

**Present:** Cllrs Bell, Chambers, Ferneyhough, Goldie, Hawes, Rogers, St Joseph

**In the Chair:** Cllr Lowther – Vice Chairman

**Clerk:** Michelle Curtis

**Also present:** 2 Members of the Public

**1. Apologies for Absence**

There were apologies for absence from the Chairman – Cllr Plater and Cllr Clare.

There were also apologies for absence from District Councillor Stephens.

**2. Declarations of Interest**

Cllr St Joseph declared interests as follows:

- Personal and prejudicial interest in agenda item 6.1, planning application COUPA/MAL/21/01031, as he has a farming relationship with the applicant.

**3. Public Forum**

A resident reported:

- There is low-level graffiti from the junction of Woodrolfe Road/Crescent Road down to the toilets at Woodrolfe Green. The resident volunteered to remove the graffiti.
- There is also graffiti on the toilet block at Woodrolfe Green. The resident stated he would take it up with Cllr Stephens.

**4. County Councillors and District Councillors**

There were no County or District Councillors present.

**5. Minutes**

**Resolved:** The Minutes of the Parish Council Meeting held on 7<sup>th</sup> June 2022, be approved as a true and accurate record of the meeting. Proposed Cllr Goldie, seconded Cllr Hawes. Unanimously agreed.

The Vice-Chairman signed the Minutes.

**6. Internal Audit**

**6.1 Internal Auditors Report**

Councillors received the report (Appendix A) and recommendations by the Internal Auditor, and comments are as follows:

**1. Training**

The Council were happy for the Clerk to attend training, once available, with the accounting system providers regarding the year-end process.

**2. Assets**

Assets to be reviewed by the Finance Committee before March 2022 in line

with new requirements.

Overall, the Council were very pleased with the report's contents and thanked the Parish Clerk for her hard work over the last financial year.

## **6.2 Effectiveness of Internal Audit**

Councillors reviewed the Effectiveness of Internal Audit as prescribed in the 'Governance and Accountability manual'. (Appendix B).

## **7. Planning**

### **7.1 Planning Applications**

Application No: HOUSE/MAL/22/00645 PP-11266310

Proposal: Construction of two storey side extension

Location: 1 Sceptre Close Tollesbury

**Resolved:** Unanimously agreed to recommend approval of this application.

Application No: HOUSE/MAL/22/00527 PP-11185439

Proposal: Proposed side and front extension and the creation of a room in the roof.

Location: 5 Woodrolfe Farm Lane Tollesbury

**Resolved:** Unanimously agreed to recommend approval of this application.

In accordance with the declaration declared, the Cllr St Joseph left the meeting.

Application No: COUPA/MAL/21/01031 PP-10266896

Proposal: Change of use of agricultural buildings to 2no. dwellinghouses (Class C3), and for building operations reasonably necessary for the conversion.

Location: Land Adjacent To Old Hall Farm Old Hall Lane Tolleshunt D'Arcy

**Resolved:** Unanimously agreed to recommend approval of this application.

Cllr St Joseph returned to the meeting.

Application No: LBC/MAL/22/00518

Proposal: Conversion of outbuilding into office

Location: Rolls Farm, 3 Prentice Hall Lane Tollesbury

**Resolved:** Unanimously agreed to recommend approval of this application.

### **7.2 Planning Decisions from Maldon District Council**

FUL/MAL/22/00378 - Wealden House 42 Wycke Lane – Approved

### **7.3 Planning Appeals - None received**

### **7.4 Planning Appeal Decisions - None received**

### **7.5 Tree Preservation Orders for information – None received**

## **8. Parish Councillor Vacancy**

An application had been received and circulated to Councillors to fill the current vacancy.

**Resolved:** to Co-opt the applicant at the meeting on 5<sup>th</sup> July 2022.

## **9. Climate Change**

Cllr St Joseph reminded Councillors that the meeting with the Environment Agency was scheduled for Monday 27<sup>th</sup> June 2022 at 7.00 pm.

## **10. Tollesfest**

The information requested had not been received.

**Action:** Clerk to ask organisers to provide the information by no later than 28<sup>th</sup> June 2022 so it can be considered by the Parish Council and approved at the Parish Council meeting on 5<sup>th</sup> July 2022.

## **11. Parish Council Meeting 2<sup>nd</sup> August 2022 / Prof. Jules Pretty**

### **11.1 Parish Council Meeting 2<sup>nd</sup> August 2022**

**Resolved:** Unanimously agreed to ratify the decision to move the Full Council Meeting scheduled for Tuesday 2<sup>nd</sup> August 2022 to Monday 1<sup>st</sup> August 2022.

### **11.2 Meeting Prof. Jules Pretty**

**Resolved:** Unanimously agreed to ratify the decision for a visit from Prof. Jules Pretty, Chairman of The Essex Climate Commission, on Tuesday 2<sup>nd</sup> August 2022, to be an open public meeting to discuss climate change.

## **12. Administration**

Jubilee – The Clerk confirmed Cllr Hawes had put together the open letter from the Parish Council thanking the village for supporting the Jubilee events. The letter was submitted to the Parish Magazine and displayed on the Parish Council website and community social media pages.

Code of Conduct Training – The Clerk reported that she had booked herself for the training session on Tuesday 28<sup>th</sup> June 2022. No other Councillors wished to attend.

Community-Led Housing – The Clerk reported that a meeting had been arranged with Laura Atkinson from the RCCE and the Neighbourhood Plan Steering Group to explore Community-Led Housing. The meeting will be held on 14<sup>th</sup> July 2022 at 7 pm.

Cemetery – The Clerk reported that a resident had emailed to request permission to use the car park at the Cemetery on Saturday 16<sup>th</sup> July 2022 for approx. 10-12 cars. The resident would be happy to make a £50 donation to a local charity of the Parish Councils choice.

Councillors were happy for the resident to use the car park and suggested that the resident donates to the Tailors Charity.

Fly-tipping – The Clerk advised that the Litter Contractor had notified her that there was a sofa on the skate park the previous weekend. The sofa has now been moved into the bushes. A resident advised that she had left the item outside her property, offering it free of charge, and the youth had moved it to the Recreation Ground. The resident indicated that she would move the sofa or cover the cost of removing the sofa on the Facebook feed. The Clerk advised that she had emailed Maldon District Council to seek advice and was awaiting a reply.

**Action:** Clerk to ask the resident when she would be moving the sofa. If the resident does not remove the sofa, the Clerk will pursue it via Enforcement at Maldon District Council (MDC).

Woodup Pool – The Clerk advised that she had circulated correspondence (Appendix C) before the meeting from a resident regarding the usage of Woodup Pool and some potential safety concerns of FACT using the pool and the emptying of the pool. FACT had also responded to the concerns raised by the resident.

**Action:** Clerk to arrange a meeting with FACT to discuss the concerns raised.

**Action:** Clerk to publicise on the Parish Council's social media when the pool will be emptied by FACT to refresh the water.

### 13. Community Concerns – Information Exchange/Next Agenda Items

Cllr Hawes reported:

- The grass verge behind the bus depot in Thurstable Road was overgrown

**Action:** Clerk to report to Essex County Council.

- A new brick wall has been built on a West Street property. The fire hydrant sign had been removed from the previous fencing and is now leaning against the new brick wall.

**Action:** Clerk to ask Cllr Stephens to look into it.

Cllr Chambers reported:

- It had been reported to her by a resident that there was rubble in the road outside 1 Thurstable Road. A vehicle also parks on the pavement at the same property, making it impassable for pushchair users.

**Action:** Cllr Chambers to advise the resident to report it direct to MDC/Essex County Council.

Cllr Goldie reported:

- It appears that the eco-house in Woodrolfe Road is leaning.

**Action:** Clerk to ask Cllr Stephens to raise this issue with MDC as this had previously been reported to MDC Enforcement.

- A satellite dish on a property in the High Street in the conservation was previously reported to MDC.

**Action:** Clerk to ask Cllr Stephens to get an update from MDC.

### 14. Dates of the Next Meetings

Monday 4<sup>th</sup> July 2022 – Woodrolfe Hard Committee – 7.30 pm – Pavilion

Tuesday 5<sup>th</sup> July 2022 – Full Council Meeting – 7.30 pm – Pavilion

Monday 1<sup>st</sup> August 2022 – Full Council Meeting – 7.30 pm – Pavilion

Wednesday 3<sup>rd</sup> August 2022 – Environment and Amenity Committee – 7.30 pm – Pavilion

The Vice-Chairman closed the meeting at 8.46 pm.

Signed.....

Date .....

# **TOLLESBURY PARISH COUNCIL**

## **INTERNAL AUDIT REPORT 2021 / 2022**

**M Howard (F.C.P.F.A.)  
Internal Auditor  
June 2022**

**CONFIDENTIAL**

## Introduction

I have now completed my audit for 2021/2022 using the agreed schedule of works as the basis of my review. I discussed the agreed schedule of works with the RFO and no changes were requested.

I would again like to take this opportunity to express my appreciation to Mrs. Curtis for her assistance and for the straight forward and helpful way with which she presented the Council's procedures and records.

## Findings

A summary of my findings and details of the extent of my review can be found in Appendix A. The findings I would highlight are detailed below:

1. In 2017/18 the Council decided it would transfer its accounting records to a new computerised accounting system, provided by RBS, which is fully supported and can use the Council's current hardware and system software.

The RBS computerised accounting system was, after some teething problems, successfully implemented during 2017/18. This accounting system and the computerised payroll system were successfully operated by the Council during 2021/22. The system is reconciled with the bank accounts monthly, the quarterly VAT claims and the computerised payroll system. During 2021/22 I was able to check to my satisfaction each of these reconciliations.

The RBS system plus bespoke excel spread sheet reports are used to produce budgetary control reports which enable the Council to identify any significant variations from its approved budget.

The systems also provide the base for the Council's financial year end arrangements and the year-end accounts including Section 2 of the Annual Return or AGAR.

The Council are to be provided with the accounts prepared by the system for approval on the 9<sup>th</sup> May 2022.

In my opinion it was unfortunate that the training arranged with RBS regarding year-end processes had to be cancelled, because of the COVID 19 emergency. This would have shown up where any changes could, if necessary, be made.

2. During the year the Council's reserves have increased from £74,374 to £77,618 the monies for which are all held at the Co-op bank except for £7,078 held at the Unity Trust Bank.

Earmarked reserves have increased from £14,580 to £22,290 whereas unallocated reserves have reduced from £59,794 to £55,328.

This appears to comply with the Council's Reserves Policy.

3. I have confirmed that during 2021/22, PAYE and NI requirements were properly applied.
4. I have agreed with the Clerk the figures to be included in Section 2 of the 2022 Annual Return. She has also provided me with a copy of the explanations of significant variances with the previous year required by the external auditor.
5. External Audit guidance has changed again regarding how Local Councils should value their assets. This does not require any changes for this year but there may be advantages in reviewing the Council's arrangements before March 2023.
6. I am now required by the external auditor to ensure that the Council complied in 2020/21 on its website with the AGAR publication requirements and the notification to the electors of their rights to inspect the Council's Accounts. I have visited and can confirm that this is the case.

### **Recommendations**

With reference to the above findings I recommend that the Council review:-

- 1 Taking advantage of any training that can be arranged, with the accounting system providers, regarding the year end process.
- 2 Its valuation of assets as per the changes in external audit guidance before March 2023

### **Opinion**

Since her appointment Mrs. Curtis has been very good at managing and maintaining the Council's financial systems and records. I have found after checking of the data held on the computerised accounting system that it is correct and consistent with budget reports, the data held by the bank, the payroll system and that included on VAT returns.

During 2021/22, Mrs Curtis, with the Council's support, has continued to strive to improve the Council's Procedures and Financial Management including the operation of the computerised accounting system.

I am confident that Mrs Curtis will continue to perform as a very effective Responsible Financial Officer with the Council's continued support.

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M G. Howard F.C.P.F.A.  
20<sup>th</sup> June 2022

<u>SCHEDULE OF WORKS.</u>		<u>AUDIT FINDINGS</u>
	To ensure that the Council has:	
1	Adopted Standing Orders	Revised Standing Orders adopted March 2020 following changes in the law related to Parish Councils financial management and administration including the new audit arrangements. They were reviewed in May 2022 but no changes were made
		NALC issued new model April 2018
2	Adopted Financial Regulations	Revised Financial Regulations adopted March 2020 and reviewed in May 2022.
		They include any changes in governance requirements related to Parish Councils financial management and administration
3	Appointed a Responsible Financial Officer	As per Mrs Curtis's Contract of Employment she is the Council's Responsible Financial Officer as required by Section 151 of the Local Government Act 1972. During 2010/11 she achieved the CILCA qualification via training provided by EALC and supported by the Council which enables her to perform her RFO duties more effectively
4	To ensure that the computerised accounting system is properly maintained, up to date balanced and consistent with the bank and supporting accounting records	During the audit the computerised accounting system was extensively tested & found to be consistent with the Final Accounts for 2021/2022 & the payroll system. It was also regularly reconciled with Bank Accounts and VAT claims.
		RBS Alpha system meets Council requirements.
5	To ensure that items or services have been procured in accordance with the procedures laid down in the Financial Regulations	In December 2020 the Council resolved to accept the quotation from Gamart engineering to provide the replacement Sluice Gate
		The cost would be £8,260 plus £1,000 contingency
		2 other quotes had been obtained
		The 3 quotations were reviewed before the final decision was made
6	To ensure that VAT has been identified, recorded and returned.	Tollesbury Parish Council is registered for VAT and required to complete quarterly returns. The return for the quarter ended 31/03/22 has been checked and found to be consistent with the computerised accounting system.
		Since 01/04/12 VAT returns have been submitted online to HMRC
7	To ensure that Section 137 expenditure has been separately recorded and is within statutory limits.	Agreed Section 137 limit 2021/22 2194 electors @ £8.41 = £18,452 During 2021/22 per the Accounts a maximum of £2,080 was actually spent.
8	To identify whether the Minutes indicate any unusual financial activity.	On the 4th May 2021 the Council resolved to adopt a formal "Reserves Policy" for the first time. The level of financial reserves held by the Council will be agreed by the Parish Council during the discussions held regarding the setting of the budget for the next financial year
		All virements of funds must be agreed by full Council
		The advised level of total reserve is the annual income figure, to fully cover a 6 months expenditure, but can be varied



<u>SCHEDULE OF WORKS.</u>		<u>AUDIT FINDINGS</u>
		The Annual Income for 21/22 was £105,849. The total reserves as at 31/03/22 were £77,618 of which £22,290 were earmarked and £55,328 was General Reserves or 52.27%
		of the Councils Annual Income
9	To check that the Parish Council carries out an annual risk assessment and annually reviews its insurance cover.	A Comprehensive Risk Assessment document was prepared which was formally approved by the Council on the 5th April 2022.
10	To check that internal financial controls are adequate and regularly reviewed.	The financial appendices of the formal Council Minutes include signed financial appendices which provide a full audit trail providing proof of the Councils approval of payments being made
11	To ensure that the Parish Council has prepared an annual budget in support of its precept.	A detailed annual budget was prepared by the Finance Committee and a precept of £92,599.50 proposed for 2022/23. This was approved by the Council on 21/12/21
12	To check that expenditure incurred is regularly compared to the budget and variances reported to the Parish Council.	Monthly Budgetary Control Reports are considered by the Council using data provided by the RBS Alpha system together with known commitments
13	To check that income is properly recorded and promptly banked.	Audit checks found that income is properly recorded and promptly banked
14	To check that the insurance cover in place is appropriate and adequate.	Insurance cover reviewed against the asset register & appears to be consistent.
		Insurance for photocopier is part of the lease payment
15	To check that the precept recorded in the computerised accounting system agrees with Maldon District Council's notification.	The £89,902 precept for 2021/22 was collected in 2 installments on the 26/04/21 and 04/10/21.
16	To ensure that security controls over cash are adequate and effective.	Security controls over cash appear adequate as income is promptly banked and there is a safe in the Clerk's office. No amounts of cash held above £200
17	To check that out of pocket expenses are recorded and supported by VAT invoices/receipts where applicable.	Audit test checks found that out of pocket expenses are recorded and supported by VAT invoices/receipts where applicable
18	To check that salaries and other payments made agree with those approved by the Council and that where applicable PAYE / NIC has been operated properly by the Council as an employer.	For 2021/22 the Clerk was paid [REDACTED] per hour for 30 hours per week up to 31/10/21 then NJC, [REDACTED] from 1/11/21 (Council Minutes on 03/11/2020) @ [REDACTED] for 30 hours from 01/11/21.
		Where applicable PAYE & National Insurance has been properly operated by the Clerk on the Council's behalf. Her online submission of year end has been successfully made for 2020/21. I understand that following my audit the annual pension return required by Essex Pensions Fund has now been submitted.
		Home Expenses of £65 per month (£780 per annum) are paid to the Clerk. £312 has not been taxed and £468 has been taxed as per HMRC guidance
19	To check that a register of all material assets and investments owned by the Council is kept, and is up to date, and tallies with the insurance valuations for those assets.	Checked that a register of all material assets and investments owned by the Council is kept, & is up to date, and consistent with the insurance cover & new audit requirements
		Audit guidance has changed again and might be useful to review in 2020/21
		Currently the value of assets per the AGAR is £506,021 whereas the insurance cover is £605,572 excluding items which are not insured
20	To check that bank reconciliations are carried out regularly and that there are no unexplained balances.	Bank Reconciliations are carried out monthly and reported to the Council. It was possible to verify the £79,375.98 balances shown on the year end accounts with bank statements and supporting correspondence.
21	To check that the year-end accounts are prepared on an Income and Expenditure basis, that they agree to the computerised accounting system and that there is an audit trail from the underlying financial records to the accounts.	Year End Accounts as at 31st March 2022 are prepared on an Income and Expenditure basis which agree with the computerised accounting system and which provides an audit trail to the underlying financial records. Debtors & Creditors identified and checked
22	To prepare a written report to Tollesbury Parish Council as soon as practicable after preparation of Annual Accounts & Annual Return	Report issued 20 JUNE 2022
	In exceptional circumstances such as the discovery of a major loss, break down in controls, or significant non-compliance with laid down systems and procedures the Internal Auditor will report personally to the Council.	
23	To carry out any other work required enabling the internal auditor to complete the "Annual Internal Audit Report" of the AGAR	
	In 2020/21 I am required to confirm that:	
	the authority during the previous year	
	1) Provided for the period for the exercise of public rights...on the website	The notice for the 20/21 exercise of public rights was uploaded to the website in 30 JUNE 2021
	2) Complied with the publication requirements for the AGAR	In 2020/21 the Council complied with the AGAR publication requirements

**Internal Audit Review Checklist – Part 1 - Meeting Standards**

<b>Expected standard</b>	<b>Evidence of achievement</b>	<b>Yes or No</b>	<b>Areas for development</b>
1. Scope of internal audit	Terms of reference for internal audit were (re) approved by full council. Internal audit work takes into account both the council's risk assessment and wider internal controls. Internal audit work covers the council's anti-fraud and corruption arrangements.	Yes	
2. Independence	Internal audit has direct access to those charged with governance (see Financial Regulations). Reports are made in own name to management. Internal audit does not have any other role within the council/board.	Yes	
3. Competence	There is no evidence of a failure to carry out internal audit work ethically, with integrity and objectivity.	Yes	
4. Relationships	All responsible officers (Clerk and RFO) are consulted on the internal audit plan. (Evidence is on audit files). Respective responsibilities for officers and internal audit are defined in relation to internal control, risk management and fraud and corruption matters (job descriptions and engagement letter). The responsibilities of council members are understood; training of members is carried out as necessary.	Yes	
5. Audit Planning and Reporting	The annual internal audit plan properly takes account of all the risks facing the council and has been approved by the council. Internal audit has reported in accordance with the plan.	Yes	

## **Internal Audit Review Checklist – Part 2 – Characteristics of Effectiveness**

<b>Characteristics of 'effectiveness'</b>	<b>Evidence of achievement</b>	<b>Yes or No</b>	<b>Areas for development</b>
Internal audit work is planned	Planned internal audit work is based on risk assessment and designed to meet the council's needs.	Yes	
Understanding the whole organisation its needs and objectives	The annual audit plan demonstrates how audit work will provide assurance for the council's Annual Governance Statement.	Yes	
Be seen as a catalyst for change	Internal audit supports the council's work in delivering improved services to the community.	Yes	
Add value and assist the organisation in achieving its objectives.	The council make positive responses to internal audit's recommendations and follows up with action if called for.	Yes	
Be forward thinking	In formulating the annual audit plan, national agenda changes are considered. Internal audit maintains awareness of new developments in the council's services, risk management and corporate governance arrangements	Yes	
Be challenging	Internal audit focuses on the risks facing the council. Internal audit encourages managers/members to develop their own responses to risks, rather than relying solely on audit recommendations.	Yes	
Ensure the right resources are available	Adequate resource is made for internal audit to complete its work. Internal audit understands the council and the legal corporate framework in which it operates.	Yes	

**From:** [REDACTED]  
**To:** Tom Lowther <thomasjosephlowther@gmail.com>, tollesburypc@btinternet.com  
**Date:** Jun 16, 2022 10:38:57 PM  
**Subject:** Tollesbury Salt Pool

Dear Parish Council

Please can I start by saying thank you for all you do in the maintenance and running of the salt pool. I loved it as a child and since returning to tollesbury with a family, they have all loved it too. We are there all year round, appreciate all it has to offer and realise that a lot of hard work goes in to keeping it the perfect place that it is.

I'd like to draw your attention to a few issues that occurred on Wednesday the 15th of June. Myself and a few other families had been invited down to celebrate a 4 year olds birthday, cake and swimming after school. Upon our arrival we discovered that all but a tiny segment had been cornered off for FACT to canoe in. The birthday girls family had been there since 11am and had been informed come 5pm the canoeing would be finished and the pool open.

Unfortunately the canoeists were finding it difficult to stay out of the swimming area, knocking another 4 year old over in the water. The swimming area was also extremely crowded given a hot day understandably, so a canoe ploughing in was pretty dangerous.

We were delighted come 5pm when the canoeists were finished and the pool was free. So you could imagine our dismay at 5.02 when I noticed a member of FACT was opening the sluice gate to drain the pool. The majority of children in the party were swimming at this point. No one from FACT came over to the beach at any point to inform the parents on the beach that the pool was being drained. A member of our group approached the girl opening the gate, asking why she'd had to empty the pool and if they could wait and let the swimmers who'd been waiting since 11am to have a swim - apparently she had fed back to the office that the beach was full, but had been told to still empty it.

It was then we noticed a small boy in a life jacket( bit from our group) towards the deeper end of the pool being pulled back but the current to the sluice gate - His mum was calling out for him to swim in but he could not swim against the pull of the water. Luckily an adult from our party - a strong regular swimmer was able to get to him and pull him in to his mother relief!

So really I have a few issues, if FACT are going to use the majority of the pool for a day, it would possibly be safer for them to have it all and not have a tiny area for toddlers to be knocked over by canoes.

Ideally the day they use it should possibly be advertised/ publicly known. Having walked up and down woodrup hill with a buggy, three children swimming gear, and buckets and spades, to find an empty or otherwise engaged pool, I can assure you is pretty heartbreaking.

Lots of people at the pool had small children/ babies in buggies who had either parked at the scout hut or walked from the village after school/nursery.

I completely appreciate the need to empty and refill the pool, along with the fact that time and tide wait for no man/ woman. I've lived on and off the river all my life, therefore given this week of high tides it is an ideal time. However, emptying the pool after children have been waiting to swim since 11am is pretty poor. They could maybe have just mentioned it to the ones who'd been quite clearly waiting all day to swim. I am also not sure that it had to happen bang on 5 pm but happy to stand corrected on that.

Terrifyingly and most importantly maybe is how dangerous and irresponsible it is to open a gate controlling a large amount of water without informing the people in the water. Had an adult not been swimming near by this could have been more than a complaint, instead police statements surrounding the death/ severe injury of a child.

Overall I love what the salt pool brings to the village and I would hate to see a repeat of the incident, if not worse occur and result in it being closed down

Happy to chat through any issues I've raised  
 There were several others with me at the time who witnessed the above events.

[REDACTED]

**From:** Andrew Eastham <andrew.eastham@fact.org.uk>  
**To:** Tollesbury Parish Council <tollesburypc@btinternet.com>  
**Date:** Jun 20, 2022 8:32:20 AM  
**Subject:** RE: Re: Woodup Pool

Hi Michelle,

I have some more information in relation to the kayaking on Wednesday last week and so thought I'd give a summary of what the team reported and then address the safety issues.

### **Area**

- Signs and ropes were put out at the salt pool at 09.00am
- The paddling area was made bigger than usual due to the prediction of a higher volume of people at the pool during the day due to the warm weather.
- On return after lunch the paddling line had drifted on to the beach and so it was reestablished, and at this time extended even further.

### **Community Engagement**

- Before the morning session started a team member had a conversation with a gentleman, to explain we were using the pool and that they could swim before the session started or over lunch. That person used the pool before the session, and then left happy.
- During the morning, two people from birthday party group were pumping up a kayak and a team member let them know that they could use the pool between 12:00 and 14:00, they commented that the tide would be in at that point anyway, and were pleased to be informed.
- A team member talked with a group of lads to explain that the pool was going to be drained in the afternoon, so they should use it as soon as possible after the session. They were planning to sun bathe only.
- The Parents came to set up the birthday party at 1100 but there were no kids until after school.
- After school there were kids that were crabbing next to the roped off area.
- It is estimated that there were never more than ten people in the paddling area after school had finished while the kayaking was being run.

### **The session**

- There was a strong breeze blowing towards the beach that day and so our group, who were 11-year-old beginners did occasionally get blown towards the beach.
- There was an instructor there most of the time. Often in a kayak, but sometimes standing in the water.
- A few times a kayak did get blown over the safety line and there was one occasion when a parent and toddler were close by. However, the boat was just being blown along and an instructor quickly came to retrieve them. There was no contact and no concern was raised by either the parent or our team member.
- At the end of the session (which was ended early at 16:15), the school group were briefed for crossing the beach. They walked across it next to the porta loo and then departed.
- The pool was fully open no later 16:20.

### **Flushing the pool**

- Shortly after the session ended the sluice was opened, as agreed with TPC, in order to empty over the next few hours before low water, flush and fill the next large tide.
- There was no one in the water near the sluice gate while the gate was being opened or while that team member was there... the closest person was the other side of the depth marker poles 2/3 the length of the pool away, so quite a distance. The staff member considered it completely safe to open the sluice.
- A member of the birthday group spoke to the team member at the time the sluice was opened.
- It was explained that the pool had to be drained and refilled every few weeks, and that this needed to be done on the falling tide. That person was not overly pleased.
- The person asked how long there would be water in the pool while it was draining. The team member wasn't sure exactly but estimated it would take at least two hours to empty.
- Another Mum said to a team member as the pool started to empty that they were glad, because their child had been trying to get into the middle all day and soon could!
- A team member did hear some background grumbling about the pool being drained from the birthday party group at this point. But nothing was said to the team, and they did not engage further.
- Our pack down continued and people were all still happily enjoying a swim at 5.10pm when we had finished for the day. We estimated it was empty by 18.45 – 19.00 as a team member went back to collect a welly!

### **Safety Points**

- We are not aware of any child coming into contact with a kayak or being knocked over.

- No one raised any concerns with the team, and the line was watch continuously during the session.
- It doesn't appear that the sluice was opened in a 'dangerous or irresponsible' manner. No one was reported as being remotely close and those on the shore and around the pool clearly saw what was happening and some spoke to the team member who opened the gate.
- The small boy in difficulty they refer too, was possibly a non-swimmer, and sensibly wearing a life jacket. There is also clear signage which states children require adult supervision and the sluice signs advises people to keep clear. None of our team recall this incident and so assume it may have been after 5.10pm.
- We do not believe that the sluice being open is strong enough to pull someone down, but if there are concerns it would be prudent to do a test of the sluice gates 'pull'.

### Summary

- Due to the heat wave we had anticipated that the pool might be busier and so had ended the session earlier to enable those coming after school to use it.
- Clearly the birthday group had planned a day and were disappointed that the kayaking was taking place and the pool was being emptied on the same day. We had agreed earlier in the week to drain it on the day to catch the biggest tide, but perhaps doing both on the same day should be avoided in future? Although we recognize there is never a good time when it's hot... and it's hard to keep everyone happy!
- The instructors on the day enlarged the paddling area to be considerate but perhaps that made it harder to retrieve boats that got blown across as we had less room, so less time.
- If the parish council wishes to test the safety around the sluice while the pool is being opened our team would be happy to be guinea pigs!
- Engaging with the public is something we try to do well – being kind and considerate. While our team do try to be as helpful as possible they are also responsible for the kayaking groups safety. We will review this aspect.

### Actions in relations to safety points

1. Suggest if there is a concern over the sluice that until we can test the 'pull' of the sluice gate we **only open it at high water** - this means it will be released very slowly as the tide goes out. It will mean that the creek doesn't get a flush but people's safety is clearly the priority.
2. Suggest we keep the paddling area the original size which had always worked well. It also allows more time/area to stop boats if the wind is blowing toward the beach.
3. Are team will work hard to communicate with other users to ensure safety information is shared effectively.

I hope this summary is helpful in giving a full picture of the day. I think the safety concerns have been addressed above - but would value your thoughts – if you would like to discuss any of these further please let me know.

Best wishes,

Andrew

**From:** Tollesbury pc <tollesburypc@btinternet.com>  
**To:** Andrew Eastham <andrew.eastham@fact.org.uk>  
**Date:** Jun 20, 2022 10:51:00 AM  
**Subject:** Re: Woodup Pool

Hi Andrew

Please see below response from Tom:

Andrew,

Thank you for your detailed and comprehensive response. This is extremely appreciated.

I am completely satisfied that your activities in the pool have been and will continue to be carried out in a safe and responsible manner.

Residents can tend to become rather emotional towards the pool which can lead to certain responses and miscomprehension's.

I am satisfied with your three suggestions as you detail. I defer to your best judgement on when is the optimum time to empty and fill the pool.

We will of course discuss further with council and review the signage to see if any improvements can be made.

Clearly there are some communication issues as FACTs use of the pool is published on our website which may have helped avoid the situation. Had the parents known this when organising their gathering.

Once again I would like to re-iterate our appreciation of what FACT do to help maintain and run the pool and the councils support for your use of it in return.

Warm Regards,

Tom

Sent from my iPhone