

MINUTES OF A MEETING OF THE FINANCE AND GENERAL PURPOSES COMMITTEE OF
LONGDON PARISH COUNCIL HELD IN THE W. I. HALL, LONGDON, ON MONDAY,
DECEMBER 2nd, 2008

Present: Cllr. R. C. Hemmingsley (Chairman of the Council, who chaired the meeting); Cllr. N. Stanfield (Vice-Chairman of the Council); and Cllr. The Rev. J. R. Andrews

Also present was the Clerk.

1. APOLOGIES

Cllr. A. J. Juxon; Cllr. Mrs. H. A. Meere; and Cllr. S. K. Welch.

2. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting, held in the W. I. Hall, Longdon, on Tuesday, September 2nd, 2008 were, on a motion proposed by Cllr. Stanfield and seconded by Cllr. Andrews, approved and signed.

3. MATTERS ARISING FROM THE MINUTES

No business was dealt with under this heading.

4. PRESENTATION OF FINANCIAL STATEMENT FOR THE FIRST EIGHT MONTHS OF THE CURRENT FINANCIAL YEAR

The Clerk presented a financial statement for the first eight months of the current financial year ended 30th November 2008.

There had been an overall increase in expenditure, but the Committee had concluded that these increases had been wholly justified and that the Council's finances were being managed prudently.

The Council anticipated that the Council would be within budget at the end of the financial year.

5. PRECEPT 2009 – 2010

It was agreed that the Committee should recommend that the Council looked at next year's precept demand in the light of the Council's existing reserves

In the absence of a major project, the Committee did not expect an increase in overall expenditure in the next financial year.

6. REVIEW OF INDEPENDENT INTERNAL AUDITOR'S COMMENTS RELATING TO LTN1 ("COUNCILS' POWERS TO DISCHARGE THEIR FUNCTIONS") AND LTN04 ("DELEGATION OF DECISION-MAKING TO CHAIRMAN OR COMMITTEE")

(a) Membership of Committees

The Chairman pointed to Section 6 of LTN1 which referred to a judge's ruling that the minimum members of a committee should be more than one, but, in NALC's view, there should be a minimum of three, since, if there were only two members, the person presiding could use his or her casting vote to secure a decision to his or her liking. In effect, the chairman of such a committee would have the sole power to make a decision.

In the light of this anomaly and in view of the fact that only meetings of the full Council required a quorum of Councillors to be present, the Committee agreed that the Council should be recommended to amend Standing Order 70 to reflect the advice contained in LTN1 (November 2007).

It was also agreed that the Council should be recommended to impose a quorum of three on its Committees.

(b) Appointed Councillors

It was noted that, under Section S.16A of the Local Government and Public Involvement in Health Act 2007, local councils had the powers to appoint private individuals as councillors for a specific purpose for the benefit of their expertise.

(c) Decisions between Meetings

LTN04 also advised that Councils should set up procedures to cope with a situation where urgent action was required between regular meetings of the Council, and where it was not possible or convenient to convene a special meeting.

The Note went on to say that decisions could lawfully be designated to an officer of the Council (usually the Clerk), but that it would normal for such decisions to be taken only in consultation with the elected Chairman of the Council.

In the light of this advice, the Committee agreed to recommend to the Council that it authorised the Clerk, Chairman and Vice-Chairman to make decisions jointly on its behalf where urgent action had to be taken.

(d) Working Groups/Panels/Committees

Section 22 of LTN1 established that working groups were in law committees of the Parish Council and its meeting should therefore be open to the public.

The practicalities of this ruling were discussed, particularly as it affected consultations whose time-limit fell between monthly meetings of the Council.

It was decided to recommend to the Council that the present Planning Working Group be disbanded and a Planning Committee set up, and that meetings of the Planning Committee be convened at the discretion of the Committee's Chairman,

In the meantime, planning applications should continue to be circulated to designated Councillors, as at present, and their conclusions formulated by the Clerk and communicated by him to the Planning Authority.

(e) 'Need to Know'

Section 24 of LTN04 stated that Councillors did not have a 'need to know' for all council business and could not claim an automatic right to see all documentation and information.

While a Councillor who was a members of a committee had the right to inspect documents and obtain information relating to the business of that committee, a Councillor who was not a member had to demonstrate why sight of a document or receipt of the information was necessary to enable him or her to perform his or her duties as a Councillor.

If a Councillor's motive for seeing the document or obtaining the information was indirect, improper or ulterior, then the document or information should be withheld.

Councillors were not allowed a 'roving commission' through documents but had to specify precisely the documents or information they were requesting.

Having studied this advice, the Committee concluded that the Council had no need to take any action.

7. MODEL PUBLICATION SCHEME

Having studied this document, published by the Information Commissioner's Office, the Committee concluded that the Council's practices met the requirement to make information about its policies and practices known to the general public.

8. DATE OF NEXT MEETING

To be agreed.