



Moulton Parish Council

<https://moultonpc.org.uk>

MINUTES

Meeting of **Moulton Parish Council** on **Monday 10th August 2020** via Zoom
Meeting commenced at 19:31

	<p>Statement from the Chair: <i>Following a number of comments on social media and via e-mail, regarding allegations of bullying, I would like to make the following statement.</i> <i>In September 2019, a complaint was made to CWaC Monitoring Officer that I was harassing and bullying someone. This was investigated thoroughly by the CWaC Monitoring Officer, and by a senior partner at Anthony Collins Solicitors, a law firm who specialise in local government issues. The initial draft report was issued to myself and the complainant in April this year for comments and this week the final report has been published. The outcome of the draft report has not changed.</i> <i>The finding is as follows: Olwen Brown, senior partner of Anthony Collins found that there was not sufficient evidence of a failure by myself to comply with Moulton Parish Council's Code of Conduct and she concluded that my behaviour did not "amount to bullying under the Code of Conduct as alleged by the complainant."</i> <i>As the report contains personal data, it would be inappropriate of myself or the parish council to release the full report, but I hope that this statement should alleviate concerns of impropriety in this regard and provide transparency.</i> <i>To date, not a single complaint has been upheld against myself or any other serving councillor on Moulton Parish Council, and I will ensure that every single member of the council continues to exhibit the highest standards of behaviour whilst I am chair.</i></p>
1	<p>Apologies</p> <ul style="list-style-type: none">• Mrs Sharron Spruce, Cllr Elizabeth le Breuille and Cllr Sophie Dillon
2	<p>Declarations of Interest</p> <p>None</p>
3	<p>Public Forum</p> <p>None</p>
4	<p>PCSO Report</p> <ul style="list-style-type: none">• One account of 30 youths shouting, swearing and using cannabis on the MUGA. The PCSO attended within a few minutes as he was in the vicinity and found four children on the play equipment, who were not causing any issue.• Possible drug deals near Regent Street• One account of verbal abuse on the street.• One account of fly-tipping• Attempted car theft• Held surgery and bike security session
5	<p>Minutes</p> <p>Motion: To note the updated minutes of the Parish Meeting on 13th July 2020 (circulated to members) as a correct record. Proposed: Cllr Harding. Seconded: Cllr Kershaw. Carried.</p>
6	<p>Clerk's Report</p> <ul style="list-style-type: none">• The council noted the correspondence received.• The village hall has refused the booking for a Parish Meeting, so the council will approach two alternative venues• The Clerks and Council Direct subscription was cancelled• The council could not guarantee that the Yr 6 Leavers Party could have unrestricted access to the car park• A parishioner has claimed that they have ten signatures required to have a by-election for the casual vacancy• Actions from last month:

	<ul style="list-style-type: none"> o The PCSO was engaged regarding speeding on Regent Street o The Code of Conduct consultation response was sent o The letter to UU was sent o The No Dogs sign was purchased and erected o Letter to our clerk regarding expenses was sent o The council have been registered for VAT o A Key Register has been set up. • Reports today of glass in the MUGA • The missing drain cover has been replaced • Cllr Adcocks has resigned and she has been removed from MPC's digital services • MPFT Insurance has been renewed
7	<p>Administrative Matters</p> <ul style="list-style-type: none"> • Review and agree Moulton Parish Council's Standing Orders <p>Motion: To accept the standing orders <i>There was some debate regarding mandating public liability insurance and health and safety policies in all contracts; this will be added to the MPC Financial Regulations for review in September.</i></p> <p>Proposed: Cllr Harding Secoded: Cllr Jennings. Carried</p> <ul style="list-style-type: none"> • Review the code of conduct consultation <p><i>Councillors have until the 17th August to submit their consultation response.</i></p> <ul style="list-style-type: none"> • Discuss noise complaints emanating from the MUGA <p><i>The MUGA was inspected and the inspector found no fault. Following further reports of noise, Cllr Harding and Cllr Jennings attended and inspected the MUGA and found a single loose bolt. This was fixed by a local contractor the following week. Cllr Elton Watson has offered to meet us at the MUGA and use his members budget to add sound dampening to the structure. The council have offered to meet with him, but this has not been forthcoming.</i></p> <ul style="list-style-type: none"> • Cllr Adcocks to present the flying of a flag for Black History Month (1st October to 31st October) <p>Motion: To agree an amendment to the Flag Schedule <i>Deferred to September; Cllr Jo Kershaw will present this.</i></p> <ul style="list-style-type: none"> • Cllr Jennings to present the MPC Health and Safety Policy <p>Motion: To accept the Health and Safety Policy <i>The clerk will create an accident register.</i></p> <p>Proposed: Cllr Jennings Secoded: Cllr Boyle. Carried.</p> <ul style="list-style-type: none"> • Cllr Jennings to present the risk assessment <p>Motion: To accept the Risk Assessment <i>The clerk has been asked to propose an FoIA policy following the risk assessment. Cllr Bush was concerned that the individual assets were not listed on the risk assessment, but the assessment links to the asset register.</i></p> <p>Proposed: Cllr Jennings Secoded: Cllr Kershaw. Carried.</p> <ul style="list-style-type: none"> • Cllr Boyle to discuss the Remembrance Sunday celebrations <p><i>Cllr Boyle and Cllr Capstick will arrange a meeting with Rev Green and Tony Denton to discuss two plans – one with CoVID and one without CoVID restrictions.</i></p> <p>Motion: To agree the expenditure and plan for Remembrance Sunday celebrations Proposed £500 to support road closure. Proposed Cllr Harding Secoded: Cllr Bush. Carried.</p> <ul style="list-style-type: none"> • Cllr Kershaw to discuss the Environmental Working Group Terms of Reference <p>Motion: To agree the EWG Terms of Reference Proposed: Cllr Kershaw Secoded: Cllr Capstick. Carried.</p>
8	<p>Planning</p> <ul style="list-style-type: none"> • No comments were received for the single planning application (2 Britten Crescent)
9	<p>Financial Matters</p> <ul style="list-style-type: none"> • Receive internal auditor's report <p>Motion: To receive the internal auditor report <i>Cllr Harding has requested that a finance committee meeting is called in September to discuss the auditor's report; the auditor this year was more detailed than previous years and the council has recommendations to consider to meet best practice.</i></p> <p>Proposed: Cllr Harding Secoded: Cllr Capstick. Carried.</p> <ul style="list-style-type: none"> • Consider the income and expenditure received to date <p><i>Cllr Bush has asked the Budget To Date has a title in future. Current expenditure to date: £22,439.02</i></p> <ul style="list-style-type: none"> • Cllrs Harding and Capstick to detail the payments to be made and income received <p>Motion: To accept the financial report Proposed: Cllr Capstick Secoded: Cllr Jennings. Carried.</p> <ul style="list-style-type: none"> • Cllrs Harding to present the updated Accounting Statement for 2019/20 <p>Motion: To accept the Accounting Statement for 2019/20</p>

	<p>Amendments were requested by the auditor. Proposed: Cllr Harding. Seconded: Cllr Boyle. Carried.</p> <ul style="list-style-type: none"> • Cllrs Harding to present the updated Asset Register <p>Motion: To accept the Asset Register Proposed: Cllr Capstick Seconded: Cllr Harding. Carried</p> <p>Cllr le Breuille has joined the meeting</p>
10	<p>Renovation and Maintenance of Moulton Green Spaces</p> <ul style="list-style-type: none"> • C G Contract and work schedule <p>EWG has a list of proposed tasks and Cllr Jennings will create a specification for future tendering. The proposed Weaver Road schedule will be given to Cllr Bush for comment. Monitoring of the contract will be added. The NTS quote for the two trees on the park will be approved.</p> <ul style="list-style-type: none"> • Weaver Road <p>The specification for the contract in Weaver Road will be sent to the clerk and CG Services will be engaged to get a quote, taking into account that they are due to do the trim anyway.</p>
11	<p>Subcommittee Reports</p> <ul style="list-style-type: none"> • Environmental Working Group chair to present report and recommendations <p>Motion: To agree expenditure and approval for the recommendations The EWG have the following plans:</p> <ul style="list-style-type: none"> • transition schemes to reduce Carbon and increase energy efficiency. • Set up a FB page for Moulton Environmental Group • Community market to reduce food miles • Reduce street lights timings • Grow Wild scheme <p>Cllr Kershaw will engage with the Communications Team to get a FB page set up.</p> <ul style="list-style-type: none"> • Special Projects Committee to present report <p>CIL: Quotes from several contractors, ranging from £6,800 to £24,000. Outstanding questions to be made to the two shortlisted parties.</p>
12	<p>Regent Street Backs</p> <ul style="list-style-type: none"> • To accept Chamber Fletcher as the solicitors to the parish council <p>Motion: To accept Chamber Fletcher as the solicitors to the parish council. Proposed: Cllr Capstick. Seconded: Cllr Harding. Carried (1 vote against, Cllr Bush recused herself)</p> <ul style="list-style-type: none"> • Discussion on the clearance of the plots and garages of Regent Street Backs <p>Cllr Capstick contacted Jigsaw and they will clear the site if any structures remain. The structures will need to be empty. Letters will be written in the next few weeks to advise tenants of this.</p>
13	<p>Chairman Report</p> <p>Cllr Capstick thanked the councillors, working groups and committees for their work to improve the community. While in the village, Cllr Capstick has received many appreciative comments from parishioners recognising the hard work of the councillors.</p> <p>Cllr Capstick is saddened to learn of an accident on Regent Street Backs and this will be discussed in Part B due to the sensitive nature. The council wishes the party a speedy recovery.</p> <p>There have been numerous reports of littering on the park, so Cllr Capstick will try and reintroduce the litter picking.</p>
14	<p>Councillor Reports (three minutes each)</p> <ul style="list-style-type: none"> • Cllr Boyle <p>In November or December there were three applications to join the parish council, but they withdrew. Cllr Boyle asks if they have requested the by-election.</p> <ul style="list-style-type: none"> • Cllr Bush <p>Cllr Bush is very concerned by the negative impact of the accusations made on Facebook. There are a lot of complaints about hedges and littering. On the playing field, there are small bundles of wood to build small fires. Cllr Bush is concerned about the birdboxes and that there are sharp nails that could cause injury. Cllr Bush is concerned about the potential for fly-tipping and further health and safety hazards on the Regent Street site and Cllr Capstick is asking Jigsaw for fencing.</p> <ul style="list-style-type: none"> • Cllr Dillon • Cllr Harding <p>On the subject of transparency of complaints and representations by Cllr Capstick and Cllr Adcocks in previous</p>

	<p>meetings, I wish to make the following personal statement that I ask to be minuted in full.</p> <p><i>"In May 2020, a parishioner made a complaint about me to the CWaC monitoring officer regarding the closure of the MUGA and my comments on social media in the ensuing debate. The closure of the MUGA was a council decision. The monitoring officer considered my comments to be a "robust defence" of the decision made by Moulton Parish Council and that my behaviour was in line with the code of conduct throughout. As I had acted in accordance with the rules, no investigation was required and no action was taken.</i></p> <p><i>You will also be aware of comments made by a particular parishioner on Facebook. Last week, he advised by email that he had obtained the requisite number of signatures to force a by-election for our casual vacancy, and once again made several broad allegations of misconduct against the council and unnamed councillors. He was invited to substantiate his claims but has not done so.</i></p> <p><i>The following day, and unrelated to his diatribe, I attended the church hall and village green to take photographs with another councillor. The main purpose of our visit was to obtain photographs for the new website, the link to which you will have received by e-mail, as the green is defined as a Local Green Space in the Neighbourhood Plan. In addition, the council have also received concerns that the village hall is no longer a community amenity and that users of the facility are being denied access in order to accommodate a commercial enterprise, and I also wanted to have our own photographs of the exterior of the building. Seven photographs were taken, four of the village green and three of the hall. At all times, I was on the public highway and behaved in accordance with UK law.</i></p> <p><i>The individual swore at us loudly in the street, but was informed of the nature of our visit via e-mail. The claims in his social media posts are not true and he is now aware that this is the case, but the posts have remained up with the unsubstantiated allegations and misleading narrative. This, in my opinion, is libellous and harassment. The police were already aware of our concerns with this person, given his previous conduct, and I have logged this encounter on the Vault.</i></p> <p><i>Furthermore, he has claimed that he has CCTV which recorded the entire encounter and will make complaints to the police and the monitoring officer. In accordance with GDPR, I have personally made a request from him of the footage as this will substantiate the version of events that I have just given. Cllr Jennings was also a witness that we were non-threatening, non-aggressive and did not initiate contact.</i></p> <p><i>However, the ICO have strict guidelines on the use of domestic CCTV systems recording public land and given that my photographs were taken outside of the village hall, if he has recorded me doing this, as he has claimed, then his CCTV system may be outside of the advice given as it would be recording huge swathes of the village green and/or the public highway. This would be unacceptable unless there was a clear need to do so, and so I have helpfully drawn his attention to the regulations when I made my Article 15 request under GDPR, so he can ensure he is fully compliant."</i></p> <p><i>Cllr Harding has sent the link to the new website to the councillors for comment.</i></p> <ul style="list-style-type: none"> • Cllr Jennings <p><i>Cllr Jennings has concerns that there is a lack of transparency regarding the removal of the village hall as a parish amenity and has contacted Rev Mark Green to get clarity.</i></p> <ul style="list-style-type: none"> • Cllr Kershaw <p><i>The tree for the Queen jubilee is in Cllr Kershaw's garden. She reminds the councillors of the training needs and matrix, and asks everyone to respond to her.</i></p> <p><i>Cllr Jo Kershaw believes the trees and hedges on the snicket between Weaver Road and Whitlow Lane needs cutting.</i></p> <ul style="list-style-type: none"> • Cllr LeBruilly <p><i>Reiterates concerns regarding the birdboxes and the cafe.</i></p>										
15	<p>Data Protection</p> <ul style="list-style-type: none"> • Cllr Harding to update the council to the FoIA and GDPR requests received <p><i>There is one GDPR request and three FoIA requests. Cllr Harding has requested any comments regarding the proposed responses to be sent.</i></p>										
16	AOB										
17	Summary of Actions										
18	<p>Note the currently scheduled dates of the next meetings</p> <table border="1"> <tr> <td>Moulton Parish Council</td> <td>Monday 14th September 2020 at 19:30 at Moulton School, Moulton</td> </tr> <tr> <td>Finance Committee</td> <td>None scheduled</td> </tr> <tr> <td>Special Projects Committee</td> <td>None scheduled</td> </tr> <tr> <td>Moulton Playing Fields Trust</td> <td>None scheduled</td> </tr> <tr> <td>HR Subcommittee</td> <td>Monday 17th August 2020 at 19:30</td> </tr> </table>	Moulton Parish Council	Monday 14 th September 2020 at 19:30 at Moulton School, Moulton	Finance Committee	None scheduled	Special Projects Committee	None scheduled	Moulton Playing Fields Trust	None scheduled	HR Subcommittee	Monday 17 th August 2020 at 19:30
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Part B

This part of the meeting is confidential and is without the press and public attendance

B1	Update on Clerking Situation <i>Cllr le Breuilly has met with the clerk and will engage further in a couple of weeks time. Cllr le Breuilly has offered support if the clerk needs it.</i>
B2	Update on Regent Street Backs <i>Cllr Capstick furnished the council with an account of the accident on Regent Street Backs when two men dismantled a donated garage and will discuss further at the next meeting</i>
AOB	Facebook posts <i>There was general concern regarding the libellous comments from a specific individual and the stress this was causing to some councillors.</i>