May elections for 12 months.

Grant Thornton has been commissioned to provide the data to inform the options to be considered. It could be a combined Unitary Authority (Essex, Southend and Thurrock) or it could be a split of 2, 3 or 4 single Unitary Authorities.

ECC should hear by the end of January if their interest has been accepted and the 24th February is the date for formal approval.

If enough progress has been made by May 26 then there could be a further postponement of elections with a shadow government put into place.

Cllr Goggin added that this is the most significant event to happen to ECC in its 50 years.

There is no intention to change things at Parish level.

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We currently go to TDC or ECC for different issues. The intention is to remove these 2 tiers and replace it with 1 – a Unitary Authority. This will help with economies of scale. The government is bringing in this change for the whole country.

There are 75 members of ECC and 48 members of TDC. We will probably be part of a District to include Tendring, Colchester and Braintree which has about 220 councillors. This will be reduced to 70.

ECC currently spends £2billion. TDC spends £26million. Cllr Goggin does not think council tax rates will be reduced, but it will mean councils can spend on areas they don't currently. It was asked how this will affect planning, will someone in Chelmsford be making decisions about Elmstead? It was responded that it won't be, it will be someone in the new District. They won't necessarily have the local knowledge TDC has though.

There will be a mayoral election similar to the Police and Crime Commissioner, possibly in May 2026. We will have a vote on who is mayor.

Update briefings will be sent out.

Cllr Guglielmi reported that the design is now done for the crossing. Essex Highways will share that with us. There are still some questions about the last part of funding but he is not concerned as there are means to deal with that.

Cllr Guglielmi will be resubmitting the Highways defects we sent him for fixing. This is for Lucerne and Stinky Lane. Cllr Gladwin will also send details of the potholes in Church Road which are close to the other two.

Cllr Guglielmi was asked about the red lines outside Budgens. It won't go ahead until October. There should be a public consultation after the initial approval by the Local Highways Panel.

Cllr Goggin reported that the boundary changes won't be happening.

25/008 District Councillor reports. Written report – to take questions on the report and provide any additional information not on the report.

Cllr Wiggins read through the report. This can be viewed at <https://www.elmsteadparishcouncil.org.uk/meeting-reports>.

The District Councillors have been asked if they will have one to one meetings with residents.

25/009 New Community Centre and Open Space land.

i) Land transfer update.

Cllr Gladwin and Mrs Baxter met with our solicitor before Christmas. We went through the two TP1 transfer forms in detail and clarified concerns. There are a few changes which have now been agreed by Go Homes, so once they have been made we can sign the forms.

ii) Funding update.

We have received the £400k Charity Field contribution, which is in our Unity Savings account. The total for the community centre is now about £1.12 million.

iii) Any other updates.

Cllr Gladwin spoke about the funding gap, although we don't know how much it is, we will need to seek additional funding. The lottery expects you to have an independent professional who is making sure that the funds are being used appropriately and efficiently. That could be a Quantity Surveyor. Our QS showed us an order of works which is a thick book which details exactly what is going to be done and the materials required and the lottery will use that to check against.

Our solicitor has experience with doing lottery funded projects and there is a legal side to the process. To protect the grant against misuse lenders seek a guarantee by taking out a charge on the property, which in our case will be the land. If you are seeking multiple forms

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of funding then the order of charges has to be decided, which can be a problem if they all want first charge. With PCs the lottery is happy to be lower down in priority. We've got the planning permission, all the s106 money we are going to get, and we should have the land soon.

Cllrs Guglielmi and Goggin left.

- iv) *To discuss saving account options for the £400,000 s106 contribution paid to the council for the build.*

It's currently in the Unity instant access savings account. The clerk has researched higher interest paying savings accounts suitable for councils and recommended Hampshire Trust which is an online account with unlimited withdrawals with a 4.1% interest rate. It's authorised by the Prudential Regulation Authority and regulated by the Financial Conduct Authority and Prudential Regulation Authority.

It was resolved to open a Hampshire Trust savings account and to transfer £300k into it.

Proposed: Cllr Gladwin, Seconded: Cllr Brennan, all in favour.

The council discussed options for the remaining £100k, and that we would want relatively easy access to it.

The clerk spoke about the CCLA Public Sector Deposit Fund which is a qualifying money market fund and is Triple A rated (Fitch rating) which means it's very low risk. It's spread across many institutions. There is a risk of loss of principal. It's very popular with councils and is instant access. Its current return rate is 4.8%. Cllr Guglielmi told us that ECC use it. It was resolved to put £100k into the CCLA Public Sector Deposit Fund.

Proposed: Cllr Brennan, Seconded: Cllr Chable, all in favour.

- v) *To decide on the type of contract – traditional or design and build. This decision needs to be made before the next stage of works. To hear views from the New Community Centre Committee members.*

Cllr Gladwin explained that the New Community Centre Committee discussed this last week, but there was a low turnout. There are two possible routes to move ahead. With the traditional route we get our own specialists to do everything for the building regulations and technical design drawing stage. With the design and build route we appoint a builder who does all of that themselves. There are benefits and disadvantages to both. The clerk brought up a report of information gathered from our architect, the QS and a builder regarding the contract options and went through it.

Mrs Stammers, who is a member of the committee, said that she felt that design and build is better. They met with 3 builders a few years ago. It seems a better and faster way to do it. If we get a builder they will have their own specialists so we won't have to pay for them. Cllr Gladwin replied that it's less common now for builders to have all their own specialists in house.

Cllr Chable said that he has been involved in buildings for the past 25 years and has recently been involved in two builds in 2015 and 2019. They have had to spend hundreds of thousands putting them right since. The builders went out of business so there is no recourse. His concern is that whoever we choose to do it does the job properly. From experience Cllr Chable knows you need to get the right people to oversee the job. Builders are businesses and need to make what savings they can. They are regularly going out of business and we need to be aware of what happens if that happens. We can take out insurance but we need a way to transfer the project to another builder. With a traditional route we would have our architect who is fully briefed up to the latest stage who can work with the new builder, however with D&B the builder's architect may be working on another project with no requirement to continue with this project. Hopefully we won't end up in the position but we know of a council building a community centre who are struggling as their builder went bankrupt.

Cllr Chable was asked about the build of the school which was traditional and he was very happy with the outcome. The builds since that have caused problems have been D&B.

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Cllr Hare was in favour of a D&B contract with a respectable builder because of the costs of the architect through the traditional route.

There was a discussion over whether we could go out to tender for a D&B contract with the plans as we currently have or whether we need an architect to do additional work to get us to the tender stage with more information.

We need to put the tender onto contracts finder and follow the procurement regulations, we can't act in the same way as an individual building a property. We've been warned to expect that with the building trade the way it is we could get tenders from all over the country and our architect has warned of quotes being vastly under expected but can they deliver the project?

Cllr Hare brought up that if Go Homes had built it then they would have done everything, similar to D&B.

Cllr Gladwin spoke about the funding gap, if we go through a tender for a D&B we'll get different quotes for different designs. We'll have a limited time to accept choose a tenderer but we won't have raised funds to cover the gap. It would give us at most a couple of months to find hundreds of thousands of pounds. We probably wouldn't make the tender deadline and would then have to run an additional tender.

If we choose a traditional route we'll have the quantity of works, with a costing from a QS that we can use to raise additional funds. This won't change as the design has been decided. Once we have the funding we can go out to tender.

Cllr Hare felt that a QS wouldn't be able to price the job, that would have to be a builder.

It was responded that the QS will be able to price a close estimate.

There were further discussions on D&B versus traditional, the pros and cons and how the building regulations interact.

It was resolved that we would follow the traditional route for the contract.

Proposed: Cllr Brennan, Seconded: Cllr Ward, 7 in favour 1 against.

There was a counter proposal for the D&B route but no seconder.

Exclusion of press and public for private and confidential matters under Public Bodies (Admission to Meetings) Act 1960 s.1(2) due to the consideration of costs for contracts that may not be decided until a later date, and therefore commercially sensitive.

It was resolved to agree the above. Proposed: Cllr Gladwin, Seconded: Cllr Chable, 7 in favour.

The public left the meeting room.

vi) *To consider quotes for the next stage of work.*

We have a quote from our architect to do the next stage of works. The architect has provided a total cost including the detailed quotes from the QS, mechanical and electrical engineering and structural engineering of £64,675 plus VAT. This is to cover the building regulations and tender.

When we previously got quotes from architects for technical drawings Brontide and Superstructures were subcontractors on a few of the quotes, so even if we go out to tender for other architects to do this next stage it is likely that there would be the same subcontractor quotes.

We don't have the resources or the skills to do all the tendering for specialists ourselves. If anything goes wrong in the future we will have qualified specialists to support us. This cost helps us to reduce our risk. Also if anything happens to key personnel we have professionals to give continuity to the project. It also gives credibility to our funding applications.

If we go to other architects we will need to incur additional costs in getting them up to speed.

We will need to get solicitor input into the contract at the contract stage.

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It was resolved to accept the quote from DCB architects for the building regulations and tender stage of the project.

Proposed: Cllr Chable, Seconded: Cllr Ward, 7 in favour, 1 against.

The public returned to the meeting room.

- vii) *To discuss maintenance requirements and options for the land once it is transferred.*

The land becomes our property once the transfer forms are signed. There is grass growing there and our handyman is keen to stay on top of it. Once we get the land we'll inspect it with our handyman to discuss it further.

Once we start building the community centre there will be a fenced off building site and we may need to access the field with the mower from the other end. We may potentially need to get someone else in, depending on how much additional work it is. Possibly someone with a bigger mower.

We will also be responsible for maintaining the knee high railings.

- viii) *Timeline.*

Council viewed the timeline which will have moved back a few months from when it was put together. It looks like we will be able to start the build in August. We'll ask DCB for an updated timeline.

25/010 Colchester Road crossing

Any updates?

This was covered under the County Councillor update.

25/011 Tendring/Colchester Borders Garden Community

- i) *A report on the TCBGC Pathway to Stewardship: Presentation to Stakeholders on Stewardship Framework and Recommendations to be held 6th December.*

Cllr Gladwin attended this. It was the usual attendees and was a catch up from the consultant who visited the PC. He apologised for miscommunications that came out of that meeting.

- ii) *Any other updates?*

Cllr Brennan raised that we haven't followed up from the meeting with our MP. Cllr Brennan will spearhead taking that forward.

25/012 Allotments

- i) *Any updates?*

We met with Newell's solicitor for the allotments transfer. When we met we spoke about the changes that need to be made to the document, and that is in hand at the moment.

The solicitor needs to run the changes by Mr Newell.

- ii) *To review a draft layout.*

Council reviewed 2 options for the layout for 11 plots and 8 plots. The smaller ones are 12x8m. The new allotments at Alresford are 8x3.5m. We could go smaller, with maybe a mix. If they are smaller people can sign up for 2 plots if available. 2 of the plots are going to the school who will be looking at fencing them off somehow.

We have previously looked into changing a s106 contribution for about £4k for allotment use but we didn't know then that a deed of variation would cost over a £1,000. We should perhaps look at a larger s106 amount or try and do the works within the £4,506 open spaces amount we already have to spend on the allotments. It was agreed for the clerk to speak to a contractor for a "soft quote" so we can get an idea of what we'll need.

Proposed: Cllr Gladwin, Seconded: Cllr Brennan, all in favour.

Cllr Sanders reported that the developer has planted hedging around the fence and trees on the allotment land where the sheds are on the plan. When we met with Mr Newell we

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requested that he didn't plant any trees on the allotment land and he agreed. We want to ensure they don't cause shade over the plots. They should be easy to move.

iii) *Next steps.*

As above.

25/013 Reed Hall Sentinels

A resident asked how long the new agreement with ECC will be for and whether there is a breakout clause. It was responded that it's 5 years with a 3 month notice break out clause. It was asked if that's without cause. That's something we need to check.

He also asked if it's still the council's intention that adult football will move to the playing field with youth on the new playing field.

The last decision was that adults would need to be on the current playing field due to size restrictions on the new field.

It was resolved to Exclude press and public for private and confidential matters under Public Bodies (Admission to Meetings) Act 1960 s.1(2).

i) *To review draft Head of Terms for a new Joint User Agreement for the use of the playing field by Reed Hall Sentinels.*

Cllr Chable read through the proposal and met with the school and they are not in agreement with having the responsibility of the overmarking and the grass cutting. They would have to supply the paint which is expensive and employ the site manager to do it at his hourly rate. The grass cutting is mainly done between May and September, and the football season starts in September. The school doesn't cut the grass every week over the winter period. The ground is too soft to take the tractor onto it, which causes ruts in the ground. The joint user agreement we already have specifies the school's commitments for grass cutting. RHS has a small mower in the container they can use to cut the grass.

The school asked if there will be a clause in the agreement so that if RHS messes the field up we can break the agreement. There is a 3 month notice period for any party to terminate the agreement.

The clerk has made notes on other points to query. It was asked if the school needs access to the container, Cllr Chable confirmed no. Councillors felt we didn't need to specify times.

There is a space on the agreement for the solicitor to sign. The clerk is to let ECC know that the council will be signing it.

ii) *To review arrangements for the calling off of games for bad weather and pitch conditions.*

It was previously agreed that Cllr Chable, in his capacity as a councillor, would call off the matches if the ground wasn't fit for it. He isn't always available though. RHS can't call it off themselves due to match rules.

The Saturday team also needs to be asked not to play. They should play on the astroturf if it's too wet.

It was agreed that Cllr Chable will ask the site manager to give him a call every Friday to let him know if the ground is bad on a Friday so that he can call it off.

Cllr Chable is looking into sustainable drainage for the field, possibly planting willow trees. He will let us know the outcome.

25/014 Events.

The social hub.

No updates were available.

Cllr Jeggo reported that they would be taking the Christmas lights down on the green if anyone can help.

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25/015 Finance.

i) *To look through the finance report and approve payments. See appendix 1.*
The finance report was approved. Proposed: Cllr Gladwin, Seconded: Cllr Hare, all in favour.

ii) *An update on banking (accounts and deposits).*
Council reviewed the balances in the accounts.

25/016 Finance Committee and 2025/26 Budget and Precept.

i) *Feedback from the Finance Committee on the third quarter review.*
The third quarter review was good but the committee is concerned is regarding the level of reserves.

ii) *To hear a recommendation from the finance committee for the 2025/26 budget and the amount of precept to set for 2025/26. To agree a budget and precept for 2025/26.*

Cllr Ward reported that it was a difficult meeting. In order to meet the budgeted expenditure the precept would need to increase by 11%. The committee is recommending a precept increase of 15% in order to save back into the reserve. This is equivalent to a £10.50/year increase for an average Band D property.

The 2025/26 budget of net expenditure of £75,532 and the 2025/26 precept of £78,250 was resolved.

Proposed: Cllr Ward, Seconded: Cllr Gladwin, all in favour.

25/017 Community Centre Car Park

To discuss works to improve the surface to reduce large puddles collecting when it rains.

Cllr Chable recommended 2 tonnes of type 1 at about £80. Cllr Gladwin and Mr Dingwall will speak to Cllr Chable about it.

25/018 Speed Signs and road signs

To discuss speed signs not working and road signs that are unclear.

The council are responsible for the VAS on Bromley Road and Clacton Road. If these aren't working the clerk needs to know. The one on Colchester Road is not our responsibility but Essex Highways are not taking responsibility either.

We have costs for vinyl graphics for faded speed signs. The cost depends on size from between £13.80 to £74. Cllr Gladwin will measure the faded signs on Bromley Road.

25/019 Items for the next agenda or for information only.

None given at this meeting.

25/020 Next meeting.

6th February 2025.

The meeting closed at 9.50pm.

There being no further public business councillors were thanked for their attendance.