

MATCHING PARISH COUNCIL

MINUTES OF PARISH COUNCIL MEETING

HELD AT 7.30 PM ON MONDAY 8th MARCH 2010

AT THE FOX, MATCHING TYE

COUNCIL MEETING

MINUTE

ACTION

PRESENT

Cllr Richard Morgan (RM) (Chairman) Cllrs John E Binder (JEB), Joan Bowerman (JB), Anita Darken (AD), Derrick Lawrence (DL) and Paul Moulds (PM)

In attendance: Ernie Fenwick (Clerk to the Council) and 10 members of the public

CHAIRMANS WELCOME

The Chairman welcomed the members of the public and opened the meeting with The Open Forum

Michael Taylor asked the council if any progress had been made regarding the condition of footpaths at Parkside, Matching Tye. The chairman that this had been brought to the attention of Essex highways who were investigating.

Michael Taylor, then asked if the parish Council could advise on the cost of the recent standards board investigation into complaints against the chairman, Cllr Morgan. RD responded that the costs were not available as yet, but expected them to be published in the next few weeks.

On the issue of the standards board investigation Tony Porter said he was concerned that whilst there should be vigorous debate within the parish Council he felt that complaints from councillors against fellow councillors were inappropriate. He further suggested that as the enquiry into the complaints had completely exonerated the chairman, the councillors who had made the complaints should consider their own position, resign and put themselves up for re-election. A.D. responded that not only 2 councillors had complained, but also a member of the public. In relation to another point from Tony Porter the Clerk outlined the process of filling a casual vacancy due to the resignation of a councillor.

A.D. requested, the chairman to instruct the clerk to record the names of members of the public present, and those who spoke. Agreed.

Members of public present were Michael Taylor, Stephanie Webb, David Morgan, Bob Barnes, Alf Drake, Mike Lichtig, Wendy Edwards, Alan Darken, Tony Greenfield, Tony Porter. There being no further members of the public wishing to speak. The chairman continued with the agenda.

179. APOLOGIES AND REASONS FOR ABSENCE

None

180. MINUTES OF LAST MEETING

The minutes of the Parish Council Meeting of 1st February were approved and signed as a true record.

181. DECLARATIONS OF INTEREST

RM is a district councillor.

182. PUBLIC PARTICIPATION WITH RESPECT TO AGENDA ITEMS

No comments from public with respect to agenda items.

183. CLERKS REPORT

a. Matters from last meeting.

Mr Jackson reports that the matching football team have lost their 1st team

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manager, and they are trying to reorganise their management structure and will get back to us. When they are able.

- b. Correspondence
 - i. The Clerk reported that he had received a summary of decision from the Epping Forest, standards committee hearing held on Monday, 1 March, to be published in the local press on Thursday E 11th of March and to be published on the website on the same day. He then read out the following decision.

EPPING FOREST DISTRICT COUNCIL - HEARINGS SUB-COMMITTEE OF THE STANDARDS COMMITTEE - SUMMARY OF DECISION

Local Assessment Case Nos. EFDC 1A12009 and 5/2009

Notice is hereby given that at a meeting on 1 March 2010, the Hearings Sub-Committee considered two complaints that Parish Councillor Richard Morgan of Matching Parish Council had failed to follow the Parish Council's Members' Code of Conduct.

The complainants had alleged that:

- (a) Councillor Morgan had failed to declare personal and prejudicial interests at meetings of the Parish Council when he was Chairman of those meetings and there had been discussions about a proposed new cricket pavilion to be sited on the village green;
- (b) Councillor Morgan had a prejudicial interest in the matter because he is/was a Vice-President of the Matching Green Cricket Club and his brother and business partner was the President of the Cricket Club; and
- (c) Councillor Morgan by failing to declare personal and prejudicial interests had conducted himself in a manner which could reasonably be regarded as bringing his office or authority into disrepute.

Notice is further given that based on the facts the Sub-Committee determined that Councillor Morgan:

- (a) did not have a prejudicial interest in the matter;
- (b) did have a personal interest in the matter which he declared at all the relevant meetings except for one held on 5 January 2009;
- (c) did not bring his office or authority into disrepute.

Accordingly, the Sub-Committee found that Councillor Morgan had failed to follow the Parish Council's Members' Code of Conduct on that one occasion when he failed to declare a personal interest. The Sub-Committee decided that no sanction was required having regard to the circumstances.

Colleen O'Boyle

Monitoring Officer on behalf of the Hearings Sub-Committee of the Standards Committee

the Clerk further confirmed that a full decision would be issued in the next few days, and this would also be published on the website

- ii. the Clerk reported he had received advice from Epping Forest district Council regarding parish Council elections. Over the past few months the returning officer has become apparent that parish clerks were not aware of the procedure they needed to follow and an advice document has been issued. The clerk will ensure that this procedure is followed in the future
- iii. the clerk has received 2 letters from the returning officer at EFDC. The letter's relates to a complaint against in the 1st instance, casual vacancy in October 2008 and alleges breaches of the rules of parish Council procedures, and in the 2nd instance alleging breach of rules Parish Council procedures of the meeting of matching parish Council on 1 February 2010. In both cases, the returning officer had advised the complainant that these were not matters for investigation by EFDC, but points should be raised with the parish

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Council. The clerk confirmed he had received no correspondence from the complainant. JEB asked if this complainant was the same person who had complained against the chairman, Cllr Morgan and could the meeting. Now , the name of the complainant. The clerk confirmed that it was the same person and that was Mrs Carol Foulser. RM asked for confirmation that one allegation regarding the meeting of 1 February was that a planning application item was discussed although not listed on the agenda. The clerk confirmed that the matter was listed as Item 166 of the agenda. The Clerk further confirmed that in many instances, planning applications are received between the issue date of the agenda and the date of the meeting and as the parish council only has a 3 week window to comment on applications, all such applications are discussed. However, the parish Council has no power to decide on a planning application, but can only make comments and therefore there is no restriction.

DL suggested that in future, the agenda should include. "And any other planning applications received."

- iv. Casual Vacancy. The election for a parish councillor to fill the casual vacancy will be held on Thursday, 18 March. There are 2 candidates, Wendy Edwards and Michael Taylor. Clerk confirmed he had offered both candidates the opportunity to post election material on the website but had received response from only one candidate and had published that information. 3 days later, a complaint was made to EFDC, suggesting that the Parish Council were supporting one candidate. EFDC, advised that, although both candidates had been offered the opportunity to publish information, it could be construed by a member of the public, not in full possession of all the facts that the Parish Council were supporting one candidate, and it would be preferable to remove the information from the website. Clerk confirmed that he had immediately agreed to remove the item from the website. We had also been advised not to allow information to be published on the parish council notice boards. One candidate had published information on Matching Green notice board and the clerk had requested that this be removed immediately.
RM welcomed both candidates applications and wish them the best of luck on Thursday, 18 March.
- v. Application form received from Matching Green Classic and Sports Car club to hold an event on the village green on Saturday, 3 July to Sunday, 4 July.
Agreed
- vi. Clerk has circulated a response from MD Landscapes Ltd to the comments made in the last meeting.
- vii. Bridleway, Perry Fields. Reinstatement works have been carried out, and this is in the neighbouring parish. No further action

b.

184. CHAIRMANS REPORT

RM said that the complaint had been going on for almost a year and had caused extreme stress caused to himself and his family. The investigation has cost thousands of pounds and a full decision report would be issued shortly. AD requested that RM repeated his apology that he had made at the hearing. RM repeated that his apology was for a technical breach when a declaration of personal interest had not been made at one meeting, although had been made several previous meetings. The clerk had confirmed at the hearing that the meeting in question had been a lively meeting and it was possible that he may have missed the declaration.

185. FINANCIAL REPORT

The current bank balance is £13,138.57 of which £672.48 is in the current account after payment of the following cheques.

The following payments were approved

E Fenwick	Clerk Salary & Expenses	£322.32
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Reynolds Johns

Legal fees VH lease

£336.55

The Clerk said that the financial position was not as good as perhaps it appeared as there is £9750 towards the kerbing contract, and a substantial sum for the cost of the by-election, which currently stands at £1470, and is expected to rise to nearly £2000. This will bring our reserve, down to a figure of around £500. RM said that the full cost of the election is borne by the parish council. A D said that this was the electors right, and the clerk confirmed that this is the democratic process

186. PLANNING MATTERS

Decisions by EFDC Planning Department

None

Applications

None

187. LAND REGISTRATION – HOUSHAM TYE

Information pack has been received and application form has been completed and sent to the land Registry

188. VILLAGE HALL MANAGEMENT COMMITTEE – PC REPRESENTATIVE

PM declared it prejudicial interest as he is on the village hall management committee. JB declared a personal interest, as she is a representative of the PCC. PM left the meeting. After discussion, A.D. proposed that this matter be held over to the annual general meeting. When representatives are selected for the forthcoming year, agreed.

189. MATCHING GREEN –PLAY AREA

Clerk advised that we have been awarded a £2000 grant from the community initiatives fund for the provision of play equipment. A swing and a slide to be resourced and costed in materials, sympathetic to the area. Soft pour surface also to be costed. Councillors are to research equipment.

190. MATCHING GREEN – KERBING CONTRACT

The Clerk Reported 3 quotations for the kerbing contract have been received. Contractors have been advised that the contract sum is £9750 and work to quote the quantity of curbs to be laid for that price. The 3 amounts quoted are A) 140 m B) 150 m and C)245 m. It was agreed to award the contract to contractor C. The clerk then confirmed. The successful contractor is J Kenney Services. Clerk to advise, J Kenney, and to arrange site meeting to be areas of kerbing to be installed.

191. MATCHING GREEN – DOG BINS

No further information received from EFDC

192. CUTTING OF RURAL VERGES

Clerk is still awaiting ECC Highways decision on cutting regime for 2010/11. Clerk to write again to ECC highways. There appears to be a complete lack of courtesy to the parish Council and their request to act as agents.

193. PUBLIC TRANSPORT

Nothing further

194. HIGHWAYS – POTHOLES & SIGNAGE

RM has reported that ECC highways are under extreme pressure with potholes all over the county and are attempting to repair these as soon as possible. Clerk was circulated a report from ECC highways local highway panel and the scheme at Watery Lane, has been approved for further investigation.

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195. REPORTS FROM MEMBERS ON MEETINGS ATTENDED

JB attended a CIF meeting & EALC local meeting. Clerk attended an Audit and Risk Assessment Course

196. MATTERS RAISED BY MEMBERS FOR NEXT AGENDA

Play Area – Matching Green

197. DATES OF NEXT MEETINGS

12th April (Parish assembly) 3rd May (AGM) 7th June

Meeting closed 9:00 PM

Chairman _____ Date _____