



## Tollesbury Parish Council

Notice is hereby given that the Meeting of Tollesbury Parish Council will be held on **Tuesday 21<sup>st</sup> November 2023**, in **The Pavilion, Tollesbury Recreation Ground, Elysian Gardens** commencing at **7.30 pm**, to which members of the Council are summoned for the transaction of the under-mentioned business.

*M. Curtis*

Michelle Curtis – Clerk to the Council

14<sup>th</sup> November 2023

Councillors: S Plater (Chairman), S Hawes (Vice-Chairman), M Bell,  
R Clare, A Ferneyhough, P Gilbert, L Goldie, L Inwood, C Page,  
J Rogers, A St Joseph

**THE PRESS AND PUBLIC ARE CORDIALLY INVITED TO ATTEND**

Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted; however, the privacy of (i) persons who object to the same and (ii) children and vulnerable adults must be respected by anonymising the identities of such.

**1. Apologies for Absence**

To receive apologies for absence.

**2. Declaration of Interest**

To disclose the existence and nature of any Disclosable Pecuniary Interests, Other Registrable Interests and Non-Registrable Interests relating to items of business on the agenda having regard to paragraph 9 and Appendix B of the Code of Conduct for Members. (Members are reminded that they are also required to disclose any such interests as soon as they become aware should the need arise throughout the meeting.)

**3. Public Forum**

Members of the public will be given an opportunity to put forward their question(s) or statements to the Council. The Chairman will, at his discretion, then decide if he is able to answer the question(s) or proposes to put the item on the agenda for the next meeting.

**4. County Councillor and District Councillors**

To receive information from the County Councillor and District Councillors

**5. Minutes**

To receive and approve the minutes of the Parish Council Meeting held on 7<sup>th</sup> November 2023

**6. Planning Applications and Decisions**

**6.1 Planning Applications**

Applications are circulated to all Councillors with the agenda for study ahead of the meeting. Planning documents are also available for everyone to view on Maldon District Council's website ([www.maldon.gov.uk](http://www.maldon.gov.uk)).

To consider planning applications received from Maldon District Council including the following:

Application No: HOUSE/MAL/23/01084 PP-12595392

Proposal: Demolition of existing garage, car port and rear extension, erection of new side and rear extension and formation of extended parking area. Removal of chimney.

Location: 3 Woodrolfe Farm Lane Tollesbury

**6.2 Planning Decisions**

To receive notification of planning decisions from Maldon District Council.

HOUSE/MAL/23/00726 - 7 East Street – Approved

WTPO/MAL/23/00938 - Graces 40 Church Street - Approved

**6.3 Planning Appeals**

To receive notification of Planning Appeals from Maldon District Council.

**6.4 Planning Appeal Decisions**

To note appeal decisions made by the Planning Inspectorate

**6.5 Tree Preservation Orders for information**

To note TPOs made by Maldon District Council.

TREE PRESERVATION ORDER NO. 04/10

Title: 40 Church Street (now known as Graces) Tollesbury

**7. Meeting with the Deputy Monitoring Officer**

To receive a verbal report on the meeting with Emma Holmes, Deputy Monitoring Officer at Maldon District Council

**8. Climate Change**

**8.1** To consider the request from Tollesbury Climate Partnership to use half of the front of the store shed to store their items

**8.2** To discuss any issues relating to Climate Change

**9. Amenities**

**9.1 Allotments**

To consider the quotation for various works at the Allotments

## **9.2 Hasler Green**

To consider quotations for tree works at Hasler Green

## **10. Woodup Pool**

To receive an email from a resident regarding the use of Woodup Pool

## **11. Woodrolfe Hard**

### **11.1 Woodrolfe Hard Committee**

To consider the proposal from the Woodrolfe Hard Committee – Earmarked Funds

### **11.2 The Crown Estate**

To receive a letter from The Crown Estate giving notification that a rent review had been carried out for the lease of the foreshore at Bontings and Woodrolfe Creek

## **12. Royal British Legion (RBL) Club**

To receive a report from the meeting between Tollesbury Parish Council and the RBL Club

## **13. Administration**

To receive information from the Clerk – update on current and ongoing matters

## **14. Community Matters**

To receive information only or note future agenda items

## **15. Public Bodies (Admission to Meetings) Act 1960**

In view of the confidential personnel and contractual nature of the business to be transacted, consider excluding the press and public from the meeting.

## **16. Employment Matters**

To review the remuneration for the Clerk.

## **17. Public Bodies (Admission to Meetings) Act 1960**

To consider permitting the press and public to return to the meeting.

## **18. Dates of the Next Meetings**

Tuesday 5<sup>th</sup> December 2023 - Full Council Meeting – 7.30pm – Pavilion

Wednesday 6<sup>th</sup> December 2023 – Finance & Policy Committee – 7.30pm – Pavilion

Tuesday 19<sup>th</sup> December 2023 - Full Council Meeting – 7.30pm – Pavilion

Tuesday 9<sup>th</sup> January 2024 - Full Council Meeting – 7.30pm – Pavilion

Tuesday 16<sup>th</sup> January 2024 - Full Council Meeting – 7.30pm – Pavilion

If you would like an item on the agenda at any Full Parish Council or Committee Meeting, you should write your request to the Parish Clerk at least a week before the meeting.

**Clerk:** Michelle Curtis

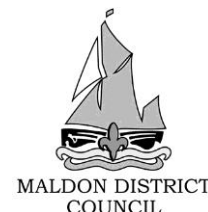
**Address:** PO Box 13205, Maldon, Essex CM9 9FU

**Telephone:** 01621 869039 **Email:** tollesburypc@btinternet.com

# Town and Country Planning Act 1990

## Weekly List Of Decisions

### Week Ending 03 November 2023



**HOUSE/MAL/23/00726 Tollesbury East**

Demolition of existing structure on side of property and erection of a single storey extension and ancillary works.  
 7 East Street Tollesbury Maldon Essex  
 (UPRN - 100090558549)  
 Mr & Mrs Smith

**APPROVE** subject to the following conditions:-

1 **CONDITION**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**REASON**

To comply with Section 91(1) The Town & Country Planning Act 1990 (as amended).

2 **CONDITION**

The development hereby permitted shall be carried out in accordance with the following approved plans and documents: 2126-001, 2126-002A, 2126-003A, 2126-004D.

**REASON**

To ensure that the development is carried out in accordance with the details as approved.

3 **CONDITION**

The windows, doors and weatherboarding on the front (south) elevation of the extension hereby permitted shall be painted timber only.

**REASON**

In the interest of the character and appearance of the Conservation Area and the setting of the adjacent listed building, in accordance with Policies D1, D3 and H4 of the approved Local Development Plan and guidance contained within the National Planning Policy Framework.

**POSITIVE AND PROACTIVE STATEMENT**

Town and Country Planning (Development Management Procedure) (England) Order 2015 - Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Officer: Lisa Greenwood

Dated : 27/10/2023

**Town and Country Planning Act 1990**  
**Weekly List Of Decisions**  
**Week Ending 10<sup>th</sup> November 2023**



**WTPO/MAL/23/00938      Tollesbury West**

(G1 on TPO 4/10) T1 - Silver Birch - 3m reduction of two boughs facing dwellinghouse.  
Removal of deadwood.  
Graces 40 Church Street Tollesbury Maldon  
(UPRN - 100090557591)  
Mrs Lesley Hart

**APPROVE** subject to the following conditions:-

1      **CONDITION**

The works hereby permitted shall be carried out in accordance with the British Standard Recommendations for Tree Works (BS3998:2010).

**REASON**

To safeguard the health and appearance of the tree.

2      **CONDITION**

The works hereby permitted shall be carried out within 2 years from the date of this permission.

**REASON**

To ensure that the works are carried out whilst they are still relevant to the condition of the tree.

**INFORMATIVE**

1.      The applicant is advised that whilst consent is hereby granted to carry out works to the tree subject to a Tree Preservation Order from the Local Planning Authority, it is considered that this tree may offer wildlife habitat value. The applicant is advised that it is an offence to disturb, kill or injure protected species and their associated breeding site/s and/or resting place/s under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017. Should a protected species be found during the course of the works, the applicant should stop work and contact Natural England for further advice.
2.      The consent hereby granted does not constitute landowners permission which might still be required from other parties.

Officer: Juliet Kirkcaldy   Dated : 07/11/2023

Our ref TPO 4/10  
Your ref

10<sup>th</sup> October 2023

Michelle Curtis  
Parish Clerk  
Tollesbury Parish Council  
PO BOX 13205  
Maldon  
CM9 9FU

# MALDON DISTRICT COUNCIL

Princes Road  
Maldon  
Essex CM9 5DL

[www.maldon.gov.uk](http://www.maldon.gov.uk)



Enquiries to Hayleigh Parker-Haines  
Email: [planning@maldon.gov.uk](mailto:planning@maldon.gov.uk)

Dear Ms Curtis,

**TOWN AND COUNTRY PLANNING ACT 1990**  
**The Town and Country Planning (Tree Preservation) (England) Regulations 2012**  
**TREE PRESERVATION ORDER NO. 04/10**  
**Title: 40 Church Street (now known as Graces) Tollesbury**

A Tree Preservation Order (TPO) (reference 04/10) was served on 21st October 2010 at the above-mentioned location. It related to 3 Silver Birch trees. (G1 TPO area).

Permission was granted in 2022/23 for the following:

- 23/00118/WTPO (Fell T2 birch tree)
- 22/00277/WTPO (Fell T3 birch tree).

A condition was imposed on both above permissions stating,

23/00118/WTPO

*Birch tree, T2, the subject of the proposed works, shall be replaced with a Silver Birch with a stem girth of at least 12cm at the time of planting, to either side of the front garden space by the end of October 2023.*

22/00277/WTPO

*T3, Silver Birch, the subject of the proposed works, shall be replaced by a Silver Birch with a 10cm-12cm stem girth at the time of planting, in a similar location within 12 months of the felling of the specific tree (as stated in condition 2), and, in the period between 1st October and 1st March of the relevant year(s).*

The Council have received a request from the applicant to vary the Tree Preservation Order to require a single tree (species – Myrtle) to be planted to replace T2 and T3 as there is insufficient space to accommodate two trees onsite.

We have liaised with the Council's Tree Consultant who has agreed that replanting of two replacement trees is unlikely to be viable due to sunlight constraints. The Tree Consultant has confirmed that a single tree (species – Myrtle) is acceptable as replacement planting for T2 and T3.

The Council have therefore modified TPO 04/10 (with the updated template model order) to reflect the above variation.

The formal notice and the modified schedule are attached.

Yours sincerely

A small, square, black and white image of a handwritten signature, likely belonging to Juliet Kirkaldy, positioned below the 'Yours sincerely' text.

Juliet Kirkaldy  
Planning Officer – Development Management



## **Town and Country Planning Act 1990**

### **The Maldon District Council Tree Preservation Order 04/10**

#### **Title: 40 Church Street (now known as 'Graces') Tollesbury**

The Maldon District Council, in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order—

#### **Citation**

1. This Order may be cited as the Maldon district Council TPO 04/10

#### **Interpretation**

- 2.— (1) In this Order “the authority” means the Maldon District Council.  
(2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation) (England) Regulations 2012.

#### **Effect**

- 3.— (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.

(2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall—

- (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
- (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

#### **Application to trees to be planted pursuant to a condition**

4. In relation to any tree identified in the first column of the Schedule by the letter “C”, being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this tenth day of October 2023.

Signed on behalf of Maldon District Council:



Richard Holmes  
Director of Service Delivery  
Authorised by the Council to sign in that behalf.

## VARIATION OF ORDER

This Order was varied by the Maldon District Council on the tenth day of October 2023.

Signed on behalf of Maldon District Council:



Richard Holmes  
Director of Service Delivery  
Authorised by the Council to sign in that behalf.

### SCHEDULE

#### Specification of trees

##### Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
NONE		

##### Trees specified by reference to an area

(within a dotted black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
NONE		

##### Groups of trees

(within a broken black line on the map)

<i>Reference on map</i>	<i>Description (including number of trees of each species in the group)</i>	<i>Situation</i>
G1	1 Birch Tree 1 Myrtle Tree	Along the northern boundary

##### Woodlands

(within a continuous black line on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
NONE		

# Tree Preservation Order 4 | 10

40 Church Street

Tollesbury

As Amended By: The Town and Country Planning  
(Tree Preservation)(England) Regulations 2012

G1

1 Birch Tree  
1 Myrtle Tree  
Northern  
Boundary



**From:** [REDACTED]  
**To:** Tollesbury pc <tollesburypc@btinternet.com>  
**Date:** Nov 9, 2023 6:37:11 PM  
**Subject:** TPC Meeting 21st November

Dear Michelle

Thank you for speaking with me yesterday.

As discussed during our telephone conversation could you raise the following points at the next meeting please.

I am unsure if the committee are aware but there are a large number of adults that use the salt pool on a daily basis at varying times during the day.

The issue myself and others have found are the reservations made by fellowship afloat.

We understand FACT are allowed to reserve the pool because they change the water and help with the maintenance of the pool etc and that this arrangement has been in place for around a decade.

This year the swimming pool was reserved a total of 38 times out of an eight month period.

The issue we would like to raise is, it seems a little unfair that Tollesbury residents are unable to use the pool during these times.

Apparently these days are during term time as to not inconvenience other pool users but unfortunately they do.

Part of the pool is occasionally sectioned off for paddling during these days which is suitable if you have children but not for any significant swimming.

Personally I do not have any children - myself and other adults would like to use the pool during term time .

A fair compromise to rectify this matter would be to section & leave a pools length on the left hand side (looking from the beach to the chandlery) and keep the right hand side for reservations.

An agreement that was made between TPC and fellowship afloat a decade ago may no longer suit the needs of the village.

The number of people using the pool for things like cold water therapy and mental wellness has increased in popularity in recent years and I'm sure TPC would want to move with times and encourage this as much as possible.

I hope to attend the next PC meeting and appreciate your help on this matter.

Kind regards  
[REDACTED]

Sent from my iPhone



## Woodrolfe Hard

At the Woodrolfe Hard Committee meeting held on 13<sup>th</sup> November 2023, the Committee carried out a review of the Earmarked Reserves.

### Woodrolfe Hard Earmarked Fund

The balance in the Woodrolfe Hard Earmarked Fund as of 31.10.23 is £2,052.96, of which £1,000 is committed expenditure, which was approved at the Full Council meeting on 19<sup>th</sup> September 2023.

The Committee agreed that approx. £1,500 would be required to continue the improvement works (this includes the £1,000 approved expenditure).

Balance of Woodrolfe Hard EMR as at 31.10.23	£2,052.96
Less £1,500 Hard improvement works (this includes the committed £1,000 expenditure)	-£1,500.00
Remaining balance	£552.96

The Committee would like to propose to the Full Council to transfer £500 from the Woodrolfe Hard Earmarked Fund to the Community Support/Minor Projects Earmarked Fund.

### Tollesbury Harbour Earmarked Fund

The balance in the Tollesbury Harbour Earmarked Fund is £250. This money was obtained via a donation from the late ex-councillor Roger Lankester. The Committee agreed that they would like to use the money for a coir rope enclosure (picture attached).

The Committee would like to propose to the Full Council that the £250 held in the Tollesbury Harbour Earmarked Fund is used for a coir rope enclosure.

**Clerk:** Michelle Curtis

**Address:** Tollesbury PC, PO Box 13205, Maldon CM9 9FU

**Telephone:** 01621 869039. **Email:** [tollesburypc@btinternet.com](mailto:tollesburypc@btinternet.com)

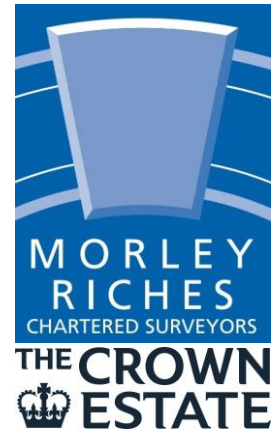


**TOLLESBURY**  
PARISH  
COUNCIL



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Clerk to the Council  
 Tollesbury Parish Council  
 4 Valkyrie Close  
 Tollesbury  
 Essex  
 CM9 8SL



7 November 2023

Dear Sirs

**The Crown Estate - rent review**

**Lease of foreshore at Bontings and Woodrolfe Creek at Tollesbury**

This firm acts for The Crown Estate in respect of its ownership of the tidal land in East Anglia, the River Thames and Kent.

The rent payable under the terms of your lease is due to be reviewed. The new figure calculated in accordance with the Retail Price Index is shown below. This is the same as the method used to calculate the current rent. An amended invoice for the revised amount will be sent to you shortly. If you have any queries, please do not hesitate to contact me.

If this letter has not gone to the correct email address please could you notify us so we can update our records.

Yours faithfully

**Peter Riches**

Review Date	1 September 2023		
Existing Rent		£429.70	(1)
RPI at last review	1 September 2018	284.1	(2)
RPI at this review	1 September 2023	378.4	(3)
New Fee		£572.33	(3) ÷ (2) x (1)
Next Review	1 September 2028		

The coastal and tidal land of The Crown Estate in East Anglia, Kent and the River Thames is managed by Morley Riches, Chartered Surveyors

**Part of the Morley Riches & Ablewhite Group**



Suffolk Office: Rushbrigg House, 4 Low Meadows, Hacheston, Woodbridge IP13 0DQ

**Directors** Peter Riches BSc (Hons) FRICS • Samantha Morley

Rushbrigg Limited (t/a Morley Riches) is registered in England & Wales No. 14612930. Registered office, 4&5 The Cedars, Apex 12, Old Ipswich Road, Colchester CO7 7QR

## **MEETING WITH COMMITTEE OF RBL CLUB – 9 NOV 2023**

Further to the discussion prompted by a member of the public at the Parish Council meeting on 7 November, and the subsequent letter from the Clerk to the Tollesbury Branch of the Royal British Legion, the Chairman and four Councillors met with the Committee on 9 November.

Councillors stated that residents have expressed concern about the reported risk of closure, the Club having served the community of the village for over 75 years.

Councillors heard that – except for two years – the Club has made a loss every year in the past twenty. The Club has been sustained only by its dwindling reserves. The loss in the most recent accounting period was £18,000 in a single year, which the Committee attributed to higher energy costs.

The Committee understands there is no possibility of funding from the Parish Council and expressed disappointment about the small number of donors to the Branch's *GoFundMe* appeal. They said there were 290 Club Members, but that figure has not been validated.

In discussion, the Committee informed Councillors that there is no longer a kitchen at the Club; and that the Club bar cannot be closed off to permit the space to be rented for other purposes by day. It was not obvious to Councillors what had prevented the kitchen being re-commissioned, to help generate revenue from snacks and hot drinks.

Responding to questions, the Committee confirmed that professional advice had not been sought either formally from a professional food and beverage consultant, or informally from qualified and experienced residents in the village.

It was not clear to Councillors that adequate steps had been taken by the Committee to inform all Members about the serious risk to the Club and to generate a response from them. Councillors who are Members had not received any communication from the Committee.

The Committee mentioned that they had posted on Facebook and in local retail outlets, but Members had not been contacted direct via email, phone or postal address.



Based on statements by the Committee, Councillors formed the impression that only limited consideration had been given to measures to diversify the business model and develop the Club's sustainability.

From soundings taken of RBL management, the Committee had heard that many other Clubs were in a similar situation. Councillors understood the situation facing the hospitality sector but felt that the Committee might have taken the information from RBL management as a justification for complacency.

The Committee stated that under its constitution the property of the Club is wholly owned by the Members and that no consideration had yet been given to options for future use. They feel constrained in managing a risk that new Members could join to take advantage of the Club's uncertain future.

Various functions are planned by the Club between now and the Club's AGM in the New Year. Final decisions about the future will not be taken until then, leaving some scope for the Committee to consider other measures in the meantime.

The future of the Club is a matter for the Committee, not the Parish Council. However, the Committee must be seen to be acting within the Club's constitution.

The Parish Council is writing to the Committee to thank them for the discussion, to offer to make connections to those who might be able to advise the Committee, and to suggest that all Members are informed promptly about the risk to the future of the Club.

13 November 2023