

11<sup>th</sup> April 2022

## PUBLIC INTEREST REPORT FOR THE YEAR ENDED 31 MARCH 2021

### Background:

It should be noted that the two objector(s) had previously raised copious Freedom of Information requests and contacted the Information Commissioners Office (ICO) and the Monitoring Officer at Blaby District Council regarding many of these matters and furthermore, received responses

However, on 3<sup>rd</sup> March 2021, Kirby Muxloe Parish Council were contacted by PKF Littlejohn advising that they felt it 'appropriate to consider the matters (Publication of agenda papers, Exclusion of members from Council meetings, Determination of the annual budget and precept, Compliance with Council's Publication Scheme and Responses to planning application consultations) now rather than wait to consider them at the annual audit'

Kirby Muxloe Parish Council accepted this and the Chairman, Clerk and a further member proceeded to undertake a video call with PKF Littlejohn on which Council were advised would not be recorded and was mainly to explain the process and provide the opportunity to ask any questions. However, Council asked the External Consultant to justify his position in terms of conflict of interest, due to being involved in a previous Public Interest Report (PIR)

Following the video call, it was agreed that the information requested be submitted to PKF Littlejohn by 7<sup>th</sup> May 2021, which was met by Kirby Muxloe Parish Council.

On 24<sup>th</sup> May 2021, PKF contacted Kirby Muxloe Parish Council to seek further clarification on the matter of Publication of agenda papers, which was forwarded between 11-14<sup>th</sup> June 2021.

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### Confidential Business

The below is stated on the required agenda's and is always **PROPOSED**, **SECONDED** and **RESOLVED** to move into closed session, before doing so.

*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.*

*The main agenda items which warrant moving into closed session are:*

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

These items are discussed in closed session, due to confidentiality. For instance, this largely concerns two residents (formerly a concert party of four) responsible for submitting an 'unreasonable' amount of Freedom of Information Requests over a period of approximately ten years and members of staff.

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, separate closed session minutes are prepared, which records all resolutions.

### **Transparency and Accountability**

Agendas have always been published on the Council's website. However, agenda papers haven't, but this is not a statutory requirement and 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, who between them work forty-five hours per week.

### **Freedom of Information Act 2000**

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. However, 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, which once updated will be reviewed on an annual basis.

### **Determination of Council Tax Precept**

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.*

Furthermore, a spreadsheet is presented at all budget meetings, substantiating the required precept.

However, 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.

### **Consultation on planning applications**

The Council does have a systematic approach regarding planning applications, i.e.

- i. It records each application on which it is consulted*
- ii. It notes the view that Council took and the date Blaby and District Council were made aware of those observation/s.*
- iii. All planning applications are forwarded to members of the Planning Committee on a weekly basis and should a meeting be required, is called accordingly.*

### **Overall view**

A majority of these governance issues have already been addressed, but nevertheless Council will consider LRALC undertaking a comprehensive review of the Council's internal control, governance and accountability arrangements.

### **Next steps**

Kirby Muxloe Parish Council confirms the next steps prior to the extraordinary meeting in accordance with Schedule 7 of the Act, have been undertaken. The PIR will be considered by Council on 11<sup>th</sup> April 2022 and an approved notice summarising the decisions made, will be published as soon as practical after the meeting.

