

From:

Sent: 05 September 2022 12:32

To: Kirby Muxloe Parish Council

Cc:

Subject: Council meeting on 8th September

Dear Ms Atkinson,

Council meeting on 8th September

I believe it is appropriate to ask for clarification of the various topics covered by items 12, 13 and 14 on the agenda of the meeting on 8th September, many of which are potentially very significant for the parish. However, as described there is little clarity as to their subject matter and purpose and it is not possible for residents to make valid representations when the detail of the business to be transacted is not properly specified. This deficiency was one reason why PKF Littlejohn recommended in the recent Public Interest Report that consideration should be given to publishing additional papers with the agendas on the website. In this context I would draw your attention to the appendices published on the website with the agenda of the next meeting of Anstey Parish Council on 6th September (available at <https://www.ansteypc.org.uk/uploads/agenda-september-2022.pdf?v=1661868421>).

While it may now be too late to publish any details of the topics to be discussed and decided under these items, I would appreciate being able to see the written proposals on which they are based. It might be possible for these documents to be seen at the office if you can suggest convenient times unless they can be e-mailed to me.

If in fact there are no written proposals (and please advise me of the position on this) then according to the council's Standing Orders regarding Motions at Meetings, no decisions whatever can be made in respect of the items on the agenda.

Yours sincerely,

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Kirby Muxloe
Leicester

Sent: 26 September 2022 16:21

To: Kirby Muxloe Parish Council <admin@kirbymuxloeparishcouncil.org.uk>
Subject: Council meeting on 8th September

Dear Ms Atkinson,

Council meeting on 8th September (and 29th September)

I should be grateful for a response to my e-mail of 5th September requesting access to information related to the meeting on 8th September. I had anticipated that agenda papers would be assembled as an accessible file accompanying the summons to councillors and therefore readily forwarded in response to a legal request. I had also offered, as a convenient alternative, to access the documents at the parish office in person.

In view of the lack of clarity of the newly published agenda for the meeting on 29th September I similarly request the background information for this meeting particularly regarding items 13, 14 and 15.

Please also clarify whether or not a record of written motions is held in the office and if so, provide me with convenient times when I could visit the office to see them. This would also allow me to see the written motions for both the meetings on 8th and 29th September.

Could you also please explain why the minutes of the meeting on 28th June have not been approved at the meetings on 28th July and 8th September when approval was on the agenda and are now included for approval again three months after the meeting took place. Whatever has caused this delay at least draft minutes should have been available on the website and not the duplicate of the 26th May minutes which are currently posted. Would you please provide me with the draft minutes for both June and July meetings scheduled to be approved on 8th September and similarly those now scheduled to be approved on 29th September.

If you require any clarification please let me know.

Yours sincerely,

Kirby Muxloe Parish Council

From: Kirby Muxloe Parish Council
Sent: 04 October 2022 11:56
To:
Subject: RE: Council meeting on 8th September

Dear

Please accept my apologies for the delay in responding to your request. However, as I'm sure you appreciate, a substantial amount of time has been taken retrieving information which you have requested via the Information Commissioners Office (ICO.) These are in addition to your ongoing requests, which as you are aware, have been constant for approximately ten years.

Further to your email dated 5th September 2022, it appears that you feel there was a lack of clarity in relation to items 12, 13 and 14 on the Council agenda for the meeting on 8th September 2022. While I feel this was specified, you (and other residents) are of course more than welcome to attend any of our public meetings, even though I appreciate that you have chosen not to do so during my time as Parish Clerk.

You also state that 'PKF Littlejohn recommended in the recent Public Interest Report that consideration should be given to publishing additional papers with the agendas on the website' However, I would like to emphasise that there is no statutory requirement to publish agenda papers on the Council's website, and therefore staff must prioritise their time by focussing on the disproportionate amount of Freedom of Information requests received, which I'm sure you appreciate causes considerable disruption. You may recall this was brought to your attention when inspecting the Unaudited Annual Governance and Accountability Return in 2021.

Further to your email dated 26th September, please be advised that Kirby Muxloe Parish Council currently have a casual vacancy, should you wish to be considered for co-option, If successful, you will of course receive the meeting paperwork which you are keen to access.

I note that you also feel there was a lack of clarity in relation to items 13, 14 and 15 of the Council agenda for the meeting on 29th September 2022. Again, I feel this is specified. However, as I have been in post as Parish Clerk to Kirby Muxloe Parish Council for the past six years (circa), I question why it is only now that you seek further clarification on agenda items ?

In relation to a delay with the minutes of 28th June, 28th July and 8th September being approved, please be advised that this is due to the disruption caused by the disproportionate amount of Freedom of Information requests received. However, please be assured that the minutes of 28th June and 28th July have since been approved and are to be published on the website imminently.

Finally, Kirby Muxloe Parish Council aspires to serve ALL residents, which I hope you agree, they very much deserve.

Yours sincerely

Ms R Atkinson

Clerk to Kirby Muxloe Parish Council

FROM:

Sent: 04 October 2022 13:01

To: Kirby Muxloe Parish Council <admin@kirbymuxloeparishcouncil.org.uk>

Subject: RE: Council meetings on 8th and 29th September

Dear Ms Atkinson,

Council meetings on 8th and 29th September.

Further to your latest e-mail of 4th October which serves as the council's formal response to the lawful requests for information made in my e-mails of 5th and 26th September, I do not consider this to be compliant with the relevant legislation and must therefore ask the council to review its response. The grounds cited for withholding the information are not valid.

I regret that over your signature the council has repeated wild accusations and personal abuse for which it can provide no substantiation. I must ask that you and those directing you desist from such behaviours.

Additionally regarding the 'casual vacancy' to which you refer in your e-mail please provide a copy of the council's notification of the vacancy to the monitoring officer at Blaby District Council, a copy of the public notice which has not been on the parish council website or on notice boards and the minute reference receiving the resignation or disqualification of the councillor involved.

Yours sincerely,

Kirby Muxloe Parish Council

From: Kirby Muxloe Parish Council
Sent: 04 October 2022 14:46
To:
Subject: RE: Council meetings on 8th and 29th September
Attachments: SKMBT_C22422100413230.pdf

Dear ,

As Council considered the thirty-one agenda items, which you seek information for, at their meetings on 8th and 29th September 2022, please be advised that in accordance with Section 22 of the FOIA, this information will be publicised in the minutes.

Please also find attached the Notice of Vacancy as requested, which I personally posted on each of the noticeboards in the village. Furthermore, please be advised that Blaby District Council confirmed there was no request for an election on 5th August 2022 and therefore may proceed with co-option.

Yours sincerely

Ms R Atkinson
Clerk to Kirby Muxloe Parish Council

From:

Sent: 04 October 2022 16:38

To: Kirby Muxloe Parish Council <admin@kirbymuxloeparishcouncil.org.uk>

Subject: RE: Council meetings on 8th and 29th September

Dear Ms Atkinson,

Council meetings on 8th and 29th September.

I acknowledge your latest e-mail. I believe my e-mails of 5th and 26th September make it clear what information is requested. The council's latest grounds for withholding the agenda papers and the written proposals are not a valid exemption. None of this information is ever included in or with the minutes. The council is also required to state whether or not it holds the information including a proposal book. I reiterate my request that a proper independent internal review of my request now be conducted and a timely response provided.

I note your partial response to my request about the issue you raised of a 'casual vacancy'. Please also provide a copy of the council's notification to Blaby District Council and the relevant minute reference.

Yours sincerely,

Kirby Muxloe Parish Council

From: Kirby Muxloe Parish Council
Sent: 05 October 2022 11:13
To:
Subject: RE: Council meetings on 8th and 29th September

Dear

As the matters which you are addressing have already been considered by Council, your request causes an unjustified level of disruption and it would therefore be most helpful to comprehend the purpose of your request.

Please be advised that Kirby Muxloe Parish Council do not hold a proposal book, as all resolutions are recorded in the minutes.

Furthermore, I wish to confirm that the Monitoring Officer at Blaby District Council was notified of the Councillor's resignation and the minutes can be located on our website.

Finally, your request for an internal review is noted.

Yours sincerely

Ms R Atkinson
Clerk to Kirby Muxloe Parish Council

Kirby Muxloe Parish Council

From:
Sent: 05 October 2022 14:12
To: Kirby Muxloe Parish Council
Subject: RE: Council meetings on 8th and 29th September

Dear Ms Atkinson,

Council meetings on 8th and 29th September.

Your latest e-mail is acknowledged.

The legislation requires that my request for an internal review dated 4th October is acted upon by the council. It is not sufficient that it is merely "noted".

With regard to the issue of the casual vacancy I repeat my request for a copy of the council's notification to BDC and for the relevant minute reference.

I view the now confirmed absence of any proposal book with great concern. The long-standing practice here was endorsed by [redacted] in their report in 2013 with additional improvements. Their recommendations were formally adopted by the council in 2014. I can find no record of any changes. Indeed at the meeting on 11th April 2022 the current Chair and Vice-chair emphasised that all recommendations from that time were still being observed.

Please confirm that the requirement for written motions is still adhered to and provide access to whatever record the council now holds of the written motions (which may include councillor proposals and officer recommendations) on which the council agendas are formulated. Such proposals and recommendations may lead to council resolutions or decisions but they are not synonymous in the way that you imply.

Yours sincerely,