



KIRBY MUXLOE PARISH COUNCIL

In accordance with Publicity for decisions under paragraph 5 or 6

10 (1) As soon as is practicable after making decisions under paragraph 5(6) or (7) or 6(6), a relevant authority must—

- (a) notify the authority's local auditor of those decisions, and
- (b) publish a notice containing a summary of those decisions which has been approved by the auditor.

(2) The notice under sub-paragraph (1)(b) must be published—

- (a) if the relevant authority has a website, on its website;
- (b) otherwise, in such manner as the authority thinks is likely to bring the notice to the attention of persons who live in its area.

(3) The notice required by sub-paragraph (1)(b) in relation to a meeting need not summarise any decision made while the public were excluded from the meeting—

- (a) as the result of a resolution under section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 (protection of public interest),
- (b) under section 100A(2) of the Local Government Act 1972 (confidential matters), or
- (c) as the result of a resolution under section 100A(4) of that Act (exempt information).

(4) If sections 100C and 100D of the Local Government Act 1972 (availability for inspection after meetings of minutes etc) apply in relation to a meeting under paragraph 5 or 6, the notice required by sub-paragraph (1)(b) must indicate the documents in relation to the meeting that are open for inspection in accordance with those paragraphs.

(5) This paragraph applies in addition to any provision made in relation to the relevant authority by or under the Public Bodies (Admission to Meetings) Act 1960, the Local Government Act 1972 or any other enactment.

Recommendation 1:

It is recommended that the Council adopts and applies clear standards for the minuting of meetings, including in particular:

- *resolutions for exclusion of the public; and*
- *recording resolutions adopted when the public are excluded.*

Summary of Decision:

In accordance with the Public Bodies (Admission to Meetings) Act 1960 and the Local Government Act 1972 ss100 and 102, members of the public and press are likely to be excluded from the meeting at this point due to the confidential nature of the business is stated on the required agenda's and is always PROPOSED, SECONDED and RESOLVED to move into closed session, before doing so.

It was stated that the main agenda items which warrant moving into closed session are:

- i. To discuss and consider Freedom of Information Requests and associated matters, and
- ii. To receive an update on Staffing and to discuss and consider current matters

It was emphasised that these items are discussed in closed session due to confidentiality, as item (i) largely concerns two residents responsible for submitting an 'unreasonable' amount of Freedom of Information Requests over a period of approximately ten years and item (ii) concerns matters relating to members of staff.

It was noted that until recently, the agenda item concerning Freedom of Information Requests was simply an update and therefore a resolution wasn't required. However, as matters have become more involved, all resolutions are recorded in the closed session minutes.

It was **RESOLVED** that this recommendation is already being undertaken.

Recommendation 2:

It is recommended that the Council routinely publishes agenda papers on its website.

Summary of Decision:

It was noted that agendas have always been published on the Council's website, whereas agenda papers haven't as this not a statutory requirement. It was highlighted that only on one occasion in the past six years, which was fairly recently, has this been requested by one of the two residents previously mentioned. While this may be deemed 'advantageous', this would impact further on the two staff members currently employed, whose workload is already considerable.

It was **RESOLVED** that agendas will continue to be published on the Council's website, but agenda papers will not.

Recommendations 3 and 4:

It is recommended that the Council:

- undertakes a systematic review to confirm that information that it specified in its Publication Scheme would be available on its website is so available; and
- repeats this exercise annually.

Summary of Decision:

While the Council has a Publication Scheme, there have been difficulties with the website, largely due to the amount of available staff/time to transfer and upload the required information since creation of the new website.

It was noted that the Parish Council have been working with the ICO to develop an Improvement Plan, largely to ensure the statutory deadlines for responding to the copious ongoing Freedom of Information requests from the two residents can be achieved. The final stage of which, is to ensure that the information specified in the Publication Scheme is available on the website

While this task is ongoing, it was **RESOLVED** that the information specified in the Publication Scheme will be published on the website and once fully updated, will be reviewed on an annual basis.

Recommendations 5 and 6:

It is recommended that in future the Council:

- in determining its annual precept, consciously considers its level of reserves; and
- in the agenda papers and minutes, sets out the specific items to support the determination of the precept specified in applicable legislation

Summary of Decision:

The Council did perform the necessary calculations to be able to generate the required precept for 2020-21, i.e.

- i. It estimated its expenditure for the next year and made an allowance for contingencies
- ii. It estimated non precept income for the year
- iii. The Reserves are considered. At least a third of these are earmarked for the outstanding audit fees. It should be noted that as a result of objections from one of the two residents, the accounts since 2014/15 onwards remain uncertified. The remaining reserves are earmarked for future projects.

It was **RESOLVED** that this recommendation is already being undertaken

It was noted that a spreadsheet is presented at all budget meetings, substantiating the required precept and furthermore precept information is passed to Blaby District Council for inclusion on their website.

It was noted that once the outstanding audits since 2014/15 onwards have been undertaken by the External Auditor/s, the Council will be better placed to consider their level of reserves.

It was **RESOLVED** that this recommendation is already being undertaken

Recommendation 7:

It is recommended that the Council establishes a register in which it records:

- each planning application on which it is consulted;
- the date of the Council's consideration of each planning application;
- the view that the Council took; and
- the date of communication of the view to Blaby District Council

Summary of Decision:

The Council has a systematic approach regarding planning applications and records each application on which it is consulted.

It was **RESOLVED** that this recommendation is already being undertaken

The Council has a systematic approach regarding planning applications and notes the date of the Council's consideration of each planning application

It was **RESOLVED** that this recommendation is already being undertaken

The Council has a systematic approach regarding planning applications and notes the view that Council took.

It was **RESOLVED** that this recommendation is already being undertaken

The Council has a systematic approach regarding planning applications and records the date Blaby District Council were made aware of their observations.

It was **RESOLVED** that this recommendation is already being undertaken

It was further highlighted that all planning applications are forwarded to members of the Planning Committee on a weekly basis and should a meeting be required, is called accordingly.

Recommendation 8:

It is recommended that the Council engages with the Leicestershire and Rutland Association of Local Councils (LRALC) with a view to arranging for LRALC to carry out a comprehensive review of the Council's internal control, governance and accountability arrangements

It was noted that a majority of the governance issues highlighted are already being addressed.

It was **RESOLVED** that Council will engage with LRALC regarding a comprehensive review of the Council's internal control, governance and accountability arrangements being undertaken.