

MAYLAND PARISH COUNCIL
Minutes of the Parish Council meeting held on
TUESDAY 12th November 2013 at 7.34pm

Councillor Evans Chairman
 Councillor Duncan
 Councillor Robinson
 Councillor Spires
 Mrs Rackham Clerk

Councillor Oatham
 Councillor Massenhove
 Councillor Hawkes
 Councillor Pettitt

7 Residents

60. Apologies for Absence

Cllr Gibson

61. Code of Conduct Declaring an Interest.

Cllr Pettitt declared an interest in item 66. Application 961.

62. Minutes of the meeting held on Tuesday 8th October 2013

Cllr Pettitt proposed accepting the minutes from 8th October 2013, Cllr Spires seconded the proposal, all in favour, the minutes were signed and dated as a true record.

63. Public Discussion Session.

The Chairman closed the meeting at 7.36 to allow the press and public to address the council.

A resident objecting to the planning application **HOUSE/MAL/13/00961**. First floor side extension over garage. 20 Bakersfield, The Drive Mayland gave his reasons for objecting to the application. He has sent a copy of a letter that has been sent to MDC's planning officer dealing with this application.

Village Fete Committee 2014. They requested permission to site a container on the Lawling Park to store the various equipment/sideshowes needed for all future fetes. The container has been donated to them by the school. They will build suitable foundation pads. They would also like permission to play live music during the day and in the evening. They will have security. The licence allows music to be played until 11pm. They will write to all close neighbours to the park to let them know about the fete and the music.

A resident (representing various residents in Nipsells Chase/Sea View Parade) advised this council of their plans to object to the decision made by MDC's District Councillors approving applications 699 & 700. He has had a meeting with his MP Mr John Whittingdale and he has also taken legal advice but believes there is no right to third party appeal. He is aware that he can complain to the Monitoring Officer at Maldon District Council, if his complaint is upheld he will get an apology but the planning approval will stand.

Cllr Duncan arrived 7.55pm

A second resident spoke on this matter and said it was his opinion that the District Councillors did not represent the views of the residents and Parish Council and indeed the Planning Officer who recommended rejecting the application which they had all been made aware of. He suggested the Parish Council should have a vote of No Confidence in the District Councillors for Mayland/Maylandsea.

64. Finance.

Donation request Southminster Parish Council. Following a discussion it was agreed that no publicity was seen around Mayland advertising this event and perhaps in future information could be made earlier so that an advert could be placed in the Maylands Mayl. The council declined the request for funds. **Clerk** to advise

Donation request Maylandsea County Primary School. It was agreed that money for this project should come from the Local Education Fund. It is not something the Parish Council wishes to get involved with. **Clerk** to advise.

The council was advised that the proposed scaffold tower was for home use only and as such would not be useable by us and our lighting contractor. It was agreed that the **Clerk** will arrange hire of a scaffold tower to coincide with the lighting replacement at Gladwell Walk.

Payments & Receipts. Cllr Pettitt proposed accepting both the payments and receipts, Cllr Robinson seconded the proposal, a vote was taken, 7 yes 1 abstain, the cheques were signed by two Councillors and are listed below with the receipts.

| Payments | | | |
|-----------------|------------------------------|--------------------------|---------|
| Date | Payee | Service/supply | Gross |
| 12-Nov-13 | Royal British Legion | Wreath 2013 | 17.00 |
| 12-Nov-13 | Office Is Ltd | Stationery Cupboard | 276.00 |
| 12-Nov-13 | A & J Lighting Solutions Ltd | Grange Avenue lights | 67.20 |
| 12-Nov-13 | A & J Lighting Solutions Ltd | TC Light Main | 42.90 |
| 12-Nov-13 | A & J Lighting Solutions Ltd | Street Light Main | 50.40 |
| 12-Nov-13 | MSJ Garwood & Son | Grass Cutting | 1930.68 |
| 12-Nov-13 | MSJ Garwood & Son | Pitch Harrowing | 127.55 |
| 12-Nov-13 | MSJ Garwood & Son | Cutting Wildlife Area | 73.90 |
| 12-Nov-13 | MSJ Garwood & Son | Hedge cut Cardnell | 246.00 |
| 12-Nov-13 | MSJ Garwood & Son | Tree Fell Gladwell | 180.00 |
| 12-Nov-13 | Maldon District Council | Park Rangers | 104.26 |
| 12-Nov-13 | Mr C Williams | Dep refund - Cleaning | 40.00 |
| 12-Nov-13 | Cummins & Jennings Ltd | Green Paint | 31.20 |
| 12-Nov-13 | Dengie Hundred Group of P C | Membership fee | 15.00 |
| 25-Nov-13 | Mr D Leete | Salary | 180.07 |
| 25-Nov-13 | Mr A Kemp | Salary | 68.72 |
| 25-Nov-13 | Mrs J Rackham | Salary | 907.50 |
| 25-Nov-13 | Mr T Blowers | Salary | 48.55 |
| 12-Nov-13 | Potteries Towers | Scaffold Tower | |
| 12-Nov-13 | A & J Lighting Solutions Ltd | Underpaid chq 3662 | 7.15 |
| Receipts | | | |
| 16-Oct-13 | Mayland Village FC | Licence fee 2 years | 10.00 |
| 16-Oct-13 | Mayland Boxing Club | Fees October | 259.00 |
| 16-Oct-13 | Mr Williams | LPH Hire fee | 63.00 |
| 16-Oct-13 | Mr Williams | Deposit | 50.00 |
| 23-Oct-13 | Various Residents | Tennis courts | 50.00 |
| 23-Oct-13 | Maylandsea School | Licence for Car Park fee | 2.00 |
| 23-Oct-13 | Mayland Village FC | Fees September | 496.00 |

Budget 2014/15. A wish list will be added to the budget for discussion at the December Parish Council meeting. CCTV, Seats, Garden Area, Skate Park extension, Rangers, Tree Survey/Results have been requested for consideration.

65. Lawling Park.

Each Cllr has received a copy of the minutes from the October LPC meeting. CCTV. Nothing to report.

Car Parks Risk Assessment report. A copy of the new RA form was circulated. It was agreed that this new form will be produced for each area that is currently covered. Information regarding MDC's gritting policy was also discussed. It was agreed that we will request this information in writing to allow us to adopt this policy and the new RA forms. **Clerk** to action.

It was agreed that both car parks will not be opened on icy days until a formal policy can be agreed. **Clerk** to advise the school.

Village Fete 2014. Permission for evening entertainment All agreed to allow music until 11pm.

Container, Cllr Hawkes proposed that a container be allowed on the Lawling Park next to the football club container. It will be the property of Mayland Parish Council but a licence for use be given to the Fete Committee who will be responsible for insuring the contents and maintaining the outside of the container and painting it green to match the other containers. Cllr Evans seconded the proposal, all in favour, **Clerk** to action. It will be sited using permitted development and will not require planning permission.

Hire agreement it was agreed that the hire agreement will say 100 people to use the hall but also state that only 88 chairs are available. **Clerk** to action.

Keys Report. **Add to LPC**

66. Planning.

Permitted Development Rights. Cllr Robinson **Add to December agenda.**

Planning

Mayland/Maylandsea village. Planning the future of the village and meeting with MDC Planning to discuss this. This item needs a lengthy discussion. **Add to December agenda.**

Consideration of applications for the council to make comment to the Planning Authority.

HOUSE/MAL/13/00961. First floor side extension over garage. 20 Bakersfield, The Drive Mayland.

7 Objections. We support the resident who opposes this application fully we agree with all the points raised in his letter.

Privacy, this extension will affect the neighbours, Obscured glass and always kept locked shut cannot be enforced.

Overdevelopment and purpose/use. This extension is considerable over 50% of the original floor space. No provision for further parking, each house in this development has two car parking spaces only. Other areas are shared for turning purposes. Separate entrance could allow for possible sub-letting or use as a grannie annex. Out of keeping with surrounding areas, design and scale of such an extension is totally out of keeping with the 25 current Bakersfield properties which consist of two designs only. Several houses on this development have suffered from subsidence and have had to have their foundations strengthened. This needs to be considered when this application is viewed.

Councillor Pettitt declared an interest in this application and did not take part in the discussion or the vote which followed.

Planning decisions made by the local Planning Authority.

HOUSE/MAL/13/00828. Erect two storey side extension and single storey rear extension and install balcony at first floor at rear 133 Imperial Avenue Mayland Essex
Approved

FUL/MAL/13/00519. Two new two-storey dwellings on vacant plot, including all associated landscaping and drainage. Plot between 78 And 84 West Avenue Mayland
Approved

FUL/MAL/13/00700. Proposed scout hut Land West of Serendipity Nipsells Chase Mayland Essex
Approved.

HOUSE/MAL/13/00758. Extend time limit for implementation: Two storey side extension and proposed first floor with new roof surface (HOUSE/MAL/10/00478). Klaxons Balmoral Road Mayland Essex
Approved

FUL/MAL/13/00699 Replacement of the old landing stage with a floating pontoon The Old Landing Stage Nipsells Chase Mayland Essex
Approved.

Cllr Oatham proposed that we add a vote of No Confidence to the next agenda as we are extremely dissatisfied with the lack of support from our District Councillors regarding this decision and the decision made on FUL/MAL/13/00700. We invite the District Councillors to make representation before the decision is made at the December Parish Council meeting. Cllr Evans seconded the proposal, all in favour, motion carried. Clerk to add to December agenda. The District Councillors receive copies of all our PC agendas and minutes.

Planning Appeals

APP/X1545/A/13/2205632. FUL/MAL/13/00627. Land South of Bartlett Close, Mayland.

APP/X1545/A/13/2205614. FUL/MAL/13/01053. Land South of Bartlett Close, Mayland.

67. Highways.

Cllrs reported that the following road surfaces are in need of repair. Imperial Avenue outside Hardy's and St Luke's, junction of Wembley Avenue and The Drive. The Drive and Imperial Avenue at the junction with Cherry Alley. **Clerk** to action.

Planning Inspectorate, restricted byway update. Noted.

ECC Footpath North Drive to Promenade. This has been added to the definitive map.

ECC Footpath 8 Mayland. Information required from PC. Only one Councillor could recall these stiles. **Clerk** to action.

Proposed Traffic Regulations. Any comments by 21st November. No comments to make.

Steeple Road – Speeding. Response from Highways. We asked Highways to investigate this area in July. A response arrived in October. They hope to carry our speed checks in the future. The last speed check was in 2010.

68. Parks & Open Spaces. MNR, Cardnells & Everetts.

Registering Gladwell Walk. No further information of the cost involved has been received from our solicitors.

Tree Survey. It was agreed that a tree survey to ascertain how many dead trees we have in Mayland/Maylandsea would be carried out. **Clerk** to investigate the costs.

69. Village Environment

Includes: Lighting, Vandalism, Sea Wall, Transport Parish plan.

Light not functioning properly, 1 Imperial Avenue.

New concrete repair to path at LPH shuttering has been removed.

An update on the sea wall path repairs. The Chairman read out the following information in full so all those present would be fully updated on the meeting held on 5th November between the Parish Council and the Environment Agency.

The meeting was held to allow councillors from Maylandsea Parish Council (MPC) to join staff from the Environment Agency (EA) to walk sections of seawall path which the EA undertook works to. The walk was carried out to undertake a post works inspection and for the EA staff to answer any questions MPC raised relating to the work and any other issues relating to flood risk.

Below is a summary of the questions and items raised from the site walk.

The following defects were identified.

- There are some localised sections of the path where the edges of the road scalping surface have been laid too thinly, this has allowed topsoil to come to the surface. **ACTION** – EA to undertake localised repairs when the access along the rear of the wall becomes dry enough bring in materials and equipment needed (likely Spring 2014)
- The topsoil placed along the rear of the seawall to the front of the North Drive/Esplanade recreation area has become rutted and has large some large lumps of material in it. **ACTION** – EA to tidy up when the ground dries out in the spring (it's currently too wet and if works are undertaken more mess would be made).
- Damage to the tarmac on the site entrance from North Road. **ACTION** – EA have appointed a contractor to undertake repairs to the tarmac and they are due on site in the coming weeks. As discussed we will refer to our preworks survey of the road and identify whether replacement of the precast concrete kerb is needed.

Councillor Spires presented a document to the EA with a number of questions. Below are the answers to those questions (a scanned copy of the document is included in this e-mail):-

Document A Councillor Spires questioned the flood protection provided by the tidal embankment as the information he has, and which he provided to the EA, shows the potential of a breach and also significant flooding to parts of Maylandsea. The EA explained that these documents are not produced to show the actual flood risk and agreed to clarify the documents, The maps can be viewed on our website – www.environment-agency.gov.uk

Level of flood protection.

The defences which protect the low lying properties in the area of North Drive, The Esplanade, Promenade and Sea View Parade were designed to a 1 in 200 year standard. This level of protection is the standard provided to coastal communities and is the same as Heybridge and other coastal towns in Essex and England. To help put it in context the 1953 flood at Maylandsea was approximately a 1 in 75 year tidal event.

We have recently undertaken some detailed modelling of the Blackwater Estuary to look at tidal flood risk and this has confirmed that the defences still provide are a 1 in 200 standard.

This level of protection is reflected in our flood maps, which shows the area of Maylandsea as benefiting from flood defences.

Risk of breach

Breaching is when a defect in the embankment or major overtopping in a large tidal flood surge causes a section of a flood embankment to fail. Depending on the size of the breach this can greatly reduce the protection the wall provides causing flooding. Widespread breaching occurred in the flood of 1953 and was a significant factor in the damage which occurred. Since then our defences have been greatly strengthened and raised to prevent a recurrence and we would not expect any defences in Essex which protect people and property to breach even if they were to experience a tide greater than their designed standard of protection.

The breach locations shown on the drawings provided by Councillor Spires are hypothetical scenarios used when undertaking strategic assessments of flood risk for planning purposes. These scenarios are undertaken as they provide information such as depths of water, flow paths and duration which are helpful to planners in providing guidance should new development be undertaken. The information is also useful to emergency planners as it helps in identifying if emergency plans are needed and if so where would be the priority for evacuation etc should an extreme tidal flood event be forecast and subsequently occur.

We routinely inspect the condition of the flood defence embankments in Essex and we can assure that if a defect was to occur on a major embankment which puts its structural integrity at risk we can work quickly with the asset owner to prevent a flooding.

The Counter wall (often referred to as the bund wall)

Councillor Spires asked why the counter wall (marked 'Counter Wall A' on the plan he has provided) has a lower level than the seawall. This lower level is common to most counter walls as they are less exposed to wave splash than the main defences. The counter wall is also protected by the embankments to the east around Nipsells Chase, so the water which would reach the counter wall would be as a result of these defences potential overtopping so levels would not be high as the main estuary.

Document B – Essex Flood Risk management strategy

The section highlighted by Councillor Spires reads-

“Consulting on flood strategies and defence schemes

As a result of this strategy, the resultant annual action plans and other planned work by risk management authorities, there will be local plans and flood defence schemes to help manage flooding in parts of Essex. In all of these situations, the lead risk management authority should create an engagement plan to ensure that the affected communities are engaged early with the issues and are able to discuss it and share their concerns, interests and priorities.

It's important to understand that final decisions will still be made by the responsible risk management authority but those decisions must be informed by proper engagement with the affected residents. This engagement requires both the

organisations and the households involved to work together to ensure that engagement events are well attended and local issues are properly understood and discussed”

The document refers to schemes where works are undertaken to manage/change flood risk. These works are significant in nature and will involve changes in the standard of flood protection communities and landowners behind the defences receive. It is understandably important when doing such works that we consult widely as the document describes.

Whilst we are a public body and accountable to the public who are our customers. In order for us to be able to work efficiently the amount of consultation we undertake has to be proportional to the scale of work being undertaken. Quite clearly undertaking public consultation on simple repairs to a piece of hand railing on one of our structures may not necessary but at the opposite end of the scale is the situation outlined above where for major schemes wide ranging discussions and provision of information is required

Prior to undertaking the repairs to the path at Maylandsea we undertook consultation with the following organisations & individuals:-

- Landowners – in writing and met with them in person
- We discussed the work and obtained consents necessary with the following.
 - Natural England – consulted as the works are adjacent to the Blackwater Estuary Site of Special Scientific Interest. Also the works had an impact on Slow Worms and Lizards which were previously found under the concrete slabs and a previous survey identified Great Crested Newts in the work area.
 - Essex County Council Footpaths – Footpath closure notice and explanation of the works.
 - Health & Safety Executive – the duration of the works required us to notify them of the scheme. This requirement also meant we employed an external consultant to co-ordinate the safety aspects of the project and approve our working methods.
- Informed Maylandsea Parish Council by meetings on site with the Parish Clerk and explaining our intentions so she may report back to the council.
- We undertook a letter drop to resident’s properties in close proximity to the work site. A copy of the notification was also sent to the Parish Council, Ward Councillors for Mayland & Althorne Wards, the County Councillor and the MP.
- Maldon District Council – discussed the works during a meeting to review our planned works in the district during 2013.
- We spoke with our own internal teams on
 - Impact of the work on the environment and how to reduce it
 - Our planning team)
 - Our waste team to understand if there were any issues with crushing the concrete on site.

We always carry out post project reviews and given the feedback we have received on this project we will include extra emphasis on the communication we undertook.

Document C – Our printed public communication regarding the works.

Councillor Spires asked the EA to clarify the following statement made in the document

- *On the seaward side of the crest the slabs have lifted and exposed the clay underneath which reduces the embankment's strength in a large tidal flood.*

The slabs which lifted had exposed the clay core of the wall leaving it prone to damage and erosion. The works we have done have now covered the clay core of the wall protecting it from harm.

The Environment Agency may leave some steps to help with access at the sea wall. It would be up to the council to take over ownership of these steps.

Overgrown land at Mayland Green. A resident is concerned that the area is overgrown. We would need the name of the owner of the land to be able to pass this issue on to the appropriate agency. **Clerk** to advise resident.

Grebe Way/Drake Avenue pond. The fence at the pond is in a state of disrepair. We have contacted MDC for their help in this matter. The pond is the responsibility of the house owners in this area.

Cardnells Yard (Blackwater Marina) change of use. The owners of the boatyard have liaised with residents by holding an open meeting/presentation to discuss possible developments in this area. This council cannot comment until it receives copies of a planning application.

Parish Plan. Cllr Spires advised the council that a resident has written in support of the PP in this month's Maylands Mayl.

70. Standing Orders.

Add to December agenda.

71. Agenda items.

The Chairman closed the meeting at 10.10pm

The next meeting will be held on Tuesday 10th December at 7.30pm