

MEDBOURNE PARISH COUNCIL

Notice of Meeting

Dear Councillor,

You are summoned to attend a meeting of Medbourne Parish Council which will be held in the Village Hall, Medbourne on **Monday 4 April 2016 at 7:45 p.m.** Members of the Public and Press are invited to attend.

Members of the public are welcome to attend but are not permitted to participate except under Item 4 when invited to do so by the Chair.



Graham Thomson, Clerk to the Council
27 Sycamore Drive, Desborough, NN14 2YH

30 March 2016

AGENDA

1. **To accept, or otherwise, apologies for absence received.**
2. **To note any declarations of interest received.**

In accordance with Sections 30(3) and 235(2) of the Localism Act 2011 Councillors should declare any personal, prejudicial or pecuniary interests pertaining to the agenda.
3. **To note any requests for dispensation granted by the Clerk.**
4. **Public Representations (Note: no decisions will be made in response to this item.)**

To allow members of the public the opportunity to make representations, ask questions or give evidence about an item of business on the agenda of the Meeting in accordance with the Council's policy and practice (limited to three minutes per person, and twenty minutes in total).
5. **Confirmation of the accuracy of the minutes of the meeting held on 7 March 2016**

The draft minutes, having been circulated in advance of the meeting, will be taken as read.
6. **To receive factual updates of matters arising from those minutes not mentioned elsewhere on the agenda.**
7. **Casual Vacancy in the Office of Parish Councillor – Co-option**

Following the resignation of Jo Cory as Councillor, notice of the vacancy was published as required by statute, and also advertised on the website. The closing date for electors to requisition a poll (call a public election) passed and no poll was requisitioned. The Council must therefore fill the vacancy at the earliest opportunity. Details of potential candidates putting themselves forward will be circulated to Councillors in advance of the meeting. If possible, the Clerk will carry out the necessary verifications before the meeting. Any Councillor appointed will be requested to complete the necessary declarations after the meeting and will take office at the next meeting.

The Council is REQUESTED to fill the vacancy in accordance with the procedure circulated to Councillors.
8. **To receive verbal reports on the following matters:-**
 - 8.1. **Broadband**
 - 8.2. **Parish Council and Village Websites**
 - 8.3. **Lighting**
 - 8.4. **Sports Club**
 - 8.5. **Village Hall**
 - 8.6. **Medbourne Educational Foundation Trust (MEFT)**
 - 8.7. **The Hollow**
9. **Neighbourhood Plan Advisory Committee**
 - 9.1. **To receive a report of the meeting of the Advisory Committee held on 16 March 2016**

A verbal report of the meeting will be given.
 - 9.2. **Suspension of Financial Regulations – Neighbourhood Planning external support**

Pursuant to the Council's decision to seek quotations for the provision of external consultancy and support for the neighbourhood planning process an insufficient number of quotations was received. An amended specification was issued to five companies. The Council's Financial Regulation 11.1h requires that "When it is to enter into a contract of less than £60,000 in value for the supply of ... specialist services ... the Clerk / RFO shall obtain three quotations (priced descriptions of the proposed supply)". Unfortunately only two quotations were received. The Clerk sought advice from the Leicestershire & Rutland Association of Local Councils which responded as follows:

"On the basis of the information provided, in my opinion, the council have done everything that is reasonable to obtain three quotations before placing the order. Provided the minutes reflect this fact, I consider that it would be totally unreasonable to question the council's decision to

proceed to accept the lowest (sic) of the two quotations received, particularly since they have also sought LRALC's advice on whether to proceed."

The Council's Financial Regulation 17.2 provides that "*The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.*"

The reasons for, and the risks of not, requesting the suspension of Financial Regulation 11.1h (the requirement for at least three quotations) include:-

- a) to conduct a further round of quotations would cause significant and undue delay to the neighbourhood planning process;
- b) the Council has striven to obtain a higher number of quotations on two occasions;
- c) the credibility of the Council would be damaged if further attempts to secure quotations were carried out;
- d) given that two rounds of quotations have been carried out there is no realistic prospect of securing a higher number of quotations in any future process.

The Council is therefore RECOMMENDED to suspend Financial Regulations to allow the Council to consider only the two quotations received.

10. To consider and make comment on Planning Matters

Details of the applications made are available at www.harborough.gov.uk/planning (click the links on your screen to be taken to the application) and will include:-

10.1. 16/00318/FUL Installation of a new access with associated gate and fencing
Field Off Drayton Road Medbourne

10.2. 16/00298/FUL Erection of a shed for storage (retrospective) (revised scheme of 15/01841/FUL)
Medbourne Bowls Club Manor Road Medbourne

11. To note significant correspondence received

12. Questions to the Chair

Councillors will be invited to ask questions of the Chair.

13. To note any items of repairs and maintenance in the Parish in need of attention

Councillors will be asked to notify the Chair of any items of which they are aware.

14. Council Training and Resources

Councillors will be asked to identify any training needs.

15. Local Government Boundary Commission for England

The Local Government Boundary Commission for England (LGBCE) is currently carrying out an electoral review within Harborough District. The review will look at the number of councillors who are currently elected to Harborough District Council as well as the makeup of the district wards including their boundaries (parishes are used as the building blocks for district wards). The Boundary Commission's Review Manager would like to meet with representatives of Parishes in the District to give a short presentation regarding the review and to answer questions. Two sessions have been arranged on Wednesday 20 April 2016 at 2.30pm and 5.30pm in the Council Chamber and the Council is RECOMMENDED to determine attendance, if any.

16. To approve the calendar of meetings for the 2016/17 municipal year

The Council is REQUESTED to determine the schedule of meetings for the 2016/17 municipal year. An outline schedule following the Council's usual pattern of meetings has been circulated to Councillors.

17. To consider and approve payments

The Council is RECOMMENDED to approve the payments in Appendix A, together with any others received in advance of the meeting.

18. Information items

The following items are presented for information only. The Council is RECOMMENDED to note the information contained in the reports set out in Appendix B.

- 1.1. Medbourne Inclosure Document
- 1.2. Elections for the Police and Crime Commissioner 5 May 2016
- 1.3. Audit Arrangements 2015/16
- 1.4. Defibrillator

19. Exclusion of the Press and Public

To consider, and if so resolved, to exclude the Press and Public from the meeting during the consideration of the following items in accordance with the Local Government Act 1972 and S1(2) of the Public Bodies (Admissions to Meetings) Act 1960 on the grounds that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted and it involves the likely disclosure of exempt information: Neighbourhood Planning external support – appointment of contractor.

Report of the Clerk to
Medbourne Parish Council
4 April 2016

17. To consider and approve payments listed in the schedule.

The Council is REQUESTED to approve the following payments:

<u>Recipient</u>	<u>Purpose</u>	<u>Budget</u>	<u>Amount</u>
e.on Energy Solutions Ltd.	Street lighting maintenance for quarter ending 31/03/2016	Street Lighting	£126.43
G Thomson	Clerk's salary (April 2015)	Administration	To be advised
	Clerk's salary Neighbourhood Planning (April 2015)	Neighbourhood Planning	To be advised

NOTE: Other payments will be added to the list and notified to the Council in advance of the meeting.

Graham Thomson
Clerk to the Parish Council

Report of the Clerk to
Medbourne Parish Council
4 April 2016

18. INFORMATION ITEMS

The following items are presented for information only. The Council is RECOMMENDED to note the information contained in the following reports.

18.1 Medbourne Inclosure Document

The majority of the Council's legal documents are held in the church safe, or held by the Council's legal advisor, and the documents are verified annually. The Medbourne Inclosure Document is too large for storage in the safe and is in the custody of Mr. Brian Godfrey. It is not believed to be a copy of the original.

18.2 Elections for the Police and Crime Commissioner 5 May 2016

The election for the Police and Crime Commissioner for the Leicestershire police force area will be held on 5 May 2016. The 'Pre-Election Period' (PEP) is set out in the Local Government Act 1986 and for these elections the period will start on 24 March 2016 and will end on 5 May 2016. The pre-election period precludes proactive publicity in all its forms of candidates and other politicians involved directly in the election. Publicity should not deal with controversial issues or report views, proposals or recommendations in such a way that identifies them with individual members or groups of members. Proactive events arranged in this period should not involve members likely to be standing for election. Guidance on the PEP is available from the Clerk.

18.3 Audit Arrangements 2015/16

The Council has been informed that the date by which the Council has to send to the external auditor the completed Annual Return and other information will be 3 June 2016. This early date will mean that the Council will have to approve the relevant documentation at the May meeting. The Clerk / RFO will carry out the necessary steps to ensure that the audit and audit requirements are completed.

18.4 Defibrillator

At the last meeting the Chair reported that the public appeal had raised sufficient money and she had been asked if the Parish Council would hold the money on trust for the specific purpose of maintaining the defibrillators. The Clerk undertook to investigate the legality and protocols of the Council holding funds as requested. The advice of the National Association of Local Councils' Legal department was sought on whether a Council can hold money on a temporary or long-term basis on behalf of another body: the monies would not be the Council's, and the equipment would not be owned, installed, maintained, etc., by the Council.

"In my view a council would not have the power to act in this manner. S.139 of the Local Government Act 1972 enables parish councils to accept, hold and administer gifts for the discharge of their functions or for the benefit of the inhabitants of the area. This power would not apply to this scenario as the Council would not be receiving a gift outright.

"In my view the general power of competence could not be relied on for a council to hold funds in this manner. I believe that the only funds a council should hold are its own".

In other words, to avoid confusion about the use of public money and problems at audit time Parish Councils should avoid holding funds for other groups and should ensure that any funds are held directly by the community group concerned.

Graham Thomson
Clerk to the Parish Council