

LEDBURY TOWN COUNCIL

Minutes of a Meeting of The Standing Committee held on 6th March 2017

Present: Councillors: D Baker (Chairman)
R Barnes M Eager
E Fieldhouse K Francis

In attendance: Mrs K Mitchell – Clerk to the Council
Councillors E Harvey and N Morris (non-committee members)

S.14 – 03.17 APOLOGIES

Apologies were received from Cllr J Roberts

S.15 – 03.17 DECLARATIONS OF INTEREST

None declared.

The Town Mayor drew attention to an email from Cllr Harvey asking members to consider carefully their declarations of interest in agenda item 5.1 Freedom of Information, pertaining to their involvement in the Neighbourhood Development Plan. (S.18 - 03.17, 1 refers).

S.16 – 03.17 PUBLIC PARTICIPATION

Cllr Harvey asked the Standing Committee to back away from exercising the delegated authority given to it by Full Council to appoint consultants for the operational review (S.19 - 03.17 refers) as she felt it should be a Full Council decision, and, that it should be deferred until the outcome of her challenge to the 2015/16 Annual Return and Code of Conduct investigations were known. She advised that she had spoken to Herefordshire Council's Monitoring Officer who was very surprised that the Town Council was proceeding with the appointment of consultants prior to knowing the outcome of outstanding complaints about councillors' conduct.

Referring to Agenda item 5.1, (S.18 – 03.17 refers) Cllr Harvey stated that should the Mayor not call an extraordinary Full Council meeting to discuss the Information Commissioner's decision then it would be convened by councillors.

The Mayor reminded members of the open letter received from the Monitoring Officer which clearly states the Herefordshire Council investigation was only dealing with allegations of breaches of the Members Code of Conduct, and not into Ledbury Town Council staff or its processes.

S.17 – 03.17 MINUTES

The Minutes of the Standing Committee meeting held on 22nd February, 2017, copies having been circulated, were confirmed as a correct record and signed by the Chairman.

S.18 – 03.17 FREEDOM OF INFORMATION

5.1 Information Commissioner's Decision Notice (ref Ref: FS50650151)

Members considered the Information Commissioner's decision notice relating to a complaint from a local resident pertaining to the Ledbury Neighbourhood Development Plan.

The Town Council is instructed to disclose the information withheld under section 43 (2) (Commercial detriment of third parties) of the Act to the complainant, by 23rd March 2017.

It was agreed that it would not be in the best interest of the council to appeal the decision.

RESOLVED: That the information be released.

5.2 Request for an internal review of a Freedom of Information Act request from a local resident.

The original request was for financial records for the Mayor's Charities over the past five years. The Clerk had responded that the information was not held by the Town Council for the purposes of the Freedom of Information Act.

Ledbury Town Council does not hold or manage funds for the Mayor's Charities. It is entirely at the discretion of an individual Mayor whether or not they wish to raise funds for a charity. Should any Mayor wish to do so, it is their own responsibility to administer those funds.

The Town Council does not organise any fundraising events or undertake any administrative functions related to fundraising on the Mayor's behalf in paid staff time. Should any member of staff wish to support the Town Mayor in relation to any aspect of their fundraising, then that is their personal choice and outside of their paid employment time.

RESOLVED: That the Clerk's original response was in accordance with the Freedom of Information Act.

It was suggested that the matter of administering the Mayor's charity funds could be included in the operational review.

5.3 To consider requests received under the Freedom of Information Act.

The Clerk gave details of two further FOI requests received from a Ledbury Town Councillor and a local resident.

Members were concerned about the burden on staff in dealing with such requests, particularly in view of present staffing levels.

