

NOTICE OF PARISH COUNCIL COMMITTEE MEETING (LGA 1972)

DRAFT Minutes of a meeting of Mayfield Parish Council **Complaints Committee** held at 6pm on Tuesday 5th March 2024 at Memorial Hall, Mayfield Memorial Hall, Conygree Lane, Mayfield, Ashbourne DE6 2LD.

Present: Cllr Boura, Cllr Murfin, Cllr Green, Cllr Wakefield (as resident), Cllr Harrison (as resident)

C 24.03.001 ELECTION OF CHAIR TO COMMITTEE – RESOLVED to appoint Cllr Boura as Chair. VOTE for 2 – Against 1.

C 24.03.002 APOLOGIES AND APPROVAL OF ABSENCES - NONE

C 24.03.003 TO RECEIVE DECLARATIONS OF INTERESTS AND TO CONSIDER REQUESTS FOR DISPENSATIONS.
NONE

C 24.03.004 TO CONSIDER THE DRAFT NOTES (circulated as Minutes) OF THE COMMITTEE MEETING HELD ON 7TH NOVEMBER 2023 AND RECEIVE REPORT.

Members of the Committee are reminded that only two Councillors in attendance and no Chair appointed, therefore this meeting inquorate, hence reference above to Notes not Minutes. To report receipt of advice from Parish Council Association regarding above meeting and request Committee to consider the notes/recommendations from the meeting, as minutes. (circulated as minutes to members on 10.11.2023) – **APPENDIX A**
RESOLVED BY UNANIMOUS VOTE

C 24.03.005 TO RECONSIDER THE COMPLAINTS COMMITTEE REPORT DATED 26TH SEPTEMBER 2023.

For information, Council RESOLVED at the Parish Council meeting held on 3rd October 2023 to remove the Complaints Committee report dated 26th September 2023 from the website. Minute ref: 23.10.2023.

Members are reminded that due process following a committee meeting is for full Council to consider/ratify the recommendations. SPCA Guidance: From looking at the complaints procedure on the website, there is no specific mechanism for reviewing the complaint after it has initially been considered (other than an appeal). – **APPENDIX B**
RESOLVED BY UNANIMOUS VOTE

C 24.03.006 TO CONSIDER AND APPROVE AMENDMENT TO COMPLAINTS COMMITTEE FRAME OF REFERENCE

The proposal is to remove ", who change annually" from Clause 2 and replace it with "and 2 deputy members"
RESOLVED BY - UNANIMOUS VOTE

C 24.03.007 PUBLIC PARTICIPATION *

Resident A – made a statement regarding 7th November meeting.

Cllr Murfin recommended that 7th November 2023 meeting minutes/notes be changed to Notes on the website.

C 24.03.008 TO CONSIDER AND APPROVE REPORT TO NEXT FULL COUNCIL MEETING – APRIL 2024.

(PUBLIC EXCLUDED (ADMISSION TO MEETINGS)ACT 1960)

To include recommendations, but not exclusively, on resolutions from this committee meeting, resolutions from previous meetings, (creation of Appeal committee, creation of Site Visit policy) and to consider training on complaints procedure for committee members. RESOLVED BY UNANIMOUS VOTE

Committee RESOLVED to present to the next Parish Council meeting the following **REPORT**:

Complaints Committee recommends creation of a Site Visit Policy.

Complaints Committee recommends delay in creating an Appeal Committee until needed.

Complaints Committee recommends amendment to Complaints Policy – see Ref: C24.03.006

Complaints Committee recommends Notes of 7th November meeting plus report to be published on website.

Complaints Committee recommends next meeting to be held on 7th May 2024 at 6pm

Clerk advised 05.03.2024 Agenda was incorrectly number and will amend on website and in minutes

Meeting ended 18.20

* The item, Public Participation, allows 10 minutes of each Parish Council Meeting, for members of the public to make representations or give evidence in connection with items included on the agenda. Each representation must be a maximum of 2.5 minutes. At the discretion of the Chairperson, the meeting may be adjourned to give members of the public present an opportunity to raise other matters of public interest.

- The Openness of Local Government Bodies Regulation 2014 – allows the filming and recording of Parish Council meetings

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APPENDIX A:

DRAFT Minutes/NOTES of a meeting of Mayfield Parish Council **Complaints Committee** held on 7th November 2023 at 6pm in Mayfield Memorial Hall, Conygree Lane, Mayfield, Ashbourne DE6 2LD.

Present: Cllr Boura, Cllr Murfin, Clerk.

Cllr Harrison and Cllr Wakefield (as residents), plus two residents.

C 23.11.001 APOLOGIES AND APPROVAL OF ABSENCES – Cllr Keeling – APPROVED.

Cllr Murfin advised no chair needed for meeting. Clerk was not asked to advise.

C 23.11.002 TO RECEIVE DECLARATIONS OF INTERESTS AND TO CONSIDER REQUESTS FOR DISPENSATIONS. NONE

C 23.11.003 TO CONSIDER AND APPROVE THE MINUTES OF THE COMPLAINTS COMMITTEE MEETING HELD ON 26TH SEPTEMBER 2023.

Proposed Cllr Boura, Seconded Cllr Murfin. Vote unanimous – RESOLVED.

C 23.11.004 TO REVIEW SPCA GUIDANCE RE: COMPLAINTS COMMITTEE REPORT DATED 26TH SEPTEMBER 2023.

SPCA Guidance: From looking at the complaints procedure on the website, there is no specific mechanism for reviewing the complaint after it has initially been considered (other than an appeal). However, as long as the committee can meet again within the twenty-one working days since the original committee met (and a response provided to the complainant), it could be argued that the council is still in compliance with its complaints' procedure. Clerk advised Committee they had not met within twenty one days.

Cllr Murfin proposed to defer this item to next meeting, Seconded Cllr Boura. Vote unanimous – RESOLVED.

C 23.11.005 TO CONSIDER AND RECOMMEND APPEAL COMMITTEE

Cllr Boura proposed, Seconded Cllr Murfin. Vote unanimous – RESOLVED.

Clerk will add this recommendation to the Agenda for 5th December 2023 Parish Council meeting.

C 23.11.006 TO CONSIDER SITE VISIT COMPLAINT

Cllr Boura and Cllr Murfin reviewed the complaint.

Cllr Boura advised that good practice is for full Council to discuss all Applications and if an application deadline is between meetings (January and August) then Council to decide how to submit comments in December and July meetings each year.

Complainant provided details of Cambridgeshire County Council site visit policy. Clerk suggested reviewing the County Policy and adapting it to a Parish version. Clerk suggested once adapted to include on future full Parish Council meeting.

Proposed Cllr Murfin, Seconded Cllr Boura, Vote: unanimous – RESOLVED.

C 23.11.007 PUBLIC PARTICIPATION (10 mins)

RESIDENT A – asked a question on when the decision will be taken on returning the Friends of Mayfield Conservation Areas grant - Clerk advised that she did not know.

RESIDENT A – advised Committee he was the complainant and stated it is not acceptable to have people at the site visit that have an interest in the planning application. NOTED

RESIDENT A – advised that Parish Council versions of site visit policies are available on the internet. NOTED

The Committee meeting ended at 18.28.

No date set for next Committee Meeting.

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APPENDIX B

MAYFIELD PARISH COUNCIL – COMPLAINTS COMMITTEE REPORT TO COUNCIL.

Date of the Meeting: 26.09.2023

The report below details the resolutions and recommendations of the Committee to the Full Council in regards to Grant awarded to The Friends of Mayfield Conservation Areas (FOMCA), the report uses the Agenda format to report.

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

The Clerk apologised to the Committee for using the incorrect group name on the Agenda and confirmed the group name is: The Friends of Mayfield Conservation Areas (FOMCA)

The Committee RECOMMENDS that the Grant Application was completed correctly.

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

The Committee RECOMMENDS to accept that the Auditors reports give two conflicting versions of the Grant application and how it was awarded.

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

The Committee would RECOMMENDS the Council request a report from The Friends of Mayfield Conservation Areas (FOMCA) giving details of the activities and expenditure they have undertaken since September 2022, when the Grant was paid to the group by the Council. Once received, the report to be reviewed by full Council meeting.

The Committee understands that a complaint about Cllr Harrison has been received in regards to how he carried out his investigation and the Committee confirms that Cllr Harrison did not receive guidelines on how to investigate and recommends to the Council that a frame of reference be produced for future use. The Committee feel that Cllr Harrison carried out the investigation with the best intentions.

The Committee confirmed that a Complaint against a Councillor has to be directed to the Monitoring Officer of East Staffordshire Borough Council.

23.09.008 TO REVIEW THE COUNCIL GRANT POLICY

The Committee RECOMMENDS that the Council create a new Grant Policy for future use and reviewed Colwich Parish Council policy and if given permission by Colwich Parish Council to adapt their policy format and content for Mayfield Parish Council.

The minutes of the Committee meeting will be produced, by the Clerk, for the November 2023 Parish Council meeting for Ratification.

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