

EGERTON PARISH COUNCIL

7th September 2021

**AGM and meeting of the Parish Council was held on Tuesday 7th September 2021
Millennium Hall, Egerton**

Present

Richard King (Chairman) Cllrs Claire Foinette, Jeff Hopkins, Tim Oliver, Pat Parr, John Lawton, Lois Tilden, Sonia Young (Clerk)

Ken Mullholland (Ward Councillor – Ashford Borough Council)

Charlie Simkins (Kent County Councillor)

31 members of the public present

1) Apologies

Vice Chairman Peter Rawlinson – urgent family commitments

2) Declarations of Interest

Chairman Richard King: declared no financial or business interest in any matters on this agenda nor in any land put forward for development in the Neighbourhood Plan or any land excluded from development in the Neighbourhood Plan process.

Cllr Pat Parr: neighbour to site proposed for the Older People's Accommodation at Orchard Nurseries.

Cllr John Lawton: property owned in Harmers Way

Cllr Tim Oliver: a relation of his is the owner of Gale Field which is proposed for development in the Neighbourhood Plan.

Cllr Lois Tilden: declared no financial or business interest in any matters on this agenda nor in any land put forward for development in the Neighbourhood Plan or any land excluded from development in the Neighbourhood Plan process.

3) Minutes of the Previous Meetings

The minutes of the meeting on 3rd August 2021

The minutes were approved and signed as a true record of proceedings pending review of comment relating to item 6 in the Draft Minutes.

Proposed: Cllr Claire Foinette. **Seconded:** Cllr Lois Tilden. **John Lawton abstained as he was not in attendance.**

4) Matters Arising from 3rd August 2021

a) Footpaths Report No 137 of the Egerton Footpaths Representative - see appendix i) at end of the minutes.

Fallen tree on Greensands Way. KCC will address this alongside the removal of encroaching vegetation in the winter schedule.

Cllr Jeff Hopkins reported a broken stile opposite Kingsland Way.

b) Highways Report 26 of the Egerton Highways Representative – see appendix ii) at end of the minutes.

The stone wall on Rock Hill is under investigation by KCC. Clerk advises the title appears to show it is not on EPC land. **Action:** Cllr Lawton will continue to pursue with KCC.

Drains on Rock Hill are covered and or full of debris and there is an increasing threat to property of flooding. **Action:** Cllr John Lawton will pursue with KCC to take pre-emptive action.

Cllr Parr reported that the 'Unsuitable for HGV' signs either end of Green Hill Lane need to be re-instated. **Action:** Cllr John Lawton.

Cllr Lawton advised that a blocked drain had been reported at The Forstal. The road is not adopted and not KCC responsibility. Cllr Lois Tilden reported that it was the duty of Ashford Borough Council

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c) Sale of the Shop

The prospective buyers of the shop have put their plans on hold and are waiting to see what plans the new owner of the The George has for opening some sort of village shop in the outbuildings of the pub. Should the pub enterprise look like being direct competition then they will not take their interest further. Should that not be the case then it might still be possible that they would consider going forward with their attempt to buy and run the shop.

d) HR

The Finance Committee agreed The Clerk's hours needed to be increased to 21 hours per week on a temporary basis to cope with an increase in workload. This will impact on the budgeted wages bill.

e) Playground repairs

Cllr Claire Foinette reported that one of the wooden steps was disintegrating and needed repair. Skate Park will be imminently repaired again and a faulty lightbulb at the bottom of the steps replaced.

f) Games barn roof replacement

Cllr Claire Foinette reported a three month (minimum) wait for the roofing panels to be in stock before work can progress. Panels ordered. The expected start is November and will take a week.

5) Neighbourhood Plan

Egerton Neighbourhood Plan Steering Group (ENPSG) Chair Jane Carr updated the meeting. She said the Examination phase had started and the Examiner had advised ENPSG that any queries could be answered in writing. She said ENPSG was clarifying several issues raised by the Examiner and expected to be able to advise of the future timetable for the NP at the October EPC meeting. Chairman Ricard King thanked Jane Carr and the ENPSG for the tremendous workload they had undertaken voluntarily over the past four years.

6) Planning

Planning applications submitted to Ashford Borough Council this month for Egerton Parish Council to consider, details of which may be accessed on line at: http://www.ashford.gov.uk/online_planning/ Individuals may also register via the website with ABC to receive regular alerts of new applications and decisions

New

21/01209/AS & 21/01210/AS	Egerton	Weald North Ward	Malthouse Farm, Rock Hill Road, Egerton TN27 9EB Removal of modern rear porch; remove the redundant C19 chimney stack and base; single storey rear extension to include replacing the rear porch; addition of rooflight; internal alterations to the existing kitchen, cloak room and utility room; form opening in the front garden wall for pedestrian access
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EPC view: This is a specialised field and the Conservation Officer may have particular views relating to this application. There is some justification to support the application on the grounds that the original oak window will be preserved; the roof line of the proposed extension will be more in keeping with the main roof; the materials and fittings in the existing extension materials will be reused where possible to minimise waste; and the rear of the house will be altered to give a different but more harmonious aspect. No local comments or objections.

Propose: Support

Proposed: Cllr Lois Tilden. **Seconded:** Chairman Richard King. **All in agreement.**

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21/01425/AS	Egerton	Weald North Ward	Rough Withers, Chapel Lane, Egerton TN27 9BX Single storey side/rear extension (including the removal of existing front porch, garage, and store) alterations to driveway, access and erection of gate; erection of 1no. store and 1no. Detached car port with annexe accommodation.
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EPC view: The proposal is significant but the plot is large and so it will not adversely impact nearby dwellings. The mature trees were felled in advance of this proposal, but the hedges are shown to remain apart from the position of the new gateway. It is assumed from the plans that additional hedging will be planted. The weatherboarding will be white, not black, to match the existing. A new pond is being created in the plot which is welcome. No local comments or objections.

Propose: No objection.

Proposed: Cllr Lois Tilden. **Seconded:** Cllr Pat Parr. **All in agreement.**

21/01557/AS	Egerton	Weald North Ward	Mouse Cottage, Newland Green Lane, Egerton TN27 9EP Change of use of land for the keeping of horses, erection of American Barn stabling and installation of a 20m x 60m manège
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EPC view: This proposal is at the far end of Newland Green Lane and the plans show a manège and stabling at the far end of a large plot. The proposed barn will have a footprint of some 30 x 50 feet but there are other barns in the vicinity so it will not look incongruous. No local comments or objections.

Propose: No objection

Proposed: Cllr Lois Tilden. **Seconded:** Cllr Claire Foinette. **All in agreement.**

7) Older People's accommodation update

Move to update EPC in closed session and exclude the press and public due to the commercial sensitivities of the discussions.

Proposed: Chair Richard King. **Seconded:** Cllr Claire Foinette. **All in agreement**

8) PCSO Kyle Farnfield PCSO 46061547 – no report received

9) Resignation of Councillor

Resignation letter received from Cllr Sarah Elworthy. Resignation accepted. The formal Notice of Vacancy was posted 7th September 2021 on the EPC website and three village noticeboards. EPC will follow the requirements of the Local Government Act 1972.

All the work in connection to the vacancy is the responsibility of Ashford Borough Council.

A councillor may at any time resign their office by written notice delivered to the Chair of the Parish Council. There is no procedure for withdrawing a notice of resignation once it is made. There is no need to report the resignation to the council for it to take effect. The resignation takes effect upon receipt.

Once there is a vacancy ABC elections staff should be notified and provided with a copy of the resignation. Copies of the Notice of Vacancy are supplied by election office staff and they should be put up on the date of the notice. The notice makes provision for a minimum of ten electors of the parish to request an election be held to fill the vacancy. Such requests must be sent to the Returning Officer of ABC and be received within fourteen days calculated in accordance with the election rules.

The date is specified on the notice. If ten or more requests are received then ABC must hold an election within 60 days of the date of the notice of the casual vacancy.

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If no request is received, then, after the expiry of the fourteen-day period, ABC elections team will email confirming this. Thereafter, the parish council must seek to co-opt a person to fill the vacancy as soon as possible.

If an election is called for the Returning Office will set a date for polling day and the election process will begin with the publication of a notice of election, copies of which will be supplied to the Clerk. That notice informs the electors where they may obtain nomination papers and the date by when they should be delivered. It gives the dates by which applications to vote by post or proxy must be made. It also gives the date of the poll in the event of a contest.

The cost of this will be paid by Egerton Parish Council and is expected to cost several thousand pounds.

Co-option

The Council may co-opt whoever it pleased to fill a casual vacancy. However, that person must be qualified to serve as a councillor. Some councils advertise for expressions of interest in being co-opted. Although there is no legal requirement to do this, it is generally regarded as good practice to make the vacancy as widely known as possible.

Expressions of interest in being co-opted have already been received by EPC.

10) Correspondence*

Note: All circulated by email in advance unless marked with a *.

Rural services Network – national rural conference Sept 13 – 17 2021. All. 3 /08/21

KALC link to Govt survey: National Resilience Planning. All. 03/08/21

NALC conferences until year end. All. 04/08

Kent Volunteering Awards. All. 04/08

Gov bulletin – survey on UK Shared Prosperity Funding. All 4/08

ABC Local Council forum. All. 06/08

Crime Commissioner Matthew Scott's newsletter. All. 10/08

KALC. Govt Bulletin. Local Nature Recovery Strategies. All. 11/08

KCC. Grants for local community groups. All 11/08

ABC summary of local support grants. All. 12/08

KCC Closure Rock Hill Road. 16/08

Resignation letter Cllr Epworth. RK. 16/08

ABC appointment of NP examiner. 17/08

KCC survey on continuance of booking system at Kent tips. All.19/08

ABC corporate plan for comments. All. 20/08

KLAC chief execs bulletin. 20/08

LGA framework to support parish and town councils. All. 23/08

MBC Local Plan review letter from Cllr John Britt, Lenham South. RK/PR/JL. 24/08

Govt bulletin – fund launched to help community-led affordable housing. All. 24/08

KCC Egerton House Road closure. All. 25/08

Request from Nina French. All. 28/08

Complaint from villager about low flying spitfires. All. 29/08

KCC road safety launch. All. 3/09.

Kent Rural Taskforce report. 06/09

The list does not reflect all of the correspondence received by The Clerk who reported a massive increase related to recent EPC matters, and advised that one individual had submitted, since January, 11 Freedom of Information requests, submitted four complaints, made five additional complaints to authorities and emailed on at least 75 individual occasions - all of which meant that the Clerk's time had been over-stretched.

All Cllrs agreed to the request for a bench to be placed on the recreation area by Nina French in memory of her mother.

Lenham Parish Council wrote to EPC to see if EPC would be minded to engage with them in a response to Maidstone Borough Council's amended plan for 5,000 houses to be built as Lenham

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Garden Community. Vice Chairman Peter Rawlinson will attend the meeting called at the end of September.

Website

Draft August minutes

11) Finance

Expenditure		Cheque No	£
Bison Print	Welcome packs	BACS	69.00
S Young	Paper, file dividers and stapler (Sainsbury)	BACS	20.00
S Young	Minutes book	BACS	8.00
Sonia Young	Salary	BACS	922.66
HMRC	Salary	BACS	389.41
Total			1409.07

Income			
Total			

Bank Reconciliation Balance as at 31st August 2021 £8,307.20 less un-presented cheques as follows:

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Actual balance = £8,307.20 as at 31st August 2021

Accounts for Egerton update magazine

Expenditure		Cheque No	£
Big print	August edition update		1880
Alan Arthur	August edition delivery		100
Total			1980

Income			
Total			

Bank Reconciliation Balance as at 31st August 2021 £6,300.70 less un-presented cheques as follows:

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Actual balance = £6,300.70 as at 31st August 2021

Accounts for Village Projects

Expenditure		Cheque No	£

Income			
Interest			0.18
Total			£0.18

Bank Reconciliation Balance as at 31st August 2021 £20, 890.52 less un-presented cheques as follows:

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Actual balance = £20, 890.52 as at 31st August 2021

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Village Projects fund

Pre-school move	£11,288.65
Village Hall	£ 9,601.87
Total	£20,890.52

Accounts for Neighbourhood Plan

Expenditure		Cheque No	£

Income			

Proposed: Cllr John Lawton. **Seconded:** Cllr Claire Foinette. **All in agreement.**

Action: Clerk to set up a meeting of EPC Finance Committee to meet in early October to review budget spend pending the outcome of the Notice of Vacancy.

Cllr Jeff Hopkins advised that the Geoff Wickens Trust was now formally in operation and the Trustees had agreed to a number of requests for grants that included a contribution towards the replacement of the Games Barn Roof, a contribution towards new play equipment for the Pre-School and £20,000 towards new nets for the Cricket Club. He said all requests had to be sports-related.

12) AGAR

The draft Internal Audit report was received from David Buckett on 25th April 2020 and the final report was submitted to EPC on 6th July 2021. The report was circulated to all Cllrs in advance of the September meeting for review and consideration of the matters raised.

The Clerk reported that the auditor found no high risks, three medium risks and 13 low risks in the internal audit 2020-21.

The areas of change recommended by the internal auditor were :

- Recording a note of the content of closed sessions. The Clerk has actioned.
- Recording Cllr's full names in the minutes. The Clerk has actioned.
- Too many bank accounts. The Clerk advised that a cloud-based accounting software system has been approved by EPC and will, over time, negate the requirement for the current multiple of bank accounts. The switchover is in progress; migration will take some months.
- An increase in the current number of banking signatories. This recommendation will be revisited by EPC early in 2021 when, it is hoped, banks' service levels have improved sufficiently to increase the number of signatories from two to four.

Cllrs approved all changes actioned and the timeline for those pending.

Proposed: Chair Richard King. **Seconded:** Cllr Pat Parr. **All in agreement**

13) Public Discussion

Meeting closed at 20.55 for public discussion.

Meeting re-opened at 21.10.

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14) Any other business

- **Social Media.** Discussion postponed to the October meeting to allow Vice Chair Peter Rawlinson to make observations.
- **Welcome Packs.** Cllr Pat Parr delivered two packs; both recipients were very pleased to receive them.
- **Emergency Plan.** Cllr Pat Parr reported that, under the COVID response, Headcorn Pharmacy had been looking for someone to take over the delivery of prescriptions to Egerton people and that Kate Fenwick had volunteered to step in at least once per week. Cllrs expressed gratitude to her. Cllr Pat Parr said she was confident of finding another volunteer to undertake the second shift.
- **Councillor resignation.** Chairman Richard King responded to a question raised by a member of the public who was concerned about the manner of Cllr Sarah Elworthy's resignation, the documents she had been denied access to, and the response EPC was taking in regard to the findings of the Monitoring Officer. Chairman Richard King advised EPC had taken legal advice about the letter of resignation and had thus been unable to circulate it. He also noted that an amended version of the resignation letter had subsequently been copied and posted into the letterbox of every resident in Egerton.
- **Richard responded first to the public question about Cllr Elworthy being denied access to documents by reading an extract from his letter accepting Cllr Elworthy's resignation. As follows:**

4: You claim that your legitimate requests for access to documents and proper process have been persistently ignored or refused. As far as I am aware there is only one document which has been kept confidential on a 'need to know' basis. This is one which you, and the majority of other councillors will not have seen in full, and that is the confidential report from Hobbs Parker concerning valuations and options regarding access to Orchard Nurseries. On local social media, [REDACTED] has recently referred to and misrepresented the content of this highly confidential matter and [REDACTED] source of information has an air of mystery about it. What [REDACTED] says is incorrect, as on 29th November 2020 I sent a confidential email to all councillors, including you, in which all the relevant valuation figures and advice from Hobbs Parker about access through the New Road site were given, including direct quotes from their report. This gave councillors all the information required for them to make an informed decision about next steps. Due to the commercial sensitivity of the subject (and also at the proper request of the landowners of the adjoining site) the discussion at our Zoom meeting on 1st December had to be held in confidential session with the press and public excluded.

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The minutes show that you were absent from the December meeting. So, neither you (nor [REDACTED]) were present when a full and detailed discussion took place, with all the relevant sections of the Hobbs Parker report either being circulated to all councillors beforehand or read out in full at the confidential session of the meeting.

The details of this are contained in a confidential minute which is available to councillors in the office (and which I believe you have already seen) but which is not available to the public. You should be well aware of your duty as a councillor to maintain confidentiality, yet your [REDACTED] post on social media states "Councillors were being asked to vote to [REDACTED] needed for the development to happen". How could [REDACTED] have known this, as it is not something that is in the public record? Where matters are of a sensitive/commercial nature it is entirely appropriate and indeed prudent for documents such as this to be available to those only on a 'need to know' basis unless and until Councillors are asked to make a decision where the contents of any confidential documents would be material to that decision. If or when a further decision is required to which the Hobbs Parker report is relevant, then councillors will have the opportunity, should they wish, to read it at that time.

Chairman Richard King read the opening paragraph of the report from the Monitoring Office in response to the question posed by a member of the public. As follows:

Confidentiality Notice. This Decision Notice is not a public document. It contains some Confidential Information that is not in the public domain, including personal data and the views of the Deputy Monitoring Officer. Information in it must not be published or shared with others, but it may be shared on a strictly confidential basis with a close family member and /or with a practising lawyer who is bound by a professional duty of confidentiality.

John Lawton responded to a further question from a member of the public who wanted to know why the suggestion made by the Monitoring Officer had not been followed up – as stated in the letter of resignation from Cllr Elworthy, and made public by Cllr Elworthy. Cllr Lawton said that the allegation made in Cllr Elworthy's letter of resignation was not correct. He advised that Cllr Elworthy had been written to by the Clerk on 10th August 2021 in relation to actions to follow the Monitoring Officer's Report. Cllr Elworthy acknowledged that letter on the 12th August 2021. Cllr Elworthy resigned on 16th August. He suggested the public could follow the timeline.

A further resident suggested it was in the public interest to hear how the Chairman had responded fully. Consequently Chairman Richard King offered to read his entire letter of response to Cllr Elworthy. The letter is attached in Appendix iii

15) Closed session

The Clerk read the confidential minute of the 3rd August closed session that related to an update from the Working Group for Older People's Accommodation and matters pertaining to HR. The minutes of the previous month's closed session were approved and signed as a true record of proceedings.

Proposed: Chairman Richard King. **Seconded:** Cllr Tim Oliver. **All in agreement.**

Confidential minutes were taken on this closed session, for approval in due course.

The meeting closed at 21.30pm

Next meeting: Tuesday 5th October 2021

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Appendix i

Report no. 137 of the Egerton footpaths representative – September 2021 meeting

3 Outstanding Issues remain from the August 2021 report. Issue 3 has been updated since that report.

0 Closed Issues

1 New Issue

The outstanding issues below are listed with the KCC Reference, the date reported, the footpath number, the location, the difficulty experienced and the status of action.

1. **PROW 210554009.** 24/05/21. AW76 opposite Kingsland Lane, Mundy Bois Road. Broken stile. Still Awaiting Allocation
2. **PROW 210561834.** 24/05/21. AW79 Mundy Bois Road to Rockhill Road (opposite The Laurels). Broken stile (bottom plank flicks up when you step on it as both ends have come loose from the supporting posts). Still Awaiting Allocation.
3. **PROW 210696737.** 24/06/21. AW88 Stone Hill end of this footpath. Fallen tree from Barlings side over the track.

At the August meeting it was felt that as this was part of an important national footpath on the Greensand Way we need to ask if the removal of the tree can be given more urgent attention. I contacted Michael Ellis and his reply was: "Most often hedgerows and boundary trees are the legal boundary of the highway, including public footpaths, and the responsibility of the landowner. Fencing is a comparatively modern and more efficient way of securing fields and if it is put on the footpath side of the original boundary it can and often is considered to be an obstruction. If it is put on the field side as it sounds has happened here it does not negate the landowner's responsibility to maintain the hedge. I would be happy to write to him and advise as such." I have asked him to contact Charlie Simkins on our behalf.

NEW ISSUE:

1. **PROW 210834144.** 15/08/21. AW90 Green Wickets Animal Sanctuary, Rockhill Road end. A resident reported that the wooden fingerpost is lying on the ground at the entrance of the property.

Appendix ii

Report no. 26 of the Egerton Highways Representative – September 2021

Summary

Closed Items 5

Open Items 7

New Items 1 (likely a duplicate)

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Closed Issues

Reference	Description & Status
Other matter	Newland Green Lane – KCC raised issue road repairs – Completed
	Forge Lane – KCC raised issue road repairs – Completed
	Chapel Lane – KCC raised issue road repairs – Completed
	Iden Lane – KCC raised issue road repairs – Completed
	Green Hill Lane – KCC raised issue road repairs – Completed

Outstanding Issues

Reference	Description & Status
546693	Link Hill Lane - Drainage & Flooding, Blocked drain
Logged	17/01/2021
Status	Enquiry under investigation
562299	Stonebridge Green Road – Blocked Drain/Gully
Logged	March 2021
Status	Enquiry under investigation
42003307	Rock Hill Road – Retaining Wall vegetation damage to grouting
Logged	May 2021
Status	Enquiry attended – more work required
	The clerk advises that wall is <u>not</u> the property of EPC.
583038	Crocken Hill Road – Steps from highway to pavement overgrown
Logged	June 2021
Status	Work has been planned as part of regular schedule and will be undertaken shortly.
589193	Stonebridge Green Road - Blocked drain/gully
Logged	July 2021
Status	Job attended more work required
589015	Stonebridge Green Road - Blocked drain/gully
Logged	July 2021
Status	Job attended more work required
589164	Mundy Bois Road nr Newland Green – Ditch Problems
Logged	July 2021
Status	Enquiry under investigation

New Issues

Reference	Description & Status
594196	Stonebridge Green – Blocked Drain/Gully – (duplicate with 562299)
Logged	August 2021
Status	Enquiry under investigation

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Appendix iii

Dear Sarah,

Thank you for your letter of 16th August, addressed to me at my home address, Iden Farm Cottage, which was delivered by hand and which awaited my return from holiday. You had also copied it to the Clerk who acknowledged it in my absence. I am sorry that you felt it necessary to resign. Your resignation has been accepted.

I had hoped that you might make some attempt at working to improve relationships with the rest of the Council, starting by acknowledging that the Monitoring Officer and the Independent Person did not uphold any of the fifteen complaints that you made against me and three other councillors, and do this prior to our reconsidering his suggestion about entering into independent mediation. The Clerk suggested this to you and the four councillors concerned in letters sent on 10th August to which you responded on 12th August. I would have been happy to consider your acknowledgement as a way of moving forward towards improving working relationship with your fellow councillors. Disappointingly, I note that you took a contrary stance and copied your resignation letter to members of the Playing Fields Committee and posted a message publicly on "Next Door" to the effect that you had resigned, inviting people to contact the Clerk to read your resignation letter. I regard this as an inappropriate and disingenuous action, which has served to provoke consternation, unnecessarily stirring up unpleasant rumours and gratuitous animosity towards the parish council.

In my view what you have said in your letter of resignation totally misrepresents the truth about the situation that existed between you and the Parish Council. The content of your letter is completely at odds with the findings of the Monitoring Officer, which you have been so keen to keep confidential, even from the other members of the Council. Yet you have breached confidentiality on at least three occasions, including your specific references to me in your resignation letter. Your selective action on social media has given the general public a misleading impression of events which is unjustifiably harmful to the parish council and potentially detrimental to the interests of the village as a whole.

Almost everything you say in your letter is either distorted or untrue. Specifically:-

1: You allege that the Clerk shouted at you in a public meeting. In your complaints against me to the Monitoring Officer you allege that this incident occurred on 5 November 2019, and that it left you "feeling humiliated and isolated". However, I cannot recall such an incident. Neither can [REDACTED] the Clerk at the time, nor anyone else who was present at that meeting. The Monitoring Officer considered it surprising that this allegation was not reported by you at the time. He had said he would consider allegations of that nature beyond the normal time-bar of three months if they indicated a pattern of bullying behaviour. On investigation, he found they did not indicate such a pattern and he considered that this matter should have been brought to the attention of the Monitoring Officer much sooner. He stated that it would be unfair to me, and not at all appropriate for this matter to now be considered as an allegation worthy of further investigation, particularly as the person who you alleged to have shouted at you is no longer in the Council's employ. He said that he failed to understand why this complaint was not brought during the period of [REDACTED] employment. You did not do this. You raise this in a resignation letter to me now, almost two years since this alleged incident occurred and in a way in which suggested that the present Clerk was the subject of your complaint.

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2: I did not shout at you 'in the presence of the Clerk', as you state. The Monitoring Officer, having read both your and my versions of this incident (in February 2020) considered, however, that I did shout at you. But he also made clear that I made a public apology to you for this and that my apology was not "in general terms and without saying what he was apologising for", as you alleged. He reached this conclusion having seen the email that you sent me the day following the incident which identifies the apology I gave to you (in public) at the start of that evening's Parish Council meeting as "sincere" (which it was) and which you were prepared to both "appreciate and accept". His conclusion was that this matter had clearly been dealt with amicably and is closed - yet you raise it again, 18 months after it occurred. This is a deliberate slur which could lead to direct harm to my reputation and standing and is, in my view, an attempt by you to cause unfair and unjustified damage to my reputation. I wish to be very clear that by referring to this matter in your resignation letter you have breached the confidentiality you have been so keen to ensure is maintained, when you distributed the letter to the Playing Fields Committee and through public postings on Social Media when you characterised the letter as an Open letter which could be obtained from the clerk. You seem to be of the view that confidentiality is a one-way street, which it is not. This egregious breach along with others is being referred to the Monitoring Officer.

3: You claim that your role has been 'undermined within the Council and at public meetings'. There is absolutely no basis for you to make such a sweeping generalisation. You made at least a dozen separate complaints against me and my fellow councillors in a similar and highly detailed vein, quoting emails out of context and raising various issues, all of which were dismissed by the Monitoring Officer. In my case he confirmed this in a [REDACTED] 'Decision Notice' and he concluded that, in every instance, there was no case to answer and that there was no evidence to back up your unfounded allegations. In every case he stated that 'no further action is required to be taken'. You have not been 'undermined within the Council and at Public Meetings' and it is irresponsible of you to say this.

5: Concerning 'due process'; it is totally misleading for you to say that you have been 'persistently ignored or refused'. The Parish Council has on file email exchanges with you [REDACTED] which respond to every query you've ever raised about 'due process', including advice from KALC's Legal Advisor, most of which you have chosen to disregard or ignore. In stating you have 'been persistently ignored or refused' you are making another potentially defamatory accusation that is completely without foundation, as can be evidenced by the Monitoring Officer's report.

You say that councillors 'forced you into making contact with the Monitoring Officer'. This entirely misrepresents what happened at the council meeting in November 2020, as a look at the minutes will clearly show. In various emails circulated to all councillors in the previous few weeks you had made regrettable and hurtful criticisms both of councillors and the Clerk that were quite without foundation. All attempts by me and other councillors to engage with you on an informal face-to-face basis, as suggested by KALC's Legal Advisor, had been rejected by you (something that the Monitoring Officer felt he couldn't explain, other than by assuming that you must have felt as though your dealings with the Clerk may have been a factor in her resignation). So I sought further advice from KALC. In a lengthy response on 1 November 2020, which I circulated to you and all other councillors, the Legal Advisor stated: "this allegation must be moved on to the Monitoring Officer under the relevant code of conduct to become a formal complaint under the code". Following a short discussion all members, including you, unanimously agreed that this was the correct action to take on the basis of your grievances being formal complaints and you were then invited to consider taking this forward. You were not 'forced' to do anything.

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7th September 2021

In the interests of openness and transparency I would very much like to make public the findings contained [REDACTED] Monitoring Officer's Assessment Notice [REDACTED]

[REDACTED] all of which you either directly or obliquely refer to in the resignation letter which you now wish to make available generally. In each instance the decision reached by the Monitoring Officer was that there was no case to answer. He dismissed every allegation that you made. It is regrettable that this document has not been disclosed due to confidentiality although that does not preclude it from being the subject of a Freedom of Information request, and if so, advice on a response will be sought. Yet clearly the findings are at odds with what you have written in your resignation letter. I find it objectionable that you have chosen to repeat unfounded allegations in your resignation letter and make no apologies for your complaints that were not found in your favour. This rather calls into question your judgement and sensitivity to other people's feelings.

To conclude, I make no apology for the length of this letter. In your resignation letter you have included comments that suggest you may not have fully understood the findings of the Monitoring Officer and you have also made some defamatory and potentially libellous statements. It would not be prudent for the Parish Council to disseminate and publish your letter, given that it could have the potential for litigation. Nevertheless it is entirely a matter for you should you wish them to be made public and I am not prepared to enter into further correspondence with you. Meanwhile I wish you well in the future and thank you for the positive contributions you made to the work of the parish council.

Yours sincerely Richard King Chairman Egerton Parish Council

cc: Sonia Young, Parish Clerk all members of the Egerton Parish Council.