

MINUTES OF PARISH COUNCIL COMMITTEE MEETING (LGA 1972)

Minutes for a meeting of the Complaints Committee of Mayfield Parish Council held at Mayfield Memorial Hall, Conygree Lane, Mayfield, Ashbourne DE6 2LD commencing at 7 pm on Tuesday 26th September 2023

Present: The Committee, Cllr Boura, Cllr Keeling, Cllr Murfin, the Clerk, Cllr Harrison and 7 residents. (for reference the residents have been minuted as Resident A to G.

23.09.001 ELECTION OF A CHAIRPERSON OF COMMITTEE

Cllr Murfin proposed Cllr Keeling – duly elected.

23.09.002 APOLOGIES AND APPROVAL OF ABSENCES

None received.

23.09.003 TO RECEIVE DECLARATIONS OF INTERESTS AND TO CONSIDER REQUESTS FOR DISPENSATIONS.

None received.

23.09.004 PUBLIC PARTICIPATION*

Resident A - Requested a review of the Auditors Report in the next full Council meeting. NOTED

Resident E - Raised concern that public participation is before Cllr Harrison Report. Chair of Committee confirmed that residents' questions would be allowed after Cllr Harrison report.

23.09.005 TO REVIEW THE 2022 GRANT APPLICATION FORM– MAYFIELD CONSERVATION GROUP GRANT

Clerk apologised to the Committee for not naming the group correctly on the Agenda, the correct name is The Friends of Mayfield Conservation Areas (FOMCA). After discussion and review of the grant application form, the Committee RESOLVED that the form had been completed correctly.

23.09.006 TO REVIEW INTERNAL AUDITORS REPORTS X 2 – (2022-2023)

After discussion and review of the reports (both read out) the Committee concluded that the internal auditors reports from Brenda Kirkham advised the Grant did not meet all the criteria in the grants awarding policy and Toplis Associates advised the Grant was correctly awarded and advised a review of the Grant Policy. Both Auditors had the same information in order that they could provide their reports. The Committee RESOLVED to include the following into their report for Council:

The auditor reports give two conflicting versions of the grant and how it was awarded.

23.09.007 TO CONSIDER CLLR HARRISON REPORT (31.07.2023) RE: GRANT

Resident D read out Cllr Harrison redacted report. (**Appendix A**) - NOTED

The Chair invited residents to participate.

Resident D and Cllr Harrison– commented the original application was for road signs, this application was then withdrawn. Cllr Harrison stated, the new application form, being the one reviewed tonight came in after the deadline for applications and no Councillors saw the application that was read out tonight. He has been provided with this information by a former Councillor. NOTED – **See Appendix B to clarify this statement.**

Resident D and Cllr Harrison agreed with Cllr Harrison report for the funds to be returned to the Council. NOTED Cllr Murfin confirmed the original application was for road signs and was withdrawn, this is not the application that is being reviewed tonight.

Cllr Boura confirmed that there had been discussion about improving signage, but that this was not part of the grant application. Cllr Boura read out the constitution of The Friends of Mayfield Conservation Areas (FOMCA) and the Committee agreed this to be included within the minutes, as **Appendix C**.

Cllr Boura confirmed that the application being reviewed tonight dated 27th March 2022 states clearly on the application form what the grant is for and how it will be spent. This was presented to the April 2022 meeting and the grant was awarded based on the application being reviewed tonight. However, the grant was not paid until



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September 2022, when both the constitution and bank account were in place.

Cllr Murfin stated in her opinion, the grant does not satisfy the criteria for what it was awarded/intended and further stated the grant does not serve any beneficial purpose to the residents.

Clerk advised the Committee that a complaint had been received from a resident about how Cllr Harrison had conducted his investigation. The Clerk advised the Committee that the Council can not investigate complaints against Councillors as this is the duty of the Monitoring Officer at East Staffordshire Borough Council and the resident had been informed of the Monitoring Officer details.

At this point in the meeting, one of the Councillors broke the Council's Code of Conduct (Reference: Respect 1) and the Civility and Respect pledge and apologised to the meeting.

A discussion about a report/email that Resident A stated he wanted to circulate to the meeting for consideration. A discussion about Data Protection and hearsay took place between the Committee/Clerk and the residents. Please note: Clerk is providing an update to the minutes to ensure the points are clear to both Councillors and Residents. A Committee can only discuss information relating to items on the Agenda, which has been received and circulated prior to the meeting. However the Chair can adjourn the meeting to give members of the public present an opportunity to raise other matters of interest.

The report/email that Resident A wanted to circulate to the Committee at the meeting, from a former Councillor, had not been redacted and written permission to circulate from those named in the email/report was not provided. Clerk advised that such a report is a breach of data protection and therefore the report/email could not be considered by the Committee or circulated. The report/email was sent to the Clerk prior to the meeting (Friday and Saturday) and the Clerk advised the former councillor by email that she was awaiting guidance from SLCC in regards to circulation of the report and did not circulate it prior to the meeting, as guidance could not be obtained before the meeting from SLCC.

Clerk Note: The guidance below on what is a personal data breach was provided by the ICO on 27.09.2023 and has been included within these minutes for guidance.

What is a personal data breach?

A personal data breach means a breach of security leading to the accidental or unlawful destruction, loss, alteration, **unauthorised disclosure** of, or access to, personal data. This includes breaches that are the result of both accidental and deliberate causes. It also means that a breach is more than just about losing personal data.

A personal data breach can be broadly defined as a security incident that has affected the confidentiality, integrity or availability of personal data. In short, there will be a personal data breach whenever any personal data is accidentally lost, destroyed, corrupted or disclosed; if someone accesses the data or passes it on **without proper authorisation**; or if the data is made unavailable and this unavailability has a significant negative effect on individuals.

<https://ico.org.uk/for-organisations/report-a-breach/personal-data-breach/personal-data-breaches-a-guide/#whatisa>

23.09.008 TO REVIEW THE COUNCIL GRANT POLICY

The Committee acknowledged that two Mayfield Parish Council grant policies seen to be currently in operation and made a recommendation for one Grant policy to be created. The Committee recommendation to Council is to adopt the Colwich PC Grant Policy model, which had been circulated by the Clerk prior to the Meeting.

The Chair allowed comments from residents:

Resident E commented - The application is irrelevant, as the group has not spent the funds that is advised it would. Further he agrees with Cllr Harrison report to request back the unspent funds, as the Council is operating outside its



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own policy, because the application should only be considered by completion of a formal second written application, for the use of the unspent funds to be used in a different way to originally applied for.


Resident A commented - This issue is emotionally charged and would like to read out the minutes of the 13th April meeting (no year on minutes), "The grant of £500 to be awarded as a start up fund". He stated concern that within the Audit Report, it implies that the grant may be transferred to the Heritage Group, instead he wants the money returned as tax payers funds. Please see the 13th April minutes included in **Appendix B**

Resident D stated - he would like common sense to prevail and return the monies and apply for another grant.

23.09.009 TO CONSIDER AND APPROVE REPORT TO FULL COUNCIL (PUBLIC EXCLUDED - Public Bodies (Admission to Meetings) Act 1960)

Residents were asked to leave and the Committee considered its report to Council. The Clerk read the report back to them and the Clerk will issue to all Councillors on the evening of 26.09.2023 and put onto the website. The recommendations will be considered by Full Council on 3rd October 2023.

The Committee meeting closed at 8.45pm.

Signed  Chairman

Appendix A – Cllr Harrison report

Appendix B - an extract from 13 April (No Year) Minutes – Reference: 04/22/9

Appendix C - The Friends of Mayfield Conservation Areas Constitution.

Report by Cllr Harrison, on Mayfield Conservation Group Grant, awarded in April 2022 by Mayfield Parish Council

The Grant of £500.00 was awarded to M C G in April 2022 to help the group with starting up and promoting the two conservation areas in Mayfield

The M C G have now had the grant awarded under section 137 grant policy for over 16 months; in that time the grant money has not been used

A representative of the group stated in writing that the group never got off the ground and ceased to exist in December 2022 and the Grant Money would be returned

Section 18 of the parish council Grant Policy awarded under Section 137 state's

If the project is not completed in a reasonable period of time or the organisation is discontinued the council reserves the right to reclaim any grant paid.

██████████ recently sent a letter to mayfield parish council to say she is working with mayfield heritage group and wants to use the grant money to promote project's including writing a booklet about mayfield yarns and the surrounding area

The original grant was not awarded for that purpose, the grant is being held in a bank account somewhere, i have no knowledge what bank account it is in, the amount of time the grant money as been held in this bank account without being used is against section 18 of the PC grant policy also the letter confirming the organisation ceased to exist, is against the grant policy

My conclusion is the PC should write in the first instance to the person who applied for the Grant of £500.00 on behalf of the friends of mayfield Conservation Group to return the grant money to Mayfield Parish Council with immediate effect

██████████ should apply to Mayfield Parish Council for a Grant to help with the projects she want to pursue within the Mayfield Heritage Group, to be considered the same as any other organisation in the village who sends in an application for a grant, we cannot go against the grant policy just to suit one organisation in the village, i feel if we do we are leaving the PC open to challenges of. acting unlawful. ignoring grant policy and favouring one group over another

Cllr Harrison 31/7/2023

[Handwritten signature]

04/22/9

Grant Applications**To consider grant applications received (circulated)**

Cllr Bridgett introduced the five grant applications received and suggested that they all fit well in the context of the 3 Year Development Plan. In response to a query raised by Cllr Boura by email Cllr Bridgett confirmed that the grant application from the Church was for a project to bring general community benefit and not to support the property assets of the Church and was therefore eligible for consideration.

Cllr Moodie declared an interest in Mayfield Heritage Group. Cllr Boura declared an interest in the Scouts.

Cllr Moodie referred to the query in the public participation section about an application from Mr Harrison for the Tug of War team and stated that no application had been received. Cllr Golding had sent an email to the Chair with a request for Mr Harrison to be contacted which said "alternatively I will". The Chairwoman stated that the grant form was on the PC website, all councillors were aware of this and it had been Cllr Golding's responsibility to make any potential applicant who approached him aware of it, rather than issuing instructions to her or other cllrs. She confirmed that no grant application was received from Mr Harrison.

The Chairwoman asked if there were any specific questions on the five grant applications. If not, Cllr Bridgett suggested that cllrs might wish to approve the five grants en block. Cllr Golding stated he had questions on each individual grant application. He questioned why the Mayfield Heritage Group was not funding their project from their £3,500 surplus and why they had not clearly stated their 50% contribution. He also stated that the MHG ought to fund this income generating project. Cllr Moodie replied that the project was not income-generating and that MHG produced the leaflets as a public good and that Cllr Golding was well aware of that.

Cllr Bridgett suggested that the grants were stimulating the local community post-Covid and the PC had agreed to spread funding in small amounts across the whole community to start to make a difference. In that way most of these projects could be viewed as 'start up' projects under the Development Plan. Cllr Golding disagreed with this. The Chair said that she would not tolerate Cllr Golding's repeated contradiction of other councillors and following another interjection from Cllr Golding asked him to restrain his language. She also indicated that members of the public were making it difficult for her to hear.

The Chairwoman asked for approval for the MHG grant application. Cllr Golding said he had further questions on other applications. The Chairwoman said that he had spent 15 minutes questioning the applications and he should make relevant points. Cllr Golding said that the Friends of Mayfield Conservation Group did not exist and did not have match funding. Cllr Bridgett stated that the Group had met, had an embryonic plan and had a constitution, and therefore did exist. The Chairwoman indicated that it had been stated that the Grants Policy supported 'Start Up' groups. Cllr Golding said this was ridiculous.

The Chair moved to accept all the grant applications under the spirit of the Grants Policy. Cllr Golding said 'Nonsense'. The Chairwoman indicated that if Cllr Golding intended to continually claim that cllrs were speaking

nonsense he should keep his views to himself as it was getting painful and irritating to hear. She then asked for the views of other councillors and after discussion it was agreed that the grants should be awarded, which was proposed and seconded. All five grant applications were approved by the PC. Cllrs Moodie and Boura did not vote.

Grants approved

- The First Mayfield Scouts Group - £2,000 – equipment to enable all scouts to go on a whole group camp, carry out expeditions, complete awards, gain life skills
- Friends of Mayfield Conservation Areas – £500 start up grant to work for the improvement of the two conservation areas
- Senior Social Club – £500 to re-launch club post Covid, promote recruitment, arrange visits and speakers
- Mayfield Heritage Group - £313 to reprint the Discover Mayfield brochure which is made publicly available around the village
- Mayfield Church – £500 start up costs for the Messy Church initiative to bring together intergeneration groups for a range of activities across the village community.



The Friends of Mayfield's Conservation Areas (FOMCA) Constitution

Purpose

The purpose of The Friends of Mayfield's Conservation Areas is generally to encourage protection and care of the two Conservation Areas of Mayfield, in Church Mayfield and Middle Mayfield.

This may include developing a Conservation strategy, advising on proposals affecting the conservation areas, planning applications affecting the conservation areas, protecting heritage assets and

On the development of policies for the protection of the historic built environment. The focus is the two Conservation areas.

Objectives and Terms of Reference

- To promote the objectives of conservation in Mayfield's two conservation areas
- To facilitate communication between residents in the conservation areas
- To discuss with the Council matters of conservation affecting Mayfield's conservation areas
- To encourage and promote the conservation and improvement of the conservation areas and to preserve and enhance conservation through promoting activities and ideas aimed at enhancing the environment for all
- To provide comments on developments and planning applications affecting the conservation areas, or their settings where visible from the public realm or accessible to the public which may impact on the conservation areas
- To work with other organisations and agencies to protect the conservation areas

Meeting and Reporting

- The FOMCA will meet monthly, but this may change to suit the needs of the Group
- Notes will be taken of meetings
- A website will be created to promote FOMCA

Membership

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- FOMCA is a volunteer led, community group. The group is entirely voluntary and advisory
- FOMCA will aim for a broad membership (members) from residents residing in the two conservation areas of Mayfield
- A Chair will be appointed from the membership in the first meeting of the group
- The members will elect honorary officers (Chair, Secretary, Treasurer) at the first meeting and thereafter at an AGM

Finance

- All financial assets of FOMCA will be invested in an account at a recognised Bank or Building Society
- All monies raised by or on behalf of FOMCA will be applied to further the objectives of FOMCA
- The Treasurer will keep proper accounts of the finances of FOMCA
- The accounts will be audited at least annually by an independent person(s) and will be submitted to the AGM

April 2022

