

**MELBOURN PARISH COUNCIL
DRAFT MINUTES**

Minutes of the Annual Parish Council Meeting held on Monday 22nd May 2017 in the large upstairs meeting room of Melbourn Community Hub at 7.15pm.

Present: Cllrs Norman (Chair), Siva (Vice Chair) Cross, Gatward, Hales, Hart, Kilmurray, Porter, Sherwen and Travis.

In attendance: The Clerk, District Cllr Barrett, and approximately 16 members of the public.

PC1/17 To receive nominations and to elect the Chair of the Parish Council

IT WAS PROPOSED BY CLLR HART AND SECONDED BY CLLR CROSS TO ELECT CLLR NORMAN AS CHAIR TO MELBOURN PARISH COUNCIL FOR 2017/2018. ALL WERE IN FAVOUR. THIS WAS CARRIED. Cllr Norman signed the Acceptance of Office

PC2/17 To receive nominations and to elect the Vice - Chair of the Parish Council

IT WAS PROPOSED BY CLLR HART AND SECONDED BY CLLR CROSS TO ELECT CLLR SIVA AS VICE CHAIR TO MELBOURN PARISH COUNCIL FOR 2017/2018. ALL WERE IN FAVOUR. THIS WAS CARRIED. Cllr Siva signed the Acceptance of Office

PC3/17 To receive any apologies for absence

Cllr Regan for personal reasons. The Clerk read out resignation letters from Cllr Shepherd and Cllr Harrington. **APPENDIX A.**

The Chair explained The Clerk had posted the obligatory notices in relation to the resignations. If no person has requested an election by 2 June 2017 The Council moves onto co-option.

PC4/17 a) To receive any declarations of pecuniary and non-pecuniary interest and reasons from councillors on any item on the agenda.

Cllr Travis, Cross, Hales, Kilmurray and Porter – non pecuniary interest for PC6/17 f) Parish Council Representative on the Management Company of the Community Hub. PC15/17 To review REDACTED minutes from 2012 relating to The Hub. PC20/17 To propose the moving of two fire safes from Melbourn Community Hub to the Workshop on the car park.

Cllr Siva – non pecuniary interest as PC22/17 a) is a neighbour

b) To receive written requests for dispensations for disclosable pecuniary interests (if any)

c) To grant any requests for dispensation as appropriate

The Clerk has received Dispensation Requests relating to non-pecuniary interests for The Hub from Cllrs Travis, Cross, Porter, Kilmurray and Hales. These are valid until May 2018

To discuss and agree Committee Structures

PC5/17

Councillors gave their comments relating to Committees.

- Having only Parish Council meeting's for the last 7 months has given members a better

- overview and understanding and have had the opportunity to be involved in ALL decisions.
- Maintenance working party should include issues relating to Cemeteries, Play and Recs, Highways and Footpaths and Conservation.
- Going back to weekly committee meetings and Parish Council meeting will add extra workload for The Clerk
- Cemeteries and Conversation have not been given sufficient attention over the last 7 months and issues are being delayed and going backwards.
- Feel meetings should be limited and Councillors should become more involved without missing issues.
- Merge of Conservation/Play & Recs/ Cemeteries and Highways is a good idea and the Maintenance Working Party can work towards a Global Maintenance Plan.
- Maintenance Working Party would report back to The Clerk who would then take its findings back to the Parish Council.
- Planning Committee should be reinstated and meet every two weeks. This will allow time to discuss each application thoroughly and report decisions back to SCDC.
- Finance and Good Governance members stated this committee was a requirement to have.

Standing Order 5 (vi) states Agreement of the committee structure for the forthcoming year in accordance with SO 4. SO 4 sets out the Council's powers to appoint, regulate and dissolve a committee

Committees have been suspended since October so the Council now needs to decide whether to reactivate or dissolve them

- Cemeteries
IT WAS PROPOSED BY CLLR HALES AND SECONDED BY CLLR TRAVIS TO DISSOLVE CEMETERIES COMMITTEE. ALL WERE IN FAVOUR APART FROM CLLR GATWARD AND SHERWEN WHO WERE AGAINST AND CLLR PORTER WHO ABSTAINED. THIS WAS CARRIED.
- Conservation
IT WAS PROPOSED BY CLLR CROSS AND SECONDED BY CLLR HALES TO DISSOLVE CONVERSATION COMMITTEE. ALL WERE IN FAVOUR APART FROM CLLR GATWARD AND SHERWEN WHO WERE AGAINST AND CLLR PORTER WHO ABSTAINED. THIS WAS CARRIED.
- Highways and Rural Footpaths
IT WAS PROPOSED BY CLLR KILMURRAY AND SECONDED BY CLLR HART TO DISSOLVE HIGHWAYS & RURAL FOOTPATHS COMMITTEE. ALL WERE IN FAVOUR APART FROM CLLR GATWARD WHO WAS AGAINST AND CLLR PORTER AND CLLR SHERWEN WHO ABSTAINED. THIS WAS CARRIED.
- Play Areas and Recreation Committee
IT WAS PROPOSED BY CLLR HALES AND SECONDED BY CLLR KILMURRAY TO DISSOLVE PLAY AREAS AND RECREATION COMMITTEE. ALL WERE IN FAVOUR APART FROM CLLR GATWARD WHO WAS AGAINST AND CLLR PORTER AND SHERWEN WHO ABSTAINED. THIS WAS CARRIED.
- Planning
THERE WAS NO PROPOSER AND NO SECONDER TO DISSOLVE PLANNING COMMITTEE THEREFORE PLANNING COMMITTEE WAS REINSTATED. MEMBERS FELT THIS COMMITTEE SHOULD BE HELD FORTNIGHTLY.
- Finance and Good Governance
THERE WAS NO PROPOSER AND NO SECONDED TO DISSOLVE FINANCE AND GOOD GOVERNANCE THEREFORE FINANCE AND GOOD GOVERNANCE WAS REINSTATED. MEMBERS FELT THIS COMMITTEE SHOULD BE HELD MONTHLY.

ACTION: CLERK TO ASK MEMBERS WHICH COMMITTEES THEY WOULD LIKE TO BE ON AND PREPARE MEETING SCHEDULE FOR 2017/2018

The Chair explained according to Standing Orders 4(v) the committee selects its own Chair and Vice Chair at its first meeting and forwards the nominations to Full Council for approval.

PC6/17

Confirmation of Parish Council Representatives on the following:

- a) Board of Trustees of Francis John Clear Almshouses:
IT WAS PROPOSED BY CLLR TRAVIS AND SECONDED BY CLLR CROSS TO APPOINT MRS MAVIS HOWARD AS REPRESENTATIVE FOR FRANCIS JOHN CLEAR ALMSHOUSES. ALL WERE IN FAVOUR. THIS WAS CARRIED.
- b) One Parish Council representative on the Board of Trustees of Martin's Charity
IT WAS PROPOSED BY CLLR SIVA AND SECONDED BY CLLR GATWARD TO APPOINT THE CLERK AS REPRESENTATIVE FOR MARTIN'S CHARITY. ALL WERE IN FAVOUR. THIS WAS CARRIED.
- c) One Parish Council representative on the Board of Trustees for Triggs Charity Trust
IT WAS PROPOSED BY CLLR KILMURRAY AND SECONDED BY CLLR CROSS TO APPOINT DISTRICT CLLR BARRETT AS REPRESENTATIVE FOR TRIGGS CHARITY TRUST. ALL WERE IN FAVOUR. THIS WAS CARRIED.
- d) One Parish Council representative on the Melbourn Mobile Warden Scheme
IT WAS PROPOSED BY CLLR GATWARD AND SECONDED BY CLLR TRAVIS TO APPOINT DISTRICT CLLR BARRETT AS REPRESENTATIVE FOR MELBOURN MOBILE WARDEN SCHEME. ALL WERE IN FAVOUR. THIS WAS CARRIED.
- e) One Parish Council representative on the Melbourn and Meldreth Luncheon Club.
IT WAS PROPOSED BY CLLR HART AND SECONDED BY CLLR HALES TO APPOINT DISTRICT CLLR BARRETT AS REPRESENTATIVE FOR MELBOURN AND MELDRETH LUNCHEON CLUB. ALL WERE IN FAVOUR. THIS WAS CARRIED.
- f) Parish Council representative on the Management Company of the Community Hub
Members felt that as there were already 5 Parish Councillors on the Hub Management Group there was no need to appoint a Parish Council Representative.

PC7/17 To approve the minutes of the Parish Council Meeting 2nd May 2017

PC414/16 Cllr Kilmurray had a non-pecuniary interest in Celebrating Ages and not in Melbourn and Meldreth/ Luncheon Club. Also Cllr Kilmurray did not propose PC424/16 g) as he was out of the room.

There was a typo on page 8 PC424/e) TRAVISTO should read TRAVIS TO

IT WAS PROPOSED BY CLLR TRAVIS AND SECONDED BY CLLR KILMURRAY TO ACCEPT THE MINUTES OF MEETING WITH THE ABOVE CHANGES. ALL WERE IN FAVOUR APART FROM CLLR GATWARD AND SIVA WHO ABSTAINED AS THEY WERE NOT AT THE LAST MEETING. THIS WAS CARRIED.

PC8/17 To report back on the minutes of the Parish Council Meeting 2nd May 2017

PC415/16

Cllr Kilmurray stated the Appendix relating to the Vexatious Complaints appears to be the old version and could this be changed. ACTION: THE CLERK. The Clerk explained the appendix was actually correct and no changes were required to be made.

PC418/16 - Refusal comments for the Planning Application for 23 Dwellings The Moor was submitted to SCDC by 12 May 2017 as there was an extension.

PC419/16 Highways Volunteer Scheme - The Clerk explained the Assistant Clerk is in the process of setting this up.

PC420/16 Presentations for the running of the Pavilion will be held on 6 June 2016.

PC9/17 To approve the minutes of the Annual Parish Meeting 8th May 2017

IT WAS PROPOSED BY CLLR SIVA AND SECONDED BY CLLR KILMURRAY TO ACCEPT THE MINUTES FROM THE ANNUAL PARISH MEETING. ALL WERE IN FAVOUR APART FROM CLLR HALES WHO WAS ABSENT FROM THE LAST MEETING. THIS WAS CARRIED.

PC10/17 To report back from the minutes of Annual Parish Meeting 8th May 2017

There were no comments to be made.

PC11/17 Public Participation (For up to 15 minutes members of the public may contribute their views and comments and questions to the Parish Council – 3 minutes per item).

The Chair suspended Standing Orders at 8.15pm

The Chair read out an update from County Cllr van de Ven.

Drains: Thanks to residents who took the trouble to report drain pooling during heavy rainfall on 17 May. We ought to put another Drainage Action Group meeting in the diary to stay on top of things, before summer holidays.

Cherry Park Entrance: You'll have seen improvements to visibility and clarity on rights of way at the Cherry Park site access. Thanks very much to Norbury's for their concern and prompt action, and to County Officers for their work too. We're still awaiting the installation of new cycle aware signs (unless they are installed between the time of writing this report and the PC meeting!)

Traffic: I've had two separate requests for road traffic management measures: 1) Norgetts lane approach from Orchard Rd needs a clear indication of no access onto High Street. 2) Orchard Rd on approach to New Road – yellow lines in vicinity of junction to prevent obstructive parking that impedes visibility and safety.

School children's safety on path exiting car park: The idea was to see if Skanska could implement a half-barrier at footway junction. Cycle officers were going to progress this; I've asked if they could expedite this.

*Rail User Group: meets next on June 13 at Foxton Village Hall, 7 for 7:30. If the parish council would like to have a regular representative to ensure that Melbourn user perspectives are championed, please let me know so we can add this person to the mailing list. **ACTION: CLLRS TO LET CLERK KNOW IF THEY ARE INTERESTED IN ATTENDING THE MEETING WHICH IS QUARTERLY.***

Mrs Meliniotis raised her concerns about agenda item PC20/17 for relocating the fire safes to the workshop on the car park. Mrs Meliniotis explained that one of the fire safes contained the Francis John Clear Almshouses records. The records include historical information including the original plans and minute books and should be accessible to the public. There is concern about the safety and the insulation of the workshop and the Trustees do not want them to be stored in a damp atmosphere and become contaminated in anyway. The Trustees would like to know what security there is in place and

how they would gain access the building. The Chair asked Mrs Meliniotis why the original documents are not held at county archives. Mrs Meliniotis stated that the documents are historical and are of interest to the village for future generations and need to be accessible for all to view.

District Cllr Barrett queried if there was heating within the workshop, to which members confirmed there was and is set on a timer.

Mr Mulcock stated the workshop will be a damp environment and when the large double door opens and closes this will let damp air into the workshop.

Mr Mulcock stated that CAPALC had given their advice relating to Councillors being Directors on the Hub Committee and the potential problem of them becoming compromised and that if they declare an interest it should be pecuniary. **ACTION: THE CLERK WILL CIRCULATE THE MINUTES**

Mr Simmonett asked the Parish Council if there is guarantee on the security on the shed/workshop. The Chair explained this would be addressed later.

Mrs Meliniotis stated prior to the Hub being built The History Group were led to believe the History items would be stored and displayed within the Hub. This has not been the case.

The History Society holds old photos and old newspapers and would not be able to be held at Cambridge Collection. Where they are at the moment the documents are safe and they need to remain secure.

Hugh Pollock expressed his concerns that the documents are irreplaceable and they are required to be kept safe and secure and professionally looked after.

Mr Pollock also suggested the Council thanked Cllr Harrington and Cllr Shepherd for the support they have given the Council. The Chair explained The Clerk and Councillors had already thanked both Cllr Harrington and Cllr Shepherd for their support to the Council.

Mrs Meliniotis stated that when there used to be a library at MVC everything was categorised and was led to believe the History items would be allocated space in The Hub when it was built.

Mr Stapleton explained there is a shelf at the library which contains history items; however there are not many users for this.

Mr Mulcock queried the archive facilities available and has there been any lost Parish Council Minutes.

The Chair reinstated Standing Orders at 8.30pm

PC12/17 To receive details of cheques/BACS/Visa/Direct Debits to be drawn on the Parish Council's account as detailed or amended by late payments. To approve payment and agree the amount(s) to be transferred from the Business "No Notice" Account. APPENDIX B

The Chair explained the list looks slightly different this month as the year end process is not finalised as yet.

Regarding payment to Sarah Adam - £81.00 - Booking of overnight stay for contractor on 10 May 17 - The Clerk was meant to use the Parish debit card but accidentally used her own credit card instead.

IT WAS PROPOSED BY CLLR TRAVIS AND SECONDED BY CLLR HART TO ACCEPT THE APPROVAL LIST. ALL WERE IN FAVOUR. THIS WAS CARRIED.

IT WAS PROPOSED BY CLLR KILMURRAY AND SECONDED BY CLLR HALES TO ACCEPT THE TRANSFER OF £27,000.00 FROM BUSINESS NO NOTICE ACCOUNT TO CURRENT ACCOUNT. ALL WERE IN FAVOUR. THIS WAS CARRIED.

PC13/17 To receive a report from District Cllrs Barrett and Hales

The Chair explained there was nothing else to report since the Annual Parish Meeting.

PC14/17 To decide whether to appeal the ICO decision on the Grievance Report – APPENDIX C

The Chair read out the history relating to this subject:

“To set the scene, the Parish Council decided on 10 October not to publish the Grievance report because of the threat of legal action. A number of residents complained to the Information Commissioner about that decision and the ICO carried out an investigation.

The ICO wrote to the Council on 24 February. It is quite clear from that letter that the Council’s reason for not publishing is the threat of litigation. The letter from the ICO asked the Council to make a case for withholding the report asking many detailed questions about the Council’s case for withholding the report under a different section of the FOIA.

Following discussion with CAPALC the Council replied saying that it would be happy to publish the report (with redactions to prevent council employee or members of the public’s names being made known).

The Council received the ICO’s decision at the beginning of May. The Clerk and I were distressed to find that the decision claimed that the council “clarified that it was seeking to withhold the information under the exemption in section 40(2) of the Act (personal data) and it says similar things at various other points too.

The Clerk responded saying this was a misrepresentation of the Council’s position and asking that the decision be corrected before it was put on the ICO’s website. The response was that the Decision Notice cannot be amended once it has been issued and that for changes to be made the Council will have to appeal the decision.

The ICO then goes on to say that “I note this has left the Council in a difficult position due to its previous statements that it would disclose the report if at all possible. The Commissioner is not however able to take this into account in her decision.”

There are a number of paragraphs in the ICO’s letter explaining why the case officer expressed the Council’s opinion in terms of withholding the report. From my point of view and I think the Clerk’s, we wanted the clarification before publication so that there was no suggestion that the Council had been saying one thing in public and another to the ICO.

The clarification from the Council is now on the public record so it may well be water under the bridge.

The person who made the complaint against the Council has appealed the substance of the ICO’s decision so the question for the Council to decide is whether to make an appeal to try to have the Council’s position stated as we see it.”

Councillors felt it would take a considerable amount of The Clerk’s and The Chair’s time and that the

success rate of appeal process being reviewed is very low.

THERE WAS NO PROPOSER OR SECONDER TO APPEAL THE ICO'S DECISION.

PC15/17 To review REDACTED minutes from 2012 relating to The Hub and 2016/2017 and decide if they should remain redacted. APPENDIX D

The Chair explained there was a need to decide whether these minutes can go into the public domain due to the correspondence with Jocelyn Robson about the Hub. The Clerk asked CAPALC to give the Council a copy of the complete document which was submitted to CAPALC by the Council to support the application for the Public Works Loan Board and which CAPALC endorsed and then passed on to the PWLB. Included in the document is the minutes where the Parish Council:

824/11 Report on the Police Site: This item was discussed IN CAMERA (The press and public being excluded) on the grounds of contractual confidentiality prior to negotiations between the Community Hub Subcommittee and the developers.

IT WAS PROPOSED BY CLLR HALES AND SECONDED BY CLLR PORTER TO UN-REDACT THE MINUTES DATED 23RD APRIL 2012 TO ENABLE THE ENTIRE PWLB LOAN APPLICATION TO BE MADE PUBLIC. ALL WERE IN FAVOUR. THIS WAS CARRIED.

The redacted minutes prior to October 2016 relate to the car park or the grievance report so the Council is not in a position to release them yet. The intention is that all redacted minutes relating to the car park will be released when the Car Park Working Party reports.

PC16/16 To agree:

- a) Risk Management Policy – **APPENDIX E**
IT WAS PROPOSED BY CLLR TRAVIS AND SECONDED BY CLLR CROSS TO ACCEPT THE RISK MANAGEMENT POLICY AS DRAFTED. ALL WERE IN FAVOUR. THIS WAS CARRIED.
- b) Risk Register 2017/2018 – **APPENDIX E**
IT WAS PROPOSED BY CLLR TRAVIS AND SECONDED BY CLLR SHERWEN. TO ACCEPT THE RISK REGISTER AS DRAFTED. ALL WERE IN FAVOUR. THIS WAS CARRIED. ACTION: OUTSTANDING RISK MANAGEMENT PLANS TO BE PREPARED BY THE GOVERNANCE WORKING PARTY AND BROUGHT TO COUNCIL

PC17/17 To appoint a Councillor to verify the bank reconciliations

The Chair explained that from the new financial year, the Council will not be using the book keeper but the reconciliations still need to be checked. This is part of good financial management practice and required by our financial regulations and should be carried out by a Councillor.

IT WAS PROPOSED BY CLLR HART AND SECONDED BY CLLR CROSS THAT COUNCILLOR HART FULFIL THE ROLE FOR THE FY 2017/2018. ALL WERE IN FAVOUR. THIS WAS CARRIED.

PC18/17 To propose a new start time of 7.30pm for Parish Meetings

Cllr Hart felt that due to work commitments and Councillors with young children meetings should commence at 7.30pm to allow members time to get to the meeting.

IT WAS PROPOSED BY CLLR HART AND SECONDED BY CLLR KILMURRAY. ALL WERE IN

FAVOUR APART FROM CLLR GATWARD AND CLLR SHERWEN WHO WERE AGAINST. THIS WAS CARRIED.

PC19/17 To appoint an internal auditor for the financial year 2017/2018

The Clerk suggested the Council remains with Mrs Jacquie Wilson of Canalbs Ltd. Mrs Wilson is an independent auditor who specialises in Parish and Town Councils and is good value for money. **IT WAS PROPOSED BY CLLR KILMURRAY AND SECONDED BY CLLR TRAVIS TO APPOINT CANALBS LTD TO BE THE INTERNAL AUDITOR FOR 2017/2018. ALL WERE IN FAVOUR. THIS WAS CARRIED.**

PC20/17 To propose the moving of two fire safes from Melbourn Community Hub to the Workshop on the Car Park currently containing Cemetery Records, History Group Records and Francis John Clear Almshouses Records. APPENDIX F

The Chair explained the records have traditionally been kept in the Parish Office. One old fire safe contains the History Group records and the other the cemetery and Almshouses records. As the Parish Office has moved, the records have moved too.

The problem has arisen because the floor of the Parish Office is not strong enough to support the weight of the fire safes so up until now the safes have been accommodated in the downstairs meeting room of The Hub

The Chairman of the Hub Management Group (Cllr Travis) explained by removing the fire safes it will minimise the cost to MPC in the longer term as by ordering food in larger quantities will reduce the cost of food, however they will need to have the extra storage space. Cllr Travis explained The workshop is robust enough and has CCTV. This request is vital and the fire safes should be located elsewhere as the filing cabinets are infrequently visited and if the meeting room is in use The Clerks are unable to access the documentation.

The Chair read out an email from Mrs Mavis Howard:

Dear Sarah,

Thank you for your email. Unfortunately I have an engagement on Monday evening and shall not be able to attend your meeting.

However, I have forwarded your email to my fellow Trustees and an ex-Trustee of the old History Committee and I think I can say that they are quite disturbed by the idea of our files leaving the safety of the Parish Office. We were assured that when the Parish Office was built there would be room for records to be stored - indeed, there was even talk of a display of village artefacts. It is somewhat disturbing to find that within a very short time you are intending to move filing cabinets containing historical papers out of the building, where they might be subject to damp.

I believe that there will be a representative from the Almshouses to speak on this matter and hopefully persuade you to change your mind!

Yours sincerely

Mavis Howard.

The Chair read out an email from Came and County Insurance

Further to our telephone conversation today I am writing to confirm that there is no issue from an insurance perspective if these safes are relocated from The Hub to the Car Park Workshop.

In the event any documents which are either owned by or the responsibility of the Parish Council to insure are stolen or damaged the policy we arrange with Aviva will meet the cost of replacing the value of the materials and the labour/computer time spent in reproducing them.

I trust this information is of assistance but please contact me again if any further questions arise.

The Chair read out an email from Internal Auditor

As Independent Internal Auditor I have to advise that this has to be a decision of the full council having been given all the facts in writing.

They should fully minute the decision and inform the Insurance Company.

The only advice I would give is to ensure that every record that might be placed in this safe is somehow pre-copied so the data is not entirely lost. It is a difficult one.

The Chair read out an email from Ian Dewar – CAPALC

In the case of sensitive or legal data I completely agree with Jacquie as if for any reason the data is lost by fire, flood or any other reason the repercussions could present the council with a major PR and Legal issue.

Member suggested the safes could be moved to the lobby of the entrance to The Hub, Commercial Storage in the village in an industrial area, Melbourn Village College, if the records are held there they could be more accessible and have more regular use. The Clerks could have working copies of the documentation in the office so do not have the need to regularly visit the fire safe.

THERE WAS NO PROPOSER OR SECONDER TO MOVE THE FIRESAFES TO THE WORKSHOP.

ACTION: THE CLERK TO ARRANGE A SUITABLE TIME AND DATE TO SHOW CLLRS AND REPRESENTATIVES FROM THE HISTORY GROUP/ALMSHOUSES WHERE THE FIRESAFES ARE NOW AND SEE INSIDE THE WORKSHOP.

ACTION: THE CLERK TO DEFER THIS AGENDA ITEM UNTIL 5TH JUNE 2017. COUNCILLORS SHOULD SEND THEIR IDEAS TO THE CLERK AND LOOK AT A RANGE OF OPTIONS.

The Clerk should seek advice from the insurance company and CAPALC relating to whether the Parish Council should hold documentation that is not Parish Council documentation. **ACTION: THE CLERK**

PC21/17 To receive any notifications or planning consultation documents

- a) Appeal Decision – The Planning Inspectorate – 73 High Street, Melbourn Cambridgeshire, SG8 6AA. Appeal Ref: APP/W0530/W/17/3167199 – Decision. The Appeal has been dismissed. Mr D Solanki. **WAS NOTED**
- b) South Cambridgeshire District Council Town and Country Planning Act 1990 The Council hereby grants permission for front single storey extension and rear single storey extension at 2 Mortlock Close, Melbourn, Royston, Cambridgeshire, SG8 6DA. S/0789/17/FL. Mr Andrew

Mellor. **WAS NOTED**

- c) A planning decision has been approved – Lawful Development Certificate for Proposed Conversion of Existing Garage at 15 Orchard Way, Melbourn, Royston, Cambridgeshire, SG8 6HT. MR Paul Rogers. S/0696/17/LD. **WAS NOTED**
- d) Any other notifications at the time of meeting

PC22/17 To consider the following Planning Applications

- a) Notification of Planning Application of replacement tiled pitched roof to extension conservatory. Remove windows on western side and replace with wall. Fit three velux windows in south-facing roof at 31 Chalkhill Barrow, Melbourn, Royston, Cambridgeshire, SG8 6EQ. S/1200/17/FL. Mr Nigel Willimer.
IT WAS PROPOSED BY CLLR KILMURRAY AND SECONDED BY CLLR PORTER TO SUPPORT THIS APPLICATION WITH NO COMMENT. ALL WERE IN FAVOUR. THIS CARRIED.
- b) Notification of Planning Application of replacement of kitchen, bedroom and bathroom windows with new wooded double glazed windows of the same style at 5 Drury Lane, Melbourn, Royston, Cambridgeshire, SG8 6EP. Mr Edward Wakjer. S/1420/17/LB
IT WAS PROPOSED BY CLLR CROSS AND SECONDED BY CLLR HALES TO SUPPORT THIS APPLICATION WITH NO COMMENT. ALL WERE IN FAVOUR. THIS WAS CARRIED.
- c) Notification of Planning Application for proposed new three bedroom house adjacent to no 20 Fordham Way, Melbourn, Royston, Cambridgeshire, SG8 6JB. Mr Ian Porter. S/1404/17/FL.
IT WAS PROPOSED BY CLLR PORTER AND SECONDED BY CLLR SHERWEN TO REJECT THIS APPLICATION WITH THE FOLLOWING COMMENTS.
 - PLANS ARE IN ADEQUATE AND NOT TO SIZE. APPEARANCE IS NOT RELATIVE TO NEIGHBOUR
 - THIS WILL HAVE APPEARANCE OF TERRACED HOUSE.
 - THE LINEAR LOOK OF THE HOUSES IN THE ROAD WILL BE ALTERED BY THIS HOUSE AS IT STICKS OUT A LONG WAY INTO THE BACK GARDEN.
 - THIS WOULD CHANGE THE STREET SCENE.
 - HIGHWAYS LIST – SAFETY/DROP KERBS AND DRAINAGE. NOTE AND SHARE THE COMMENTS FROM HIGHWAYS. **APPENDIX G****ALL WERE IN FAVOUR. THIS WAS CARRIED. THE PARISH COUNCIL DOES NOT REQUIRE THIS APPLICATION TO GO TO PLANNING COMMITTEE.**
- e) Notification of Planning Application for Annexe at 19A Dolphin Lane, Melbourn, Royston, Cambridgeshire, SG8 6AE. Mr Robin Wedd. S/1533/17/FL
IT WAS PROPOSED BY CLLR SHERWEN AND SECONDED BY CLLR KILMURRAY TO SUPPORT THIS APPLICATION WITH THE FOLLOWING COMMENT: THE ANNEX SHOULD NOT BE SOLD AS A SEPARATE DWELLING. THIS SHOULD BE A CONDITION OF ANY PLANNING PERMISSION. ALL WERE IN FAVOUR. THIS WAS CARRIED.
- f) Cambridge County Council Town and Country Planning Act 1990. Proposal – The internal relocation of an existing 15.6m x 9.6m 5 bay mobile classroom, for a temporary period until 31st December 2018 at Melbourn Primary School, Mortlock Street, Melbourn, SG8 6DB. S/0232/17/CC
IT WAS PROPOSED BY CLLR HALES AND SECONDED BY CLLR TRAVIS TO SUPPORT THIS PLANNING APPLICATION. ALL WERE IN FAVOUR. THIS WAS CARRIED.

PC23/17 Correspondence:
a) Jocelyn Robson. APPENDIX H

The Chair then closed the meeting at 9.52pm

APPENDIX A

Parish Clerk

-----Original Message-----

From: Jane Shepherd

Sent: 09 May 2017 07:50

To: julie. Parish Clerk; Assistant Clerk

Subject: Jane Shepherd Resignation

Dear Madame Chair and Madame Clerk
Julie & Sarah

It is with regret that I hand in my resignation from Melbourn Parish Council.

I have enjoyed working for this brief period with the new council. However with a young family and growing demands that is throwing at me I feel I am not giving 100% attention to either aspect.

I wish you all well and in time would think I could be back on board with you all.

Kindest regards

Jane Shepherd

Sent from my iPhone

Parish Clerk

Subject: RE: Cllr Harrington

From: Kerry Harrington [
Sent: 05 May 2017 14:47
To: Parish Clerk
Subject: Cllr Harrington

Dear Sarah

I have sent this to yourself as the Parish Clerk.

On a personal note, thank you for all your hard work and I wish you every success for the future.

It is with deep regret that I wish to tender my resignation as a Parish Councillor for Melbourn.

I have really enjoyed the past 8 months but, unfortunately, am finding that I just do not have the time to give the position the dedication it requires and feel that all the other councillors are doing so much.

I also find it very difficult within the pub, with questions constantly being asked of me about the council and what we are doing to sort things out. I appreciated that residents would approach us, however, in my case it is continuous and sometimes it becomes very difficult.

I wish you all every success in the future and know that you all care so much for the village and will continue to do your utmost to ensure the best future of the village and its residents.

Kind Regards

Kerry Harrington
Sent from my iPad

APPENDIX B

Future Expenditure

Start of year 01/04/16

Invoice no	Invoice date	Gross	Vat	Net	Details
Allotment Association					
	24/04/17	£264.00	£0.00	£264.00	Community Grant Funding - Allotment Association
	Total	£264.00	£0.00	£264.00	
Anita Cook					
	03/05/17	£16.00	£0.00	£16.00	2x Hours 83 High Street 1/5/17
AOS Online					
	09/05/17	£98.58	£16.43	£82.15	5x boxes paper
	Total	£98.58	£16.43	£82.15	
Baron Fire					
134184	01/04/17	£180.84	£30.14	£150.70	Site visit to Hub and extinguishers inspected and serviced
	Total	£180.84	£30.14	£150.70	
Beactive Melbourn Ltd					
PAV135	05/05/17	£135.00	£0.00	£135.00	April usage of pavilion for MAYD
	Total	£135.00	£0.00	£135.00	
Birketts					
507520	24/04/17	£2,880.00	£480.00	£2,400.00	Legal fees for The Hub / AGM Feb 17
	Total	£2,880.00	£480.00	£2,400.00	
British Telecom					
M0132K	08/05/17	£47.40	£7.90	£39.50	Broadband for Car Park
CAPS					
	12/05/17	£10.00	£0.00	£10.00	Deduction of wages P Andrews
e.On					
HF61F1CA7	07/05/17	£149.87	£7.14	£142.73	Pavilion Elec bills
H145E5A4BD	27/04/17	£8.44	£0.40	£8.04	Old Rec electricity
H1462BBB3E	02/05/17	£69.67	£3.32	£66.35	New workshop electricity bill
HF5ED4FE9	27/04/17	£14.29	£0.68	£13.61	Sports and Social Club electricity Littlehands
HF5F\$F284	28/04/17	£7.38	£0.35	£7.03	Orchard Rd Cemetery electricity
Herts And Cambs Ground Maintenance Limited					
INV3120	17/05/17	£1,656.41	£276.07	£1,380.34	Monthly contract Cemetery and SI06
INV3121	17/05/17	£714.00	£119.00	£595.00	Allotments/cutting of old and new rec& over mark of pitches
HM Revenue & Customs					
	18/05/17	£5988.29	£0.00	£5988.29	Tax and National insurance and wages May 2017
LUCID Systems					
9749	01/05/17	£87.55	£14.59	£72.96	June Monthly service
Melbourn and Meldreth Lunch Club					
	24/04/17	£650.00	£0.00	£650.00	Community Grant Funding - M & M LC
	Total	£650.00	£0.00	£650.00	
Melbourn Building And Fencing Limited					
	26/04/17	£11.90	£1.98	£9.92	parts for trees at New Road Cemetery

Total	£11.90	£1.98	£9.92
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Melbourn Community Hub Management Group

24/04/17	£301.85	£0.00	£301.85	- MPC Planning Training Refreshments for x23 and room hire 22 April.
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Melbourn Mobile Warden Scheme

24/04/17	£7,500.00	£0.00	£7,500.00	Community Grant Funding - MMWS
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Total	£7,500.00	£0.00	£7,500.00
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Melbourn Netball

24/04/17	£400.00	£0.00	£400.00	Community Grant Funding
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Total	£400.00	£0.00	£400.00
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MPE Alarms and Security Systems Ltd

15933	26/04/17	£648.00	£108.00	£540.00	Renewal of annual maintenance contract for fire alarm/CCTV at Hub
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Total	£648.00	£108.00	£540.00
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Now Pensions

30/04/17	£102.52	£0.00	£102.52	Pension contributions April 2017
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108140	01/05/17	£43.20	£7.20	£36.00	Employer service charge May 2017 - pensions
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P J Deards

1853	30/04/17	£120.59	£0.00	£120.59	replace parts in disabled WC / Labour
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Post Office

21/04/17	£1.00	£0.00	£1.00	Advertising in window - C Littlewood
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28/04/17	£1.75	£0.00	£1.75	Letter signed for - C Littlewood
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Relate Cambridge

24/04/17	£1,750.00	£0.00	£1,750.00	Community Grant Funding - Relate
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Total	£1,750.00	£0.00	£1,750.00
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Ricoh UK Limited

100834522	08/05/17	£516.06	£86.01	£430.05	Photocopying services 1/5/17 -31/7/17
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Total	£516.06	£86.01	£430.05
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Rontec

03/05/17	£9.99	£1.66	£8.33	Petrol for mower - K Rudge
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15/05/17	£20.00	£3.33	£16.67	Petrol for Van - K Rudge
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South Cambs District Council

01/05/17	£64.00	£0.00	£64.00	Business rates for Orchard Road Cemetery 1 May 2017
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01/05/17	£242.00	£0.00	£242.00	Business rates for Melbourn Pavilion May 2017
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01/05/17	£583.00	£0.00	£583.00	Business rates for Melbourn Car Park May 2017
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01/05/17	£67.00	£0.00	£67.00	Business rates for Cemeteries - 1 May 2017
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South Cambs Motors

318/17	19/04/17	£552.76	£83.13	£469.63	MOT and repairs to Van
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Tesco

07/05/17	£12.00	£2.00	£10.00	x4 frames for nominations for APM – Sarah Adam
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Tim Stebbings

130	05/05/17	£647.86	£0.00	£647.86	Litterpicking from 20 Feb - 4 April
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Urban Plastics

	15/05/17	£3.35	£0.56	£2.79	Guttering for Littlehands
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WESH UK

1451	01/05/17	£18.00	£3.00	£15.00	Hub and PC Slices for Website - monthly charge may
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Wrights Mower Centre

	24/04/17	£28.00	£4.67	£23.33	cutting twine for strimmer - K Rudge
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APPENDIX C

From: casework@ico.org.uk [mailto:casework@ico.org.uk]
Sent: 24 February 2017 11:31
To: Parish Clerk
Subject: re an FOI complaint to the ICO

24th February 2017

Case Reference Number FS50652431

Dear Ms Adam

**Freedom of Information Act 2000 (FOIA)
Complaint from
Information request made 07/09/16**

We wrote to you previously to let you know that we have accepted this case for investigation. I have now been asked to investigate it.

You should now reconsider the way the council has handled this request and respond as detailed below

ICO's approach

On receipt of a complaint under the FOIA, we will give a public authority one opportunity to justify its position, before issuing a decision notice. Please consider the guide for public authorities on our website for more information about how we handle complaints:

http://www.ico.org.uk/for_organisations/freedom_of_information/guide.aspx

The request

On 20 July 2016 the complainant made the following request for information under the FOIA for:

"I would be grateful if you could please send me a copy of the Grievance document as discussed at the full council meeting on the 27th June.

This request has been sent under the Freedom of Information Act."

You responded on 4 August 2016 and refused to provide the information on the basis that you had received a letter from a solicitor seeking the suppression of the document.

On 7 September 2016 the complainant wrote again to the council stating:

"I made a request under the Freedom of Information Act on 20 July to obtain a

copy of the Grievance document presented to the Parish Council on the 27th June.

The Freedom of Information Act allows the Parish Council 20 days to respond to my request. Given the circumstances with the council, I have not pursued this.

However, I feel that sufficient time has now lapsed and that this document must be made available."

The council responded by stating that it would respond following a meeting on 10 October 2016. On 16 October 2016 it responded, stating that it was withholding the report due to a risk of litigation.

What you need to do now

Where possible we prefer complaints to be resolved by informal means, and we ask both parties to be open to compromise. It is also your responsibility to satisfy us that you have complied with the law. Our website has guidance which you should refer to in order to check whether your original response to the information request was appropriate.

This is your opportunity to finalise your position. With this in mind, you should revisit the request. After looking at our guidance, and in light of the passage of time, you may decide to reverse or amend your position. If you do, please notify the complainant and me within the timeframe specified at the end of this letter. This may enable us to close this case informally without the need for a decision notice.

In any event, we need the following information from you to reach a decision.

- A copy of the withheld information (clearly marked with which FOIA exemptions apply).
- Detailed explanations for the parts of the FOIA cited.
- In particular please answer the following questions in relation to FOIA exemptions

Section 40(2)

In order to assist the ICO's consideration of the application of section 40(2) please explain whose personal data the council considers the requested information to be. Is the council's position that all of the withheld information is personal data? Has the the council considered whether any of the withheld information also constitutes sensitive personal data? (Both 'personal data' and 'sensitive personal data' are

defined by section 1(1) of the Data Protection Act 1998).

Please confirm which of the data protection principles you believe would be breached if the withheld information was disclosed.

If the council considers that disclosing the information would breach the First data protection principle

In assessing whether disclosure would be unfair and thus constitute a breach of the first data protection principle the ICO takes into account a number of factors such as:

- Does the information relate to the individual's public life (i.e. their work as a public official or employee) or their private life (i.e. their home, family, social life)?
- What reasonable expectations does the individual have about what will happen to their personal data?
- Has the individual named been asked whether they are willing to consent to the disclosure of their personal data?

Therefore in explaining why you believe that disclosure would be unfair and/or unlawful please consider the questions set out above.

Have the council considered whether any of the conditions in schedule 2 would allow the information to be disclosed, for example the sixth condition?

In responding to the above questions, you may find it useful to review the ICO's guidance note on section 40 which goes into further detail about this exemption. This note can be found [here](#).

Section 40(3)(a)(ii)

You said to the complainant that a solicitor's letter has asked the council to suppress the report on the basis that it contains information about a third party who does not wish their personal information to be disclosed. This is likely to be equivalent to a section 10 notice under the Data Protection Act 1998 requiring the council to cease processing the individual's personal data (i.e. by requiring the council not to disclose the information in response to the request).

Although this can be taken into account in any consideration as to whether the information should be disclosed or not it does not absolutely prevent the council being under an obligation to disclose the information.

Therefore, please provide a copy of the notice submitted by the individual's solicitors, and confirm which steps were taken in response to this notice and supply documentary evidence of these steps.

Section 41 – information provided in confidence

It is possible that the individual has objected to the disclosure of the report on the

basis that he considers his contribution to the report to have been in confidence. If this is the case please can I ask you to consider the following questions.

For section 41(1)(a) to be met the information must have been provided by a third party. Therefore please identify which third party provided council with the withheld information.

For section 41(1)(b) to be met disclosure of the withheld information must constitute an actionable breach of confidence. In the ICO's view a breach will be actionable if:

1. The information has the necessary quality of confidence. (Information will have the necessary quality of confidence if it is not otherwise accessible and if it is more than trivial; information which is of importance to the confider should not be considered trivial.)
2. The information was communicated in circumstances importing an obligation of confidence. (An obligation of confidence can be expressed explicitly or implicitly. Whether there is an implied obligation of confidence will depend upon the nature of the information itself, and/or the relationship between the parties.)
3. Unauthorised disclosure would cause a specific detriment to either the party which provided it or any other party. (Please note that the approach taken by the courts in **some** cases is that detriment is not always a prerequisite to an actionable breach of confidence.)

Therefore, with reference to the three criteria above, please explain why disclosure of the withheld information to the public would constitute an actionable breach of confidence.

Although section 41 is an absolute exemption, the law of confidence contains its own built in public interest test with one defence to an action being that disclosure is in the public interest. Therefore please explain the public interest arguments considered by the council in this case and explain why it was concluded that there was not a sufficient public interest in disclosure of the information in order to defend any actionable breach.

Section 30(2)

I note that section 30(2) has been raised as a potential exemption which would be applicable in this case. If the council considers that this exemption applies then please specify which exemption is applicable and explain your arguments for the application of this exemption. Please also answer the following questions as regards the application of this exemption:

Section 30(2)(a)

Please confirm which of the sub-sections in 30(2)(a) the council is relying on to withhold the information. Please explain why the withheld information relates to the functions listed in 30(2)(a).

Section 30(2)(b)

Please confirm why the council has concluded that the withheld information relates to the obtaining of information from a confidential source.

Please outline the public interest factors for and against a disclosure of the information which you considered, and please explain why you came to the conclusion that the public interest rests in the exemption being maintained for the report.

What you need to do now

We strongly recommend that your response is guided by recent decision notices, our guidance and our lines to take, which demonstrate our approach to the exemptions and procedural sections of the FOIA. These can be found on our website:

- <http://search.ico.org.uk/ico/search/decisionnotice>
- <https://ico.org.uk/for-organisations/>

Having revisited the request, you may decide to apply a new exemption. We will consider new exemptions but it is your responsibility to tell the complainant why the new exemption applies and to provide us now with your full submissions.

For the avoidance of doubt, you should now do the following.

- Consider whether to change your response to the information request, and let us know the outcome.
- Send us the withheld information.
- Send us your full and final arguments as to why you think the exemptions apply.
- Answer all of the questions in this letter.

Please provide your response within 20 working days of the date of this letter, that is by 24 March 2017, ensuring that you fully set out your final position in relation to this request. If you have any concerns please contact me at casework@ico.org.uk (quoting the above reference in this format [Ref. FS50652431]) or call me on 01625 545853.

Yours sincerely

Ian Walley
Senior Case Officer
01625 545853

We are often asked for copies of the correspondence we exchange with third parties. We are subject to all of the laws we deal with, including the Data Protection Act 1998 and the Freedom of Information Act 2000. You can read about these on our website (www.ico.org.uk). Please say whether you consider any of the information you send us is confidential. You should also say why. We will only withhold information where there is good reason to do so.

The ICO's mission is to uphold information rights in the public interest. To find out more about our work please visit our website, or subscribe to our e-newsletter at ico.org.uk/newsletter.

If you are not the intended recipient of this email (and any attachment), please inform the sender by return email and destroy all copies without passing to any third parties.

If you'd like us to communicate with you in a particular way please do let us know, or for more information about things to consider when communicating with us by email, visit ico.org.uk/email

MELBOURN PARISH COUNCIL

Clerk: Sarah Adam
Melbourn Parish Council
Melbourn Community Hub
30 High Street
Melbourn
SG8 6DZ

E-mail: parishclerk@melbournpc.co.uk

Telephone: 01763 263303

<http://www.melbournparishcouncil.co.uk>

Please note: New Parish Office opening hours:

Monday: 10.00am-1.00pm, Wednesday: 1.00pm-3.00pm, Friday: 10.00am-1.00pm

Alternatively, please call to arrange an appointment.

23 March 2017

Dear Mr Walley

Case Reference Number FS50652431

Thank you for your letter of 24 February 2017. I have noted your request that both parties be open to compromise and Melbourn Parish Council's response has been drafted with that in mind.

You requested a copy of the withheld information. It is easier to understand if I attach a copy of the information which has already been put into the public domain (*attached –this was published on 10 October 2016, following a resolution of the Council*).

The document is a Grievance Report investigating the conduct of one Councillor. A recommendation is also made in respect of another Councillor. The individuals concerned will be clearly identifiable, even if their names are redacted. The information relates to the individuals' public life since it is about their role as Parish Councillor and actions they have taken in discharge of that role. You may wish to note that the two individuals censured in the report are no longer Councillors.

As requested, I attach the correspondence the Parish Council received from solicitors on behalf of an un-named client. The Council does not know whether the client is the Councillor under investigation or one of the other Councillors named in the report as having supplied a testimonial or attended the Grievance Panel. No further response was received following my letter of 26th September 2016 but the Council felt it could not take this as a definitive indication that legal action would not be pursued against the Council if publication of the full report went ahead.

I have considered the points you raise and think that there may be an acceptable solution. As the Data Controller for the Parish Council, it is my view that the names of any members of the public or Council employees cited in the report should be redacted.

I consider that any Councillors (past or present) should be named. I attach a copy of the report with names redacted as I have indicated.

I look forward to your ruling on whether the report should be published.

Yours sincerely

Sarah Adam
Melbourn Parish Clerk

Ms S Adam, Clerk
Melbourn Parish Council
Melbourn Community Hub
30 High Street
Melbourn
Cambridgeshire
SG8 6DZ

2nd May 2017

Case Reference Number FS50652431

Dear Ms Adam

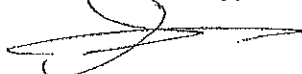
Freedom of Information Act 2000

Please find enclosed a copy of the decision notice relating to a complaint from the above individual. The original version of this has been sent to Ms Julie Norman, Chair of the council and this copy is enclosed for your information.

The complaint has been considered by the Commissioner and the decision notice sets out the reasons for the decision. If you disagree with the decision notice you have the right to appeal to the First-tier Tribunal (Information Rights).

The Commissioner will publish this decision on the ICO website, but will remove all names and addresses of complainants. If you choose to also reproduce this decision notice, then the Commissioner expects similar steps to be taken.

Yours sincerely,



Ian Walley
Senior Case Officer
01625 545853



FSC
Mixed Sources
Product group from well-managed
forests and other controlled sources
Cert no. TL-COC-00222
www.fsc.org
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Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 2 May 2017

Public Authority: Melbourn Parish Council
Address: Melbourn Community Hub
30 High Street
Melbourn
Cambridgeshire
SG8 6DZ

Complainant:
Address:

Decision (including any steps ordered)

1. The complainant requested a copy of a grievance report which was discussed by the council on 27 June 2016. The council refused the request on the basis that it had received a letter from a solicitor threatening legal action if the document was disclosed.
2. The Commissioner's decision is that the information is exempt under section 40(2) of the Act.
 - The Commissioner does not require the council to take any steps.

Request and response

3. On 20 July 2016 the complainant wrote to the council and requested information in the following terms:

"I would be grateful if you could please send me a copy of the grievance document as discussed at the full council meeting on the 27th June.

This request has been sent under the Freedom of Information Act."

4. The council responded on 4 August 2016. It said that it could not provide the information on the basis that the council had received a letter from solicitors, warning the council not to disclose the information.
5. On 7 September 2016 the complainant wrote again to the council and requested information in the following terms:

"I made a request under the Freedom of Information Act on 20 July to obtain a copy of the Grievance document presented to the Parish Council on the 27th June.

The Freedom of Information Act allows the Parish Council 20 days to respond to my request. Given the circumstances with the council, I have not pursued this.

However, I feel that sufficient time has now lapsed and that this document must be made available."

6. The council responded on 16 October 2016 saying that it was withholding the document on the grounds that disclosing it would risk it becoming involved in litigation.

Scope of the case

7. The complainant contacted the Commissioner on 25 October 2016 to complain about the way his request for information had been handled.
8. His complaint is that the information should have been disclosed to him.

Reasons for decision

9. The Commissioner contacted the council to determine its grounds for withholding the information. In its response the council clarified that it was seeking to withhold the information under the exemption in section 40(2) of the Act (personal data).
10. Section 40(2) of the FOIA states that information is exempt from disclosure if it constitutes the personal data of a third party and its disclosure under the Act would breach any of the data protection principles or section 10 of the Data Protection Act 1998 ('the DPA').
11. In order to rely on the exemption provided by section 40(2), the requested information must therefore constitute personal data as defined by the DPA. Section 1 of the DPA defines personal data as follows:

"personal data" means data which relate to a living individual who can be identified –

 - (a) from those data, or*
 - (b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller, and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual."*
12. Secondly, and only if the Commissioner is satisfied that the requested information is personal data, she must establish whether disclosure of that data would breach any of the data protection principles under the DPA. The Commissioner notes in this case that the council said that disclosure would breach the first data protection principle.

Was a Section 10 Notice issued to the council?

13. Broadly speaking, section 10 of the DPA provides an individual with a right to write to a data controller and ask it to stop processing their personal data where that processing will, or is likely to cause the individual damage or distress which would be unwarranted.
14. Although the letter to the council from solicitors threatened legal action if the information were to be disclosed, the solicitors did not state who they were representing. As such the council was not able to take the letter as a section 10 notice requiring it not to disclose the information.

15. For the purposes of providing clarity, the solicitors also wrote to the Commissioner to provide their case as to why the report should not be disclosed. The Commissioner has taken into account their comments when making her decision on this complaint.

Is the withheld information personal data?

16. As explained above, the first consideration is whether the withheld information is personal data.
17. The withheld information is a report of a grievance against an individual. It contains details of the investigation which includes details of the allegations, the response, and witness statements relating to the investigation. It also provides information on other third parties who took part in, or who carried out the investigation.
18. The Commissioner is therefore satisfied that the information is the personal data of a number of third parties. Primarily however it relates to two individuals, the initiator of the grievance and the individual which the grievance relates to.

Does the disclosure of the information contravene any of the data protection principles?

19. The council argues that the disclosure of the information would contravene the first data protection principle.
20. The first data protection principle states that:
- "Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless –*
- (a) at least one of the conditions in schedule 2 is met, and*
- (b) in the case of sensitive personal data, at least one of the conditions in Schedule 3 is also met."*
21. In deciding whether disclosure of this information would be unfair, the Commissioner has taken into account the nature of the information, the reasonable expectations of the data subjects, and the consequences of disclosure on those data subjects. She has balanced these against the legitimate interests of the requestor and the public in receiving the withheld information.

Nature of the information and reasonable expectations

22. The Commissioner recognises that information relating to investigations against individuals carries a strong general expectation of privacy due to the likelihood that disclosure could cause the data subjects' distress and could also cause permanent damage to their future career prospects and/or their reputation generally.
23. In his guidance on personal data the Commissioner states that the expectations of an individual will be influenced by the distinction between his or her public and private life and this means that it is more likely to be fair to release information that relates to the professional life of the individual. However, information relating to an internal investigation will carry a strong general expectation of privacy. This was recognised by the Information Tribunal in the case of *Rob Waugh v Information Commissioner and Doncaster College (Appeal no. EA/2008/0038)* when it said at paragraph 40 that:

"...there is a recognised expectation that the internal disciplinary matters of an individual will be private. Even among senior members of staff there would still be a high expectation of privacy between an employee and his employer in respect of disciplinary matters."
24. Further to this the Commissioner considers that both the instigator of the grievance and those providing evidence to the panel would have had no real expectations that their submissions may be subsequently disclosed to the wider public via the medium of an FOI request. As regards the third parties, their involvement was to simply describe their account of the events, and the actions of the individuals involved. The individuals were providing their account of the issues concerned for a consideration of the grievance by the council. They would not have expected that information to subsequently be disclosed more widely and may well be distressed by the subsequent disclosure of the information.
25. Although the Commissioner considers that the withheld information in this case mainly relates to a mixture of the particular individuals professional and personal life, given the nature of it, he is satisfied that the individuals directly concerned, along with the third parties, would have a reasonable expectation of confidentiality and privacy in relation to the withheld information.
26. Given the nature of the investigation and the full and frank content of some of the information, the Commissioner is satisfied that there would have been a strong expectation of confidentiality and privacy in this case by all of the parties concerned.

Consequences of disclosure

27. In order to fully assess whether disclosing the information would be fair the Commissioner must consider whether disclosure of the information would cause unwarranted damage or distress to the data subjects.
28. Investigations into the actions of an individual (or individuals) are obviously a difficult process for all concerned. The central consequence of disclosure relates to the loss of privacy for the individuals involved but in some cases the information and allegations may, rightly or wrongly, tarnish their personal and their professional reputations.
29. Details of the nature of the grievance would be disclosed to the public and the individuals who were associated with the investigation would, in general, not be expecting their contributions to be disclosed to the world at large. The disclosure of the information would be likely to be prejudicial to the reputations of at least some individuals, either the instigator of the grievance or those who the grievance was against. Similarly some other contributors may be unhappy about a disclosure of their comments or statements to the council.
30. In relation to the third parties who gave evidence, the Commissioner considers that any potential media interest could be distressing to the individuals'. The Commissioner considers that disclosure would cause distress due to the nature of the information, particularly as she has found that disclosure of the information requested would not have been within the individuals' reasonable expectations. The Commissioner notes that there has previously been press speculation regarding the issues at the council, and within a small community this is likely to be exacerbated by any further press coverage outlining the specifics of the complaint and witness statements.

Balancing the rights and freedoms of the data subjects with the legitimate interests in disclosure

31. The Commissioner accepts that in considering 'legitimate interests', such interests can include broad general principles of accountability and transparency for its own sake along with specific interests. In this case the legitimate interest is in allowing the public to know how an investigation into the actions of a member or members of the council has been investigated and the outcome of that investigation.
32. As mentioned, there have been online newspaper articles written about the investigation and the subsequent refusal of the council to disclose its findings and some of the recommendations of the panel. The newspaper articles suggest that the grievance related to allegations of bullying and harassment by certain individuals at the council, and wider concerns regarding potential dysfunctionality at the council.

33. The Commissioner recognises therefore that the public does have legitimate concerns about the council and its running, and that a disclosure of the withheld information would shed greater light on this.
34. However this needs to be balanced against the rights of the individuals to avoid unwarranted intrusion into their private life and potential damage to their reputations.

Conclusion on the analysis of fairness

35. Taking all of the above into account, the Commissioner concludes that it would be unfair to all of the parties involved to disclose the requested information. It is clear that disclosure would not have been within their reasonable expectations at the time that they provided their information and that the loss of privacy could cause unwarranted distress to some of the parties.
36. The Commissioner acknowledges that the public has a legitimate interest in knowing how the grievance was investigated and the outcome of that investigation but in this case she considers that this is outweighed by the individuals' strong expectations of privacy and their right not to have and unwarranted intrusion into their private lives.
37. The Commissioner also notes that the partial disclosure of some of the recommendations of the council goes some way to providing a degree of transparency over the outcome of the investigation as it affects the council as a whole. This, to a degree, meets the public's legitimate interest in knowing that the council has addressed the issues which affected the council as a whole.
38. The Commissioner has therefore decided that the council was entitled to withhold the information under section 40(2), by way of section 40(3)(a)(i).
39. As the Commissioner has decided that the disclosure of this information would not comply with the fairness requirement of the first data protection principle she has not gone on to consider whether there is a Schedule 2 condition for processing the information in question.

Right of appeal

40. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504
Fax: 0870 739 5836
Email: GRC@hmcts.gsi.gov.uk
Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

41. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
42. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed 

Ian Walley
Senior Case Officer
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

MELBOURN PARISH COUNCIL

Clerk: Sarah Adam
Melbourn Parish Council
Melbourn Community Hub
30 High Street
Melbourn
SG8 6DZ

E-mail: parishclerk@melbournpc.co.uk

Telephone: 01763 263303

<http://www.melbournparishcouncil.co.uk>

Please note: New Parish Office opening hours:

Monday: 10.00am-1.00pm, Wednesday: 1.00pm-3.00pm, Friday: 10.00am-1.00pm

Alternatively, please call to arrange an appointment.

4 May 2017

Dear Mr Walley

Case Reference Number FS50652431

Thank you for your letter of 2 May 2017 informing Melbourn Parish Council of the outcome of the above case. I would like to draw your attention to para. 9 of the Decision Notice where you say:

"In its response the council clarified that it was seeking to withhold the information under the exemption in Section 40(2) of the Act (personal data)."

I have attached our response for ease of reference. Nowhere do we say that the Council is seeking to withhold the information. To the contrary, we make it clear that the Council considers that the report could be published with the names of members of the public and council employees redacted. Paragraphs 12 and 19 also contain statements attributing arguments to Melbourn Parish Council which it has not made.

You will see that the Council now finds its reputation being called into question. In my view, the letter is clear that the Council was not seeking to withhold the report. However, your wording leaves it open to speculation that there was additional communication with you with the Council telling a different story.

There is an error in para. 29. The comments and statements were given to the Grievance Panel not Melbourn Parish Council

Melbourn Parish Council requests that the wording of paragraphs 9, 12 and 19 is changed before the Decision is made public. At present it misrepresents the Council's position as expressed in our letter of 23 March 2017.

Furthermore, I would like written confirmation from you that the Council has not submitted any other responses (in writing or verbally) which suggest that the Council does want to withhold the report.

Yours sincerely

Sarah Adam
Melbourn Parish Clerk

From: casework@ico.org.uk [mailto:casework@ico.org.uk]
Sent: 10 May 2017 15:12
To: Parish Clerk
Subject: re the ICO decision notice regarding the complaint

10th May 2017

Case Reference Number FS50652431

Dear Ms Adam

Thank you for email.

I should firstly point out that the Commissioner is unable to amend a decision notice once it has been issued. In order for changes to be made you will need to appeal the decision to the First-tier Tribunal. Details on how to do so are provided at the end of the decision notice. Please note that appeals must be made within 28 workings days of the date of the decision notice being issued. Whilst the tribunal does have discretion to accept appeals after that point the Commissioner has no powers to affect the Tribunals decision in this respect.

To your main point, to be clear, it was the council which withheld the information in response to the request, not the Commissioner. Under the Act, information cannot be withheld unless an exemption is applicable. Your initial reasons for refusing to provide the information in response to the request did not state a valid reason for withholding the information. The council simply said there was a risk of it becoming involved in litigation. Therefore, when I first wrote to you on 24 February 2017 I outlined a series of exemptions which might be applicable. I included details of the exemption in section 40(2) of the Act and, as with the other exemptions I mentioned, asked you to respond to a series of questions regarding the application of each exemption if you were relying on the exemption to withhold the information. In the councils response of 23 March 2017 you stated to me that:

"The document is a Grievance Report investigating the conduct of one Councillor. A recommendation is also made in respect of another Councillor. The individuals concerned will be clearly identifiable even if their names are redacted. The information relates to the individuals public life since it about their role as Parish Councillor and actions they have taken in discharge of that role. You may wish to note that the two individuals censured in the report are no longer Councillors. They resigned on 1st August 2016."

This response responds to, and provides arguments in support of the requirements of the application of section 40(2) and in particular as regards the first data protection principle.

You then suggested that the council might disclose the report, disclosing the names

of the councillors whilst withholding the names of other individuals within the report. You also stated that you would then wait for the Commissioner's decision.

The council is not able to withhold any information in response to an FOI request unless an exemption applies. Therefore in deciding to withhold the names of individuals, together with providing the arguments for section 40(2) to apply it was clearly your intention to apply section 40(2) as this was the only basis you had provided to redact their names. The decision notice was therefore written on the basis that section 40(2) has been applied by the council as per your argument outlined in the above paragraph. Had the decision been that the information relating to the councillors should be disclosed I would have written to you and asked you to disclose that information to the requestor on an informal basis as per your suggestion, and then sought to informal resolution with the requestor.

However your arguments in respect of the application of section 40(2) were correct to an extent. Where disciplinary issues are concerned the Commissioner considers that the impact of disclosure of the identity of the individual together with details of the investigation will impact both upon their public, and their private lives, particularly as by the time the request for information was received in September the councillors had resigned from their position.

As outlined in the decision notice, the First-tier Tribunal has previously issued decisions outlining that there is a very strong expectation that information of this sort should be withheld. Having considered the case our decision was that the disclosing the report, including the names of the councillors concerned would be unfair to the individuals in terms of the first data protection principle. Effectively disclosing the names of the individuals would not comply with the requirements of the first data protection principle and leave the council where it would fail to comply with the requirements of the DPA. Section 40(2) was therefore applicable to the information.

Whilst I therefore note your comments it is clear from your response that section 40(2) was applied by the council, albeit that you then considered the possibility of disclosing a redacted copy of the report with the councillors names unredacted. The Commissioner considers that doing so under the circumstances of this case would have breached the rights of the former councillors under the DPA as well as other individuals who could be identified from the report even where their names had been redacted. As the Regulator of the DPA the Commissioner has discretion to consider and include arguments regarding the rights of individuals under the DPA when considering FOI requests. This is because it would not be right for her to make a decision requiring an authority to disclose personal information where she has concluded that doing so would breach the rights of the individuals under the DPA.

I note that this has left the council in a difficult position due to its previous statements that it would disclose the report if at all possible. The Commissioner is not however able to take this into account in her decision. She must base her decision on the facts of the case and how the law applies to this.

I hope that this is helpful to you.

Yours sincerely

Ian Walley
Senior Case Officer
01625 545853

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If you'd like us to communicate with you in a particular way please do let us know, or for more information about things to consider when communicating with us by email, visit ico.org.uk/email

Parish Clerk

From: Parish Clerk
Sent: 16 May 2017 09:19
To: 'casework@ico.org.uk'
Subject: RE: re the ICO decision notice regarding the complaint

Dear Mr Walley

Thank you for your response on 10th May by email (attached above).

The Parish Council is quite confused, the ICO quote the reasons for not publishing the report are due to the criteria within Section 40(2) of Data Protection Act and that it was the Council's decision to use/enforce the DPA in this way. We don't see this as the case, the only reason cited by the Council for not publishing the report was due to the potential threat posed by the solicitor's letter contained within the attached document "Solicitor and MPC Letter Chain".

The Council's motivation was purely to avoid litigation, the reason for approaching the ICO was to clarify the Council's position in this respect – given the green light the Council would have been happy to release the report. In effect the Council was seeking permission to publish the report with the 'blessing' of the ICO – more of confirmation to publish rather than a reason not to.

The main rule in Governance is that this is a public interest matter which involved bullying and harassment and is a criminal offence and the public feel they have a right to know the details.

Kind regards
Sarah Adam

APPENDIX D



Cambridgeshire & Peterborough Association of Local Councils

33 Stephenson Road
St Ives, Cambs PE27 3WJ

Tel 01480 375629
Web: www.capalc.org.uk

15th May 2012

Nikki Hind
Department for Communities and Local Government
Capital Finance and Analysis Division
Eland House, Floor 5 / J2
Bressenden Place
London
SW1E 5DU

Dear Nikki

Melbourn Parish Council

I have completed the standard NALC checklist and have no further comments to make regarding the above council's application for borrowing approval.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ian Dewar', is written over a horizontal line.

Ian Dewar
County Executive Officer

Encl

Borrowing Approval Application – County Association Checklist

To be completed before the Application Form, accompanying documents, explanatory letter from applicant council (if necessary) with covering letter from CALC is sent to:

Cliff Lambert, DCLG, Eland House Zone 5 / E2, Bressenden Place, London SW1E 5DU.

Melbourn Parish Council

1.	Council exists, and narrative appears correct.	Yes
2.	Box 5. Purpose of Borrowing is clear. (this is used in the formal Approval letter)	Yes
3.	Box 6. Funding schedule is complete and clear.	Yes / No
4.	Budget etc papers enclosed or explanation provided in covering letter.	Yes / No
5.	Amount of Loan required.	£650,000
6.	Electorate per form Box 14, times £5.	£18,280
7.	Is Loan required more than result of £5 per elector calculation.	Yes
8.	Check completion of Part 17 of form: Date of full Council Resolution Signed by Chair of Council Name of Chair shown Signed by RFO Name of RFO shown	Yes Yes Yes Yes Yes

CALC Actions required:

		Done Initials / Date
A.	Take and retain copy of all documents to be sent to DCLG. List: Form Covering letter from PC Budget	ID 15/5/2012 ID 15/5/2012 ID 15/5/2012 ID 15/5/2012
B.	Letter to DCLG including "I have completed the standard NALC checklist and have no further comments to make."	ID 15/5/2012
C.	Acknowledgement of Form and advise Council of CALC action taken.	ID 15/5/2012

Reviewed and complete: ...Ian Dewar..... Date...15.../...05.../...2012.....
CALC Checklist June 2005

APPENDIX A



APPLICATION FOR BORROWING APPROVAL FOR TOWN/PARISH COUNCILS

- If you have any queries about completing this form please contact your local county association.
- When completing this form please use CAPITALS.
- Once completed and signed please send this form to your local county association.

1. Name of Council	Melbourn Parish Council
2. Name of Clerk Working Address (inc. Postcode) Telephone Email address	Mr Peter Horley Melbourn Parish Council Melbourn Village college The Moor Melbourn Royston Herts SG8 6EF 01763 262494 parishclerk@melbournpc.co.uk
3. Name of Chair Home Address (inc. Postcode) Telephone Email address	Cllr Donald Mowatt 23 High Street Melbourn Royston Herts SG8 6ER 01763 268388 jdm51_2@hotmail.com
4. District/Unitary Council area	South Cambridgeshire District Council
5. Purpose of Borrowing Please give a brief description of the purpose for which funds are required and the amount(s) of finance involved:- a) Purchase of land/buildings b) Construction/building works c) Provision of other assets d) Provision of grant to another body e) Other - please specify	To provide in response to the village plan and consultation process with community, a Community Hub. This will provide a central social meeting point within the village and also provide links to key District and County Council services, CAB, Library Access Point, Parish Office, meeting rooms, Community Café, and act as a social drop in venue. Total cost - £900,000, this is the fully functioning building cost. Please see appendix 1
6. Total Contract/Project Value <u>Minus</u> Funding from Council's own resources Funding from other sources <u>Equals</u> Amount to be borrowed	£ 900,000 £ 250,000 £40,000 £ 650,000
7. Is funding from other sources confirmed	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

8. Proposed Borrowing Source	PWLB			
9. Intended Borrowing Term (please specify the number of years)	25			
10. Current Borrowing Profile Amount of borrowed funds for land purchase, building or construction works Amount of borrowed funds for provision of other assets (eg plant and equipment, furniture, playground equipment and vehicles) or to finance grants	£ 0 £ 0			
11. Details of Loans Outstanding Date Taken Out Amount Outstanding Unexpired Term Source	1 st loan	2 nd loan	3 rd loan	4 th loan
	£	£	£	£
12. Please enclose: <ul style="list-style-type: none"> - Next Year's Budget - Report to Council recommending Application 	If next year's budget is not available, please give reason here and attach a copy of current year's budget Attached as appendix 2			
13. Precept for current year	£ 190,309			
14. Number of Electorate	3656			
15. Value and purpose of all funds, capital/revenue reserves and balances currently held	£610,445			

16. Approval of Full Council

The above application was agreed by resolution of the full council on 23.04.12 (date), the Report to Council and Budget attached have been taken to and approved by the full Council, and the draft Minutes attached have been seen and authorised for submission by the Chairman.

The Council undertakes to notify the Department for Communities and Local Government (DCLG), as soon as reasonably practicable, in the event:-

- of not exercising the approval, or,
- it finds that the original amount requested is greater than the actual borrowing need.

SIGNED.....Donald Monatt..... DATE 10.05.2012
(Chair of the Council)

NAME.....DONALD MONATT.....

SIGNED.....[Signature]..... DATE 10.05.2012
(Responsible Financial Officer)

NAME.....PETER HORLEY.....

Documents enclosed with this application:-

- Report to Council with recommendation and decision to apply for borrowing approval.
- Council Budget projection.
- Minutes of Council meeting

Melbourn Community Centre/Hub

In 2009 the RSL (*Residential Social Landlord*) housing society *Hundred Houses* (HH) acquired the former police site at the centre of the village for redevelopment. Although the police authority owned the site, residents living there had not been informed that they were about to lose their accommodation and there was no indication that they would be rehoused in the village. On their behalf Melbourn Parish Council entered into extensive discussions with the developers HH, and have been assured that once the development is complete the former residents will be given the opportunity to return to the site.

The Council was also concerned that initial estimates from the society suggested as many as twenty dwellings could be built on the site. Whilst the Council would welcome twenty new dwellings, they were extremely concerned about the visual and environmental impact on the High Street.

During further discussions the Council persuaded the developers to agree to build a much-needed community building at the front of the site, which would also have the affect of reducing the number of houses built on the site to thirteen. The company also agreed that Melbourn Parish Council could purchase the Community Centre as well as the land at the front of the site on both sides of the entrance road, thus protecting it further.

As the position of the site comes under the restrictions of the conservation area, the design of the Community centre (now called the *Community Hub*) will be kept low and will be set back almost to the line of the current Police garage buildings. As such, the visual impact on this important area will be far less than would be, had the original proposed house building program gone ahead.

The need for a Community Hub was highlighted in the Melbourn Village Plan published in July 2010. From the feedback, 53% asked for a centrally placed library, café, information center and a central parish office were high on the list. To ensure residents were in favour of the build, in September 2011 the Parish Council took the unprecedented step to consult with the village on the specific question "*Do you think the village would benefit from a Community Centre/Hub*". This consultation took the form of an explanation of the history of the development and a description of what the Hub could provide. The form was hand delivered to every household in the village.

Eighty five per cent of respondents to the Community Hub consultation voiced a desire for a facility that could be met by a suitably designed and equipped Community Building.

In the consultation residents asked overwhelmingly for the Hub to provide a café, a place where local information is easily accessible, new premises for the local library (the current library known as a LAP, loses its present site in 2013 due to Cambridgeshire County Council changes at MVC), access to the internet, an area where people, young and old alike could meet for a chat and space for local artistic exhibitions to be displayed.

The developers and Melbourn Parish Council also held a Public Consultation on the 1st November 2011, which saw a good turnout of residents. Positive and useful feedback on the design was recorded.

The Parish Council has taken all the suggestions on board and strived with many redesigns of the interior requirements, in order to provide the most practical and aesthetically pleasing use of space. The building design also allows for the Parish Council office to be housed on the first floor with disabled access taken into consideration at all points, ensuring all village enquiries and information will now be central to the whole village.

It has become one of the most exciting projects the village has experienced in many years, one that will benefit everyone in the village and we are certain of its success.

The community café, started out to be a simple 'coffee stop'. However, following extensive research and discussions with residents, has now the potential to offer lunchtime snacks and an afternoon tearoom! All modern kitchen equipment has been accounted for in the budget to provide cakes and rolls/sandwiches and soup etc.

Small meeting rooms will be available for the use by local groups including the photographic, history and gardening clubs. Outside groups have also expressed an interest to offer their services locally these include the Citizen's Advice Bureau, Outreach sessions from departments within SCDC (*South Cambs District Council*); Housing, Revenues and Benefits, Customer service and Planning, Environmental services and the County Council Youth Services. Melbourn Parish Council stresses however, that this building will not be a Village Hall for hire for public parties etc. We are fortunate that we already have premises that cater for such needs in the village. The Hub is intended solely for the benefit of social interaction, communication and information access within the village.

The building will have CCTV throughout, inside and outside.

The provision of a zebra crossing near the HUB would greatly improve road safety in the High Street, by giving school children, Primary school and Village College students a safe crossing area. CCC (*Cambridgeshire County Council*) has said they will not fund such a proposal, but have agreed that the Parish Council could pay for it to be installed. As the Zebra crossing will become an integral part of road safety for youngsters and elderly alike, the Parish Council feel this will be an expense they should pay for.

The HUB will be a not-for-profit establishment and any surplus will be put back into the building or for community use. A Charitable trust will be set up to oversee the running of the Hub.

The Parish Council is also very keen to keep the running costs of this building as low as possible and all environmentally conservative possibilities have been explored. The use of solar panels has been considered and although since the concept of the building, government grants have been cut, they are still actively exploring their use.

The original estimate for the building was £504,000 this was for the shell of the HUB. The final cost of the building with additional services requested as a result of public consultation, is set to be approximately £663,168. Additional expenditure of £188,095 gives a total of £851,263. An additional £48,737 has been included as a precautionary contingency amount.

The Parish Council has already earmarked £250,000 from monies ring fenced for this type of project.

The Parish Council has formed a Community Hub Committee, which is overseeing aspects of consultation, funding, building/community customer requirements as well as sourcing internal features of the building.

The charitable trust previously mentioned and known as a *Holding trust*, is made up of 5 parish councilors and 5 residents. They will oversee the creation of the charity, employment, voluntary aspects and consultation with users.

The Parish Council in association with Cpalc and Cambridge Acre has striven to ensure full transparency of the process and consultation, resulting in praise of Melbourn Parish Council for its procedures, from these two bodies.

Consolidated Balance Sheet

31/03/11
£

31/03/12
£

Long Term assets		
0	Investments	0
0	Long Term Debts	0
0	TOTAL LONG TERM ASSETS	0
Current assets		
0	Investments	0
0	Loans Made	0
0	Investments	0
0	Stocks	0
2,188	VAT Recoverable	1,964
0	Debtors	0
0	Payment in Advance	0
607,791	Cash in Hand at Bank	608,480
609,979	TOTAL CURRENT ASSETS	610,445
609,979	TOTAL ASSETS	610,445
Current liabilities		
0	Loans Received	0
0	Temporary Borrowing	0
0	VAT Payable	0
840	Creditors	0
0	Receipts in Advance	0
840	TOTAL CURRENT LIABILITIES	0
609,139	TOTAL ASSETS LESS CURRENT LIABILITIES	610,445
0	Long Term Borrowing	0
0	Deferred Liabilities	0
0	Deferred Credits	0
0		0
609,139	NET ASSETS	610,445
Represented by		
534,919	General Fund	536,225
0	Open Spaces	0
720	Martin's Charity	720
73,500	New Cemetery	73,500
609,139		610,445

Signed _____

Chairman

Date _____

AUDIT OPINION

Responsible Financial Officer

Appendix 1

1. The Parish Council is purchasing the Community Hub/Centre once built, from Hundred Houses (RSL), the purchase price includes the land as well as the building. The price quoted is £663,168 this sum is arrived at by the following;
 - 1.1. Measured works - £483,823
 - 1.2. Shared costs – £69,060
 - 1.3. Building Contractor Contingency £27,645
 - 1.4. Inflationary rate 0.5% - £2,903
 - 1.5. Public art - £5,569
 - 1.6. Melbourn PC proportion of on-costs - £50,366
 - 1.7. Melbourn PC proportion of land costs - £23,802
 - 1.8. Subtotal - £663,168
2. Further costs attributed to the provision of the Community Hub total £188,095 this includes ancillary equipment and fittings that are not included in the purchases price above. Subtotal £851,263.
3. A further £48,737 is allocated as a contingency sum.
4. The final total is £900,000
5. The Parish Council has £250,000 set aside for this project this reduces the amount to be borrowed to £650,000

MELBOURN PARISH COUNCIL MINUTES

Draft Minutes subject to formal ratification at the next Parish Council Meeting

CONFIDENTIAL: THESE MINUTES MUST NOT BE SHARED WITH ANYONE WHO IS NOT ON MELBOURN PARISH COUNCIL.

Minutes of a Parish Council Meeting held on Monday, 23rd April, 2012 at All Saints Community Hall at 7.15pm.

Present: Cllrs. D. Mowatt (Chairman), A. Brett, R. Gatward, J. Hales, M. Sherwen, P. Simmonett, C. Stead, I. Bloomfield, M. Linnette, V. Barrett, M. Townsend, A. Mulcock, K. Crosby, R. Wakerley, and J. Poley

In attendance: The Clerk, CCllr S. van de Ven

818/11 Apologies for absence: None

819/11 Declarations of Interest:

Cllrs Mowatt and Brett declared a Personal interest in 824/11 as they live on the High Street. Cllrs Bloomfield and Wakerley declared a Personal and Prejudicial interest in 827/11 as cheque recipients for people known or working for them.

820/11 Minutes of the meeting held on 26th March, 2012:

It was proposed by Cllr Gatward and seconded by Cllr Sherwen that the minutes of 26th March, 2012 be signed as a true record. This was carried.

821/11 Matters arising:

1. 756/11: Cllr Gatward enquired about Eon and the power supply adj to the Sports and Social Club. The Clerk reported that the power supply was for the basketball court only. However, the Clerk has received a letter today from Eon saying that they believe there is a technical fault with the electricity meter and the Clerk will be contacting them about this to arrange an on-site visit.
2. 760/11: Cllr Mulcock enquired about progress on removing the asbestos from Stockbridge Meadows. The Clerk reported that he will be contacting companies shortly to arrange a site visit and a time for any identified pockets of asbestos to be cleared.
3. 763/11: Cllr Sherwen asked about progress on ordering the projector. Cllr Hales reported that this still needed to be done.

ACTION: The Clerk, Cllr Hales

822/11 To receive a report from C. Cllr van de Ven:

Melbourn Parish Council April 23rd, 2012 County Councillor Report

Track between Hale Close and Armingford Crescent meeting with County officer: This takes place April 24th, 4-6, Vicarage Close Community Room. I understand that many residents are concerned that there is an ulterior motive on the part of the county council in clearing this track. My clear understanding from discussing extensively with John Macmillan and double checking with his boss David Nuttycombe is that this is about the county council not losing the legal rights to the access track, having neglected it for a dangerously long time. The track is the only access to county farm land that the county actually owns; the

farm access that has actually been used for years is only a right-of-way over someone else's private land. As a land-owner, the county council has been somewhat negligent in managing its own access arrangements and needs to get this sorted. Both district and county are reviewing all of their assets and this is part of that exercise.

I have picked up no signals whatsoever about housing development or any other big changes on the massive county-owned parcel of land to which the track adjoins, and indeed have had assurances to this effect from both John and David Nuttycombe. That isn't to say that nothing will ever happen in the future; but this is the best honest reading I can give at this point in time. Maybe it is worth adding that the county council, had it the inclination and resource to communicate with Melbourn residents and elected representatives in advance of its rough-shod style approach to clearing the track back in February, might have saved themselves much time and aggravation in the aftermath – all of the precious officer time now being spent on explaining things to us is being paid for by – us, the tax payer! An unfortunate exercise all round.

Guided Bus e-disclosure post: The County Council is looking to create an officer position specifically to deal with e-disclosures in the run-up to its contractual dispute with Bam Nutall, at which £58 million overspend on the Guided Bus is at stake. The cost of the post is £178K. Melbourn's 128 bus will lose its £64k subsidy in 2013.

C.Cllr van de Ven expressed her disquiet about the position over the guided bus. She also feared for the future financing of the No128.

Minor Highways improvement schemes grants: This is a bit of a shambles at the moment, and has been very badly conceived and managed. The pot of available funds is very small and big expectations must now be met. South Cambs alone has 80 bids from 57 parishes and a weeding out process is taking place. The process is suffering even from difficulty in finding a time for the panel to meet to make its decisions. We await further news.

C.Cllr van de Ven expressed her concern about the delay and administrative mess that this scheme was in. Cllr Hales expressed his disappointment and anger at the lack of progress given the time and effort which went into preparing Melbourn's bid. C.Cllr van de Ven was a little more optimistic about Melbourn's chances given the detailed preparation which had gone into the bid, unlike many others.

Meldreth Station Gardening: We will be refreshing the gardens and tubs, with help from FCC officers, on June 1st, 11AM onwards, and having a picnic in the middle. All welcome. FCC have donated some wormeries to us for distribution to local schools and two have gone to Melbourn Primary and Playgroup. *C.Cllr van de Ven called for more volunteers.*

Disabled Access Campaign for Melbourn-side of the station: I've now met with Meldreth Manor School to brainstorm on this project which we will be pursuing in earnest this coming year, in the build-up to the franchise change (for which FCC has been approved as part of the bidding pool).

Practical Solutions Group: Chris Savage and Jon Capes have made a special point of praising the Melbourn Village Plan and are anxious to learn how they can support its implementation. They will come to September PSG meeting which will concentrate on this subject (and we'll be using the June meeting to plan ahead).

823/11: To receive an update on the purchase of mugs and coins for the Queen's Jubilee. Cllr Townsend reported that the mugs and coins had been ordered and that cheques for these items were being signed tonight and that she was preparing a text to publicise them to put on the noticeboard, on the website and in the magazine. After a brief discussion about the numbers involved, Cllr Townsend said she would check if there was a cut-off date for ordering more coins.
ACTION: Cllr Townsend

824/11 Report on the Police Site: This item was discussed **IN CAMERA** (The press and public being excluded) on the grounds of contractual confidentiality prior to negotiations between the Community Hub Subcommittee and the developers.

IT WAS PROPOSED BY CLLR STEAD AND SECONDED BY CLLR WAKERLEY THAT THIS ITEM BE CONSIDERED IN CAMERA IN ORDER TO MAINTAIN CONTRACTUAL CONFIDENTIALITY IN ADVANCE OF PROPOSED NEGOTIATIONS BETWEEN THE COMMUNITY HUB SUBCOMMITTEE AND THE DEVELOPERS

Cllr Poley presented his Report (see Appendix 1). With regard to the Planning Application, Cllr Poley reported that Paul Sexton, the Planning Officer in charge of this application, will meet residents on 4th May. The application will go to the Planning Committee of SCDC on 6th June. Given this time scale, Cllr Poley reported that it will be necessary for the council to agree to a proposal for the negotiating team of the Community Hub Subcommittee to proceed with an application for a PWLB loan in order to enter negotiations with Icen Homes in respect of a contract. This loan application needed to be at the upper limit. After a discussion, **IT WAS PROPOSED BY CLLR POLEY AND SECONDED BY CLLR SIMMONETT, THAT THE PARISH COUNCIL GIVES ITS PERMISSION FOR THE COMMUNITY HUB SUBCOMMITTEE TO PROCEED WITH MAKING AN APPLICATION FOR A PWLB LOAN FOR THE SUM OF £650,000. This was CARRIED unanimously.**

Cllr Hales said that this was the upper limit and steps are being taken to access funding streams to mitigate the cost.

825/11 To receive an update on talks about the bank accounts

The Clerk reported on the meeting held on 29th March between himself, Simon La Frenais, Commercial Manager from HSBC and Ray Hung, Corporate Independent Adviser. The Clerk received advice as to the possibilities for long term and medium term investments for part of the Parish Council's funds. The Clerk is still drawing up plans for investment opportunities and will take his findings to the F&GP Committee meeting in May.

826/11 To receive the Financial Report dated 31st March, 2012

This was received.

827/11 To receive details of cheques to be drawn on the Parish Council's account as detailed or amended by late payments. To approve payment and agree the amount to be transferred from the Business 'No Notice Account'.

[Cllrs Bloomfield and Wakerley left the meeting.]

Expenditure transactions - approval

Cheque	Gross	Heading	Invoice date	Details
103343	£88.22	109/3	05/04/12	Wrights Mower Centre - Chipper bag, blower tube, blades & tools + bolts
103344	£7.08	103/1	05/04/12	e.On - Electricity bill for orchard Road cemetery
103345	£216.00	106/1	05/04/12	Herts And Cambs Ground Maintenance Limited - supply and erect christmas tree
103346	£345.00	103/1	05/04/12	South Cambs Landscape Services - To remove waste soil from Melbourn cemetery
103347	£550.00	117/6	05/04/12	Melbourn Village College - Rent for March
103341	£255.58	117/1	05/04/12	Vodafone Ltd - bill + cancellation costs
103348	£7,154.40	100	05/04/12	Groupbridge Ltd - Installation of new water pipe for the allotments
103344	£1,007.90	118/2	05/04/12	e.On - electricity bill for the pavilion
p.84	£4.29	109/3	05/04/12	K. Rudge - Pop rivet gun (repair trailer)

p.87	£41.37	109/3	05/04/12	K. Rudge - Bolts & key
p.85	£8.98	109/2	05/04/12	G.D. Squires - 2 Easy Start
p.86	£8.00	90002	05/04/12	G.D. Squires - Petrol for mowers
p.88	£13.54	90003	05/04/12	Peter Horley - Postage
103349	£10.00	109/1	05/04/12	CAPS - Deduction from P.Andrew's wages
103350	£264.00	103/2	05/04/12	MD Landscapes - fix gate in NRC
103351	£182.88	117/3	16/04/12	Ricoh Capital Limited - rent for photocopier April-June
103345	£84.00	118/4	19/04/12	Herts And Cambs Ground Maintenance Limited - Overmark 2 pitches
103355	£1,716.00	107	19/04/12	Gift Selection - Purchase of Jubilee mugs
103352	£82.20	118/2	19/04/12	I.C. Rumbold - to repair a leak in the pavilion
103353	£25.62	117/1	19/04/12	Vodafone Ltd - bill for phone
103354	£36.75	111	19/04/12	All Saints Community Hall - rent for hall
103345	£42.00	118/4	19/04/12	Herts And Cambs Ground Maintenance Limited - Overmark one pitch
103344	£17.51	118/4	19/04/12	e.On - electricity bill for adj Sports Social Club
103366	£100.00	117/5	23/04/12	Petty Cash - money for Petty Cash
103356			23/04/12	P. Andrews - wages
103357	£54.00	103/2	23/04/12	South Cambs District Council - rates for New Road Cemetery
103357	£451.13	157	23/04/12	South Cambs District Council - rates for High Street car park April
103358	£240.00	107	23/04/12	The Royal Mint - Coins for the Jubilee
103359	£285.14	153	23/04/12	Clive Purbrook - Melbourn Community Hub Holding Trust payment for insurance
103360	£3.50	118/2	23/04/12	Janice Wakerley - cleaning the pavilion April
103361	£21.00	118/2	23/04/12	Allison Cockburn - cleaning of the pavilion April
103362			23/04/12	G.D. Squires - wages
103364	£72.60	151	23/04/12	K. Rudge - Mileage allowance 121 x 0.60
103364			23/04/12	K. Rudge - wages
103365			23/04/12	Peter Horley - Clerk's salary
103367	£859.22	127/1	23/04/12	HM Revenue & Customs - Tax & NI
103362	£12.60	151	23/04/12	G.D. Squires - mileage allowance 21 x 0.60

After some discussion the cheque list was approved

The Clerk recommended the transfer of £20,000 from the Business No Notice account to the current account.

The Clerk recommended the transfer of £50,000 from the Business No Notice Account to the Community Development Fund Account.

It was proposed by Cllr Townsend and seconded by Cllr Hales that the cheque list and the transfers should be approved. This was carried.

828/11 Correspondence:

- (a) Letter from Revd O'Brien re: All Saints' Community Hall. The letter from Revd O'Brien, seeking a donation towards the cost of the project to improve the acoustics of the building, was considered. Support for the project was expressed although the council will need to see the reports on the acoustics, costings and the project accounts. Cllr Hales reported that the council was considering using a

Grant Fund Bidder who could be used to find funding for a whole host of projects within the village and that this project could qualify for inclusion. Cllr Mowatt asked the Clerk write to Revd O'Brien to ask that he allows us time to look at the options for grant funding but that, in principle, the council supports the project.

ACTION: The Clerk

829/11: Cemetery and Churchyard Inspection Record:

Cllr Gatward reported that she had carried out an inspection of the cemeteries and churchyard for March, had filled in the Record Book and had lodged it with the Clerk.

830/11: To receive the minutes from the following committees as information only and consider proposals by the Committee and consider any further action

- (a) **Planning Committee, 2nd & 16th April, 2012:** Cllr Gatward asked about 815/11(a) in the minutes for 16th April. Cllr Sherwen explained about the hoardings: one hoarding deemed acceptable because it gave information only about the premises; two hoardings deemed unacceptable because they were both simply advertising hoardings.
- (b) **Cemetery Committee, 10th April, 2012:**
 - 791/11: Cllr Sherwen said that the date to repair the soil store had been postponed;
 - 788/11: Cllr Stead reported that the War Graves Commission were undertaking a project to record all war memorials;
- (c) **Conservation Committee, 10th April, 2012:**
 - 800/11: Cllr Crosby asked about the trees in Hale Close. The Clerk said he will look into this;
 - Cllr Sherwen is liaising with Herts and Cambs Ground maintenance about the deployment of a bowser to water the trees and to consider costs.

ACTION: The Clerk

813/11: Urgent Matters:

Cllr Mowatt raised the question of the crazy paving behind the war memorial which, he believed, to be shoddy. He suggested doing away with the paving and laying down stone slabs. Cllr Stead suggested consulting the British Legion about what it might consider as the best measures to take. This was accepted. Cllr Mowatt also urged the replacement of the plaque on one of the benches.

There being no other business, the Chairman closed the meeting at 9.45p.m.

APPENDIX 1: MELBOURN HUB SUBCOMMITTEE REPORT FOR APRIL

Melbourn Community Hub Progress Report

Melbourn Community Hub Subcommittee

16th April 2012

Headlines:

- *Review of Hundred Houses Cost Plan is in progress*
- *Negotiations on Hub Purchase Contract are in progress.*

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Introduction

This is the sixth progress report concerning the Community Hub Project and summarises the work carried out by the Hub Subcommittee during the month of April 2012.

The headings of the report follow notional project work streams and logical cross links between streams are identified where appropriate.

Most of the work is of an on-going nature and so will be subject to further updates in future reports.

Interactions with Suppliers

Purchase Contract

Work on the purchase contract between Hundred Houses and Melbourn Parish Council continues to proceed. The Parish Council Solicitors, Birketts, have completed the first formal draft of the purchase contract and await a formal response from Hundred Houses solicitors. A meeting took place on Thursday 22nd March, between Birketts' taxation specialists and representatives of the Parish Council to explore VAT and related matters; the formal draft contract reflected the outcome of that meeting and also a formal letter is awaited from Birketts recording the outcome of that meeting. Meetings in the next few weeks between Hundred Houses, representatives of the Parish Council and their respective solicitors are being arranged to review the contract.

Application for Planning Permission

Following that meeting, Hundred Houses explored with the planning officers a number of detail changes to the layout and positioning of the residences and their plots. Hundred Houses submitted their formal planning application on 15th March.

The Parish Council Notified the Public of their receipt of the planning application from South Cambs. District Council and the availability to view the plans at the Parish Office up to 16th April. The text of that public notification is attached in Appendix 1.

Review of the Cost Plan

As mentioned in previous reports: the Parish Council, with the advice of their solicitors, has commissioned the services of an independent quantity surveyor to review the current design brief and its attendant cost plan and produce a QS Report. When the review is completed, the Hub Subcommittee will be able to produce a formal Review Report and Funding Proposal for consideration by the full Parish Council.

Completion of the first draft of the QS Report was delayed until 11th April from its target date of end of March. This delay was due to the introduction of amendments by Hundred Houses to their Cost Plan. The draft QS Report is now under review by the Hub Subcommittee.

Meetings in the next few weeks between Hundred Houses, the Parish Council and their respective quantity surveyors are expected to be arranged to clarify any outstanding matters.

When the QS Report has been finalised, it is intended that a formal Review Report can be prepared by the Hub Subcommittee for presentation to Parish Council.

Due to the above-mentioned delay, the Review Report will not be available to the Parish Council in time for the full council meeting on 23rd April as anticipated in the March Progress Report. The Report will be prepared as soon as possible.

General Communications Activities

Formal Meetings of the Hub Subcommittee:

No formal meeting of the Hub Subcommittee has taken place pending the outcome of the QS review.

Informal Meetings

The following informal meetings have taken place:

- Meetings have taken place with the Melbourn library committee (LAP) to discuss the library area within the HUB and to agree ways to maximise the space. Plans have been put forward for movable shelving that reflect those used by Gamlingay EcoHUB LAP.
- Meeting on 12th April of the Hub Holding Trust concerned with project planning.

Press Reports

Articles have been published in the Weekly News and the Royston Crow

Melbourn Magazine

Two articles on the Hub are planned for the up-coming edition.

Project Plan

The current version of the Hub project plan is entitled 15 Mar 12 Hub V2.2.

This plan reflects the most recent key-date timescales from Hundred Houses, which were sent to the Parish Council on 7th February. Those key dates are as follows:

High Street, Melbourn

Key Dates Programme

Agree principles of HoT's with MPC – End January 2012

Planning pre-application – 6 February 2012

Planning application – w/c 20 February 2012

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Complete bat survey – 31 May 2012

Planning decision – 6 June 2012

Award Building Contract – 11 June 2012

Mitigation licence awarded – 1 August 2012

Commence works on site – 13 August 2012

Completion – 17 October 2013

An updated version of the Project Plan will be produced to reflect the outcome of the Holding Trust meeting on 12th April and other recent developments.

Holding Trust

The chairman of the Holding Trust reports as follows:

The Holding Trust generates independent meeting notes. There has been no meeting between the 14th March and the publishing of this report. The next meeting is scheduled for 18th April. Subject to formal review at this April meeting, work has meanwhile been progressing on the following topics:

- A preliminary discussion has taken place with a tax consultant who lives in the village and who is generously offering his advice free of charge. He will make recommendations at the April meeting on a best approach to tax management for the Community Hub, as it becomes an on-going entity.
- Some constructive work has been done to refine the Project Plan, ensuring most important items can be resourced and covered first. An example of this is to research designs and costs for internal furniture needed for the building, such as new library shelving. While best value will remain paramount, efforts are being made to source furniture from local firms.
- Now that final details for the planning application are in place, the Holding Trust has made direct contact with the group of residents presently living close to the proposed Hub site, asking them to actively take part in discussions, should they so wish. This has been achieved through a detailed written circular sent to affected households and the open invitation to discuss issues face-to-face. A number of householder meetings have taken place with a satisfactory outcome so far.

It is planned to extend the consultation process to other major village constituencies in the coming months.

- Following much discussion with ACRE, CPALC and our own solicitors, adjustments have been agreed to the content of the Holding Trust deed. If ready, the deed will be put before the April committee for approval and signature. This will provide the necessary basis for moving to charitable status.
- A formal request will be made to the Parish Council to clarify the status of the planned upgrading to public car parking opposite to the Hub site. It is felt to be important the car park project is completed in harmony with the changes to traffic and parking that will result from the Community Hub building.

Purchases

From time to time, invoices are received and paid by the Parish Council relating to commissions and purchases made on the Hub project. For instance: fees invoices from Birketts Solicitors for work done to date. Details of the receipt and payment of such invoices are published elsewhere by the Parish Council and are not restated in this Progress Report. There have been no significant purchases this month.

Appendix 1
Public Notice relating to Planning Application:

Melbourn Parish Council

Planning application

Former Police Site, High Street@S/0571/12/FL – S/0572/12/CA

A planning application has been received from South Cambs District Council for the building of 13 houses and a Community Building on the former Police site in the High Street.

Plans are available to view at the Parish Office during office hours on Monday, Tuesday and Thursday and will be available until 16th April.

They can also be found on South Cambs District Council website:

<http://plan.scambs.gov.uk/swiftlg/apas/run/wphappcriteria.display>

Please note: The Parish Council will not be able to comment on these plans and respectfully asks that if residents wish to make any points, to contact South Cambs District Council either by email at planning@scambs.gov.uk or write to the following address:

Planning Department

South Cambridgeshire Hall

Cambourne Business Park

Cambourne, Cambridge CB23 6EA

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Preliminary Melbourn Community Hub Review Report

Melbourn Community Hub Subcommittee

10th May 2012

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1. Executive Summary

This report records in a single document information that has already been made available to Melbourn Parish Council in several other documents. This report thus records formally the factors that enabled Melbourn Parish Council to agree to a proposal to apply to the PWLB for a loan to be used for the procurement and equipping of a Community Hub.

In the coming weeks, a Review Report will be presented to Melbourn Parish Council, by the Council's Hub Subcommittee, aimed at providing them with sufficient information to enable them to assess and confirm the continued validity of the Hub Project.

It is intended that the timing of that Review Report and the Parish Council's assessment, together with receipt from the PWLB of a conditional granting of permission to borrow, will fit with the dates determined by Hundred Houses to be necessary for the timely design, build and handover of the Community Building towards the end of 2013.

2. General Discussion

During the Full Parish Council meeting on 23rd April 2012, a proposal was carried unanimously that 'THE PARISH COUNCIL GIVES ITS PERMISSION FOR THE COMMUNITY HUB SUBCOMMITTEE TO PROCEED WITH MAKING AN APPLICATION FOR A PWLB LOAN FOR THE SUM OF £650,000', (see Appendix 1). The timing of this proposal was driven by: the need to establish by early June 2012, whether Melbourn Parish Council would be granted by the Public Works Loan Board (PWLB), conditional permission to borrow this sum as part of the funding for the purchase of the Community Building from Hundred Houses; and by the lead time between submitting a loan application and receiving conditional permission to borrow, (understood to be of the order of four weeks). Confirmation of such conditional permission to borrow is necessary before Hundred Houses can grant a contract to their building contractors to commence the design and building work. The best information available to Melbourn Parish Council, from Hundred Houses, on 23rd April, was that Hundred Houses needed to grant their contract to the building contractors on 11th June 2012.

It was the intention of the Parish Council Hub Subcommittee to have available at the time of lodging the above proposal on 23rd April, a Review Report setting out the essential factors necessary for the Parish Council to assure themselves of the continuing validity of the Hub Project. However, due to factors outside the control of the Parish Council, insufficient information was available at that time: and so a comprehensive Review Report could not be prepared. A detailed review of the events contributing to the delay in receiving the necessary information is set out in the Hub Progress Report dated 16th May, which was available to the Parish Council for the meeting on 23rd April. A copy of this Progress Report is attached as Appendix 2. (A Hub Progress Report has been issued every calendar month since the formation of the Hub Subcommittee).

Since an application to the PWLB for permission to borrow does not incur financial cost and does not carry with it an obligation to borrow the monies, and

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in view of the important need to keep pace with the timescales that were understood to be required by Hundred Houses: it was judged appropriate to agree, in the meeting on the 23rd April, the proposal to make the application for the loan.

The intention now is to produce the Review Report in time for the Parish Council to assure themselves of the continuing validity of the Hub Project, before the date when Hundred Houses when needs to grant a design and build contract.

The aim of this Preliminary Hub Review Report is to record in a single document the key points leading up to the proposal and its unanimous agreement and to reiterate the key milestones that have been reached up to this point in the Hub Project.

3. Key Milestones Achieved to Date

A summary of the key milestones achieved to date on the Hub Project were set out in a brief report that was presented to the Parish Council at its Annual Parish Meeting on 30th April 2012. They are restated in this document for completeness.

3.1. Public Consultation

Following negotiations in 2010 and 2011, between the Parish Council and the owner and developer of the Old Police Site: Hundred Houses agreed to build a Community Hub at the front of the site. The Parish Council used Melbourn Magazine and the Melbourn Village Website to inform the village about the possibility of the Hub and its potential benefits.

A Hub subcommittee was formed, which carried out a public consultation exercise across the whole village. The consultation period closed at 4pm on Friday 7th October 2011 and a detailed report of the exercise was issued two weeks later with the recommendation that a project should be commenced immediately to provide the Community Hub for Melbourn.

At a meeting of the full Parish Council on 24th October 2011, 'it was proposed by Cllr Townsend and seconded by Cllr Sherwen **THAT THE PARISH COUNCIL ACCEPTS THE RECOMMENDATION OF THE SUB-COMMITTEE, CONTAINED IN SECTION 2 OF THE REPORT, NAMELY, 'A PROJECT SHOULD BE COMMENCED IMMEDIATELY WITH THE OBJECTIVE OF PROVIDING MELBOURN VILLAGE RESIDENTS WITH A COMMUNITY HUB LOCATED ON THE OLD POLICE SITE.**

This was **CARRIED** with Cllrs Mowatt and Brett not voting given their declaration of a personal interest.'

3.2. Public Meeting

A public meeting was organised by Icen Homes for Hundred Houses and held on 1st November at Vicarage Close. Hundred Houses presented layout plans for the site and the Parish Council provided a list of 'questions and answers' concerning the Community Hub. Parish Councillors and representatives from Icen Homes were present to answer questions from residents. The meeting was well attended by Melbourn Residents and was reported in the public press.

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3.3. Formation of Charitable Holding Trust

Following advice from CPALC and ACRE, work began in December to form a charitable trust to manage the necessary preparation work for the setting up and running of the Hub. In keeping with their advice, the structure of the trust was arranged to comprise five members of Melbourn Parish Council and five local residents, one of whom would be chairman. The Parish Council formally approved the formation of the trust; its inaugural meeting took place on 4th January 2012.

3.4. Negotiation of Purchase Contract

On 18th January 2012, following a detailed selection process, the solicitor's firm, Birkett's, were instructed to represent the Parish Council for the procurement process. Negotiations on the contract continue at the time of writing.

3.5. Planning Application

Iceni for Hundred Houses submitted the planning application for the whole of the Old Police Site on 15th March. A decision is expected from the SCDC Planning Committee on 6th June.

3.6. On-going Public Consultation

The Parish Council Notified the Public of their receipt of the planning application from SCDC and the availability to view the plans at the Parish Office up to 16th April.

At the same time, the Holding Trust made direct contact with the group of residents presently living close to the proposed Hub site, asking them to actively take part in discussions, should they so wish. Contact was made through a detailed written circular sent to affected households with an open invitation to discuss issues face-to-face. A number of householder meetings have taken place with a satisfactory outcome so far.

It is planned to extend the consultation process to other major village constituencies in the coming months.

It is well understood by the Parish Council that the Community Hub is one of the most important investments that will be made by the Melbourn Community for many years. With that in mind, it is a key objective of both the Parish Council and the Hub Holding Trust to consult interested residents and local organisations at all stages of this project in order to maximise the benefits that the Hub facilities can deliver.

4. Conclusion

Melbourn Parish Council has been kept informed in detail about the progress of the Hub Project since the formation of the Hub Subcommittee in July/ October 2011.

In view of its detail understanding of the project and the knowledge that an application to the PWLB for a loan neither incurs financial cost, nor an

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obligation to borrow the monies, the Parish Council was confident in its decision to apply to the PWLB for the loan.

The Parish Council awaits a Review Report in the next few weeks that will assist it to assure itself of the continued validity of the Hub Project so that it can inform Hundred Houses of its intent to purchase the Community Building following the completion of the design and build process.

It is believed that such confirmation of intent to purchase, combined with the receipt from the PWLB of a conditional permission to borrow will be sufficient to enable Hundred Houses to grant their contractor a contract to design and build the Community Hub.

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5. Appendices

5.1. Appendix 1 – Extract from Minutes of Full Parish Council Meeting of 23rd April

824/11 Report on the Police Site: This item was discussed IN CAMERA (The press and public being excluded) on the grounds of contractual confidentiality prior to negotiations between the Community Hub Subcommittee and the developers.

IT WAS PROPOSED BY CLLR STEAD AND SECONDED BY CLLR WAKERLEY THAT THIS ITEM BE CONSIDERED IN CAMERA IN ORDER TO MAINTAIN CONTRACTUAL CONFIDENTIALITY IN ADVANCE OF PROPOSED NEGOTIATIONS BETWEEN THE COMMUNITY HUB SUBCOMMITTEE AND THE DEVELOPERS

Cllr Poley presented his Report (see Appendix 1). With regard to the Planning Application, Cllr Poley reported that Paul Sexton, the Planning Officer in charge of this application, will meet residents on 4th May. The application will go to the Planning Committee of SCDC on 6th June. Given this time scale, Cllr Poley reported that it will be necessary for the council to agree to a proposal for the negotiating team of the Community Hub Subcommittee to proceed with an application for a PWLB loan in order to enter negotiations with Icen Homes in respect of a contract. This loan application needed to be at the upper limit. After a discussion, IT WAS PROPOSED BY CLLR POLEY AND SECONDED BY CLLR SIMMONETT, THAT THE PARISH COUNCIL GIVES ITS PERMISSION FOR THE COMMUNITY HUB SUBCOMMITTEE TO PROCEED WITH MAKING AN APPLICATION FOR A PWLB LOAN FOR THE SUM OF £650,000. This was CARRIED unanimously.

Cllr Hales said that this was the upper limit and steps are being taken to access funding streams to mitigate the cost.

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5.2. Appendix 2: Hub Project Progress Report for April 2012

Melbourn Community Hub

Progress Report

Melbourn Community Hub Subcommittee

16th April 2012

1. Introduction

This is the sixth progress report concerning the Community Hub Project and summarises the work carried out by the Hub Subcommittee during the month of April 2012.

The headings of the report follow notional project work streams and logical cross links between streams are identified where appropriate.

Most of the work is of an on-going nature and so will be subject to further updates in future reports.

2. Interactions with Suppliers

2.1. Purchase Contract

Work on the purchase contract between Hundred Houses and Melbourn Parish Council continues to proceed. The Parish Council Solicitors, Birketts, have completed the first formal draft of the purchase contract and await a formal response from Hundred Houses solicitors. A meeting took place on Thursday 22nd March, between Birketts' taxation specialists and representatives of the Parish Council to explore VAT and related matters; the formal draft contract reflected the outcome of that meeting and also a formal letter is awaited from Birketts recording the outcome of that meeting. Meetings in the next few weeks between Hundred Houses, representatives of the Parish Council and their respective solicitors are being arranged to review the contract.

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produce a formal Review Report and Funding Proposal for consideration by the full Parish Council.

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Due to the above-mentioned delay, the Review Report will not be available to the Parish Council in time for the full council meeting on 23rd April as anticipated in the March Progress Report. The Report will be prepared as soon as possible.

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3.1. Formal Meetings of the Hub Subcommittee:

No formal meeting of the Hub Subcommittee has taken place pending the outcome of the QS review.

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The following informal meetings have taken place:

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An updated version of the Project Plan will be produced to reflect the outcome of the Holding Trust meeting on 12th April and other recent developments.

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The chairman of the Holding Trust reports as follows:

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Release to the Public Domain is Held Back Pending Completion of Contractual Negotiations

- Following much discussion with ACRE, CPALC and our own solicitors, adjustments have been agreed to the content of the Holding Trust deed. If ready, the deed will be put before the April committee for approval and signature. This will provide the necessary basis for moving to charitable status.
- A formal request will be made to the Parish Council to clarify the status of the planned upgrading to public car parking opposite to the Hub site. It is felt to be important the car park project is completed in harmony with the changes to traffic and parking that will result from the Community Hub building.

6. Purchases

From time to time, invoices are received and paid by the Parish Council relating to commissions and purchases made on the Hub project. For instance: fees invoices from Birketts Solicitors for work done to date. Details of the receipt and payment of such invoices are published elsewhere by the Parish Council and are not restated in this Progress Report.

There have been no significant purchases this month.

Appendix 1

Public Notice relating to Planning Application:

Melbourn Parish Council

Planning application

Former Police Site, High Street@S/0571/12/FL – S/0572/12/CA

A planning application has been received from South Cambs District Council for the building of 13 houses and a Community Building on the former Police site in the High Street.

Plans are available to view at the Parish Office during office hours on Monday, Tuesday and Thursday and will be available until 16th April.

They can also be found on South Cambs District Council website:

<http://plan.scams.gov.uk/swiftlg/apas/run/wphappcriteria.display>

Please note: The Parish Council will not be able to comment on these plans and respectfully asks that if residents wish to make any points, to contact South Cambs District Council either by email at planning@scams.gov.uk or write to the following address:

Planning Department

South Cambridgeshire Hall

Cambourne Business Park

Cambourne, Cambridge CB23 6EA

APPENDIX E

POLICY AND PROCEDURE: RISK MANAGEMENT

PURPOSE: To set out how Melbourn Parish Council will manage risks effectively to protect its employees, volunteers, assets, liabilities and community against harm and financial loss. Risk is the threat that an event or action will adversely affect an organisation's ability to achieve its objectives. Risk management is the process by which risks are identified, evaluated and controlled

SCOPE: Risk management is an integral part of the Council's management processes. It is a key element of the framework of governance and applies to all aspects of Melbourn Parish Council's work, including an assessment of risks to the success of major projects before they are begun.

1. POLICY:

1.1 The aim of this policy is to integrate risk management into the culture, of the Parish Council and to embed it through ownership and management of risk as part of all decision-making processes.

1.2 Melbourn Parish Council will classify risks into various types (these are set out in Appendix 1) but, for all categories, the direct financial losses may have less impact than indirect costs such as disruption of normal working.

1.3 The risk management process is an integral part of making sure that Council has an appropriate level of insurance cover. However, not all risks are insurable and, for some, the premiums may not be cost-effective. The policy must therefore emphasise the need to identify and manage risk

2. OBJECTIVES

2.1 The implementation of the Risk Management Policy will enable Melbourn Parish Council to:

- a. Integrate risk management into the culture of the council.
- b. Eliminate or reduce risks to an acceptable level.
- c. Anticipate and respond to changing social, environmental and legislative requirements.
- d. Prevent injury and damage and reduce the cost of risk.
- e. Raise awareness of the need for risk management.

2.2 Identifying and managing risk is a key requirement of the Council's audit procedures and will be examined by the Internal Auditor. As a Council, Councillors have to agree annually (as part of the Annual Governance Statement) that:

"We carried out an assessment of the risks facing this smaller authority and took appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required."

3. PROCEDURE

3.1 Risks may be identified through a systematic review of activities and service provision or they may result from discussion of new projects and activities. It is the responsibility of all Councillors, employees and service providers to think about the risks associated with their own responsibilities in the Council, and to bring any areas of deficiency to the Clerk. Members of the public and volunteers must be encouraged to ask the Council about how it is dealing with risks.

3.2 Specific tasks are as follows:

- a. Annual review of this policy, accompanied by an assessment of whether risk management is embedded in the culture of the Council.
- b. Following adoption of this policy, a review of risks under the categories set out in Appendix 1 faced by the Council.
- c. An annual review of the financial risk assessments to be carried out by [Finance Committee] and to be completed before the Annual Parish Council meeting to support completion of the Annual Governance Statement and 5 k xiv of the revised Standing Orders. An annual review of non-financial risks to be carried out by the Chair who may delegate the review of certain risk assessments as they see fit.
- d. To carry out an assessment of the risks associated with any new project, process or function and put in place a risk management plan to address those risks

3.3 Risk Assessment Format

There will be a list of identified risks, together with a management plan for each risk deemed 'High'. Appendix 2 illustrates the general format to be used for the management plan for individual risks deemed to be 'High'.

Document Approval:

(Chair to Melbourn Parish Council)

Date of Parish Council meeting:

Review Policy: Every 12 months

APPENDIX 1

TYPES OF RISKS TO BE CONSIDERED

Health & Safety Risk - The Council will adhere to the requirements of the Health and Safety at Work Act 1974; the Regulatory Reform (Fire Safety) Order 2005; the Management of Health and Safety at Work Regulations 1999; and other relevant health and safety legislation and codes of practice.

Strategic Risk - long-term adverse impacts from poor decision-making or poor implementation. Risks damage to the reputation of the Council, loss of public confidence, and in a worst case scenario Government Intervention.

Compliance Risk - failure to comply with legislation, or laid down procedures or the lack of documentation to prove compliance. Risks exposure to prosecution, judicial review, employment tribunals, inability to enforce contracts.

Financial Risk - fraud and corruption, waste, excess demand for services, bad debts. Risk of additional audit investigation, objection to accounts, reduced service delivery, dramatically increased Council tax levels/impact on Council reserves

Operating Risk - failure to deliver services effectively, malfunctioning equipment, hazards to service users, the general public or staff, damage to property. Risk of insurance claims, higher insurance premiums, lengthy recovery processes.

APPENDIX 2

FORMAT TO BE USED FOR RISK ASSESSMENTS

FINANCIAL/NON-FINANCIAL RISK ASSESSMENT

Risk	
Degree of risk	High, medium, low
Persons Involved	
Control Measures	
Reviewed by	
Date	
Actions/comments	

MELBOURN PARISH COUNCIL RISK REGISTER 2017-18

No.	SUBJECT AND RISK	Committee or person	Impact (H or L)	Likelihood of problem (H or L)	Priority for action plan
Financial risks					
	The PC has insufficient General Reserves so is at risk of bankruptcy if Precept is not paid on time.		H	L	In place
	The PC has insufficient money ring-fenced in Maintenance Reserves		H	M	
	Insufficiently rigorous banking controls		H	M	In hand
	The PC does not have a maintenance plan because it does not have an up to date Asset register		H	M	In hand
	Failure to record financial transactions properly at all stages.		M	L	In hand
	Risk of Council not being able to carry out its business due to unforeseen circumstances. (Business continuity plan)		H	L	Needed
	Council runs out of money before the end of the FY due to inadequate financial control.		H	L	Rigorously monitor
	Risk of impact on Parish Precept due to SCDC and CCC unable to perform their delegated tasks.		H	H	Long term need
	Loss of cash or income through theft or dishonesty		L	L	In place
	Lack of knowledge of council assets and responsibilities leads to inadequate insurance cover.		L	L	
	Claims made on insurance due to accidents in, on or around Council property (includes maintenance of public open spaces)		H	M	Needed
	Council does not follow proper procedures for audit and publication of the Annual Return and Governance Statement.		H	L	In place

	Payroll and pensions errors lead to financial loss		H	L	In place
	Damage or loss by fire, weather or vandalism of council assets (ie how are they protected?; includes IT)		H	H	Needed
	Lack of financial controls when appointing contractors		H	L	In hand
	Lack of monitoring of contractors leads to not getting the service that has been paid for		H	M	In hand
	Non-payment of income from rents, burial fees, etc		H	M	
	Non-payment of community grant money		H	L	
Non-financial risks					
Staffing					
	The PC does not have the correct balance of staff to enable the work of the Parish to be carried out effectively		H	M	In hand
	Breach of employment laws due to lack of knowledge		H	L	
	Injury to staff through lack of H&S procedures and training		H	M	Needed
	Loss of business continuity due to long term absence or loss of a member of staff		H	M	
Information					
	Information is not easy to find and/or readily accessible on the website so the public is not as well-informed as they should be.		L	L	In hand
	Electronic and paper record keeping is not integrated so there is not a single evidence trail for an item/issue (Do we have it? Can we find it? Is it backed up?).		M	L	In hand
Governance					
	As a consultee of the planning process, failure to respond to planning applications within the statutory time or to give reasons for decisions which are based on material planning considerations.		L	L	
	Inadequate governance arrangements lead to poor and/or unlawful decision making		H	L	In place
	The council does not handle personal data correctly due to a lack of knowledge		L	L	

APPENDIX F

From: John Travis [mailto: **Sent:** 15 May 2017 13:58

To: Parish Clerk

Cc:

Subject: Relocation of Parish Council Safe

Dear Sarah,

Re: Fireproof Safe - Located in the Downstairs Meeting Room

When the Hub was first occupied in 2014 it was agreed that the Fireproof Safe belonging to the Parish Council would be located in the store room to the rear of Meeting Room 1. I suspect the relocation of the safe was not properly anticipated by the then Parish Council at the time the Hub was constructed and the Council offices moved from the Melbourn College site. The Meeting Room 1 cupboard had been earmarked as shared space between the Hub Kitchen and the LAP. However, the Hub management at the time offered the safe a home, as a solution to the problem. The safe cannot be located upstairs due floor loading considerations.

The terms of the Parish Council Licence technically do not include for the present arrangement.

Our revised food purchasing plans, with the objective of reducing costs, mean that more dry goods storage space is needed. We now cannot act on our plans due to space limitations. It appears that, were the safe to be relocated to another site, most of the storage issues would be resolved.

Please will you, on an urgent basis, make plans to relocate the safe elsewhere. Hub management is aware this is a vital, if infrequently accessed filing facility. However, the Workshop-Store now in the Car Park is fully secure with CCTV and could be considered as an alternative site. I look forward to an early reply as we need to implement cost savings as soon as possible.

Best regards,

John Travis

APPENDIX G

PLANNING CONSULTATION RESPONSE

To: SCDC Planning Team	Highway Development Management South and City Highways Station Road Whittlesford CB22 4NL
App Reference: S/1404/17	Contact: Vikki Keppey
Date: 15 May 2017	

Re: 20, Fordham Way, Melbourn

Please add a condition to any permission that the Planning Authority is minded to issue in regard to this proposal requiring that two 2.0 x 2.0 metres pedestrian visibility splays be provided and shown on the drawings. The splays are to be included within the curtilage of the new dwelling. This area shall be kept clear of all planting, fencing, walls and the like exceeding 600mm high.

Reason: in the interests of highway safety

The Local Highway Authority although not the Parking Authority would suggest that the drop kerb be installed to encompass the width of all car parking spaces which would equate to 10m in width as each bay should be 2.5m. The applicant must show the dimensions for the proposed car parking spaces, which should be 2.5m x 5m.

Please add a condition to any permission that the Planning Authority is proposal requiring that the proposed drive way be constructed so that its falls and levels are such that no private water from the site drains across or onto the adopted public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future year's water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: for the safe and effective operation of the highway

Please add a condition to any permission that the Planning Authority is minded to issue in regard to this proposal requiring that the proposed drive be constructed using a bound material to prevent debris spreading onto the adopted public highway.

Reason: in the interests of highway safety

In the event that the Planning Authority is so minded as to grant permission to the proposal please add an informative to the effect that the granting of a planning permission does not constitute a permission or licence to a developer to carry out any works within, or disturbance of, or interference with, the Public Highway, and that a separate permission must be sought from the Highway Authority for such works.

Vikki Keppey
Development Management Engineer

APPENDIX H

Parish Clerk

From: Jocelyn Robson
Sent: 08 May 2017 15:35
To: julie.anorman@
Cc: Parish Clerk
Subject: Re: FOR FULL PARISH COUNCIL

I beg to differ and again I feel I am not being taken seriously.

Correspondence is always an item. I have just looked at the minutes of the Annual Meeting of 2010, for example. Correspondence there under AOB. I ask again - why has this changed?

I also ask for this correspondence to be added to tonight's AOB and as for apologies - I will await your own.

Sent from my iPhone

On 8 May 2017, at 15:20, "julie.anorman@

Dear Ms Robson

You are **not** being mis -advised as to correspondence treatment at Annual Parish Meetings.

The Clerk is correct. You are confusing the Annual Parish meeting and the Annual Parish Council meeting. The reference you gave of PC38/16 is an agenda item at the Annual Parish Council meeting which this year will be held on 22 May. The Clerk has already said your communications will be published then.

I see that you have sent a further e-mail which says:

Look at the minutes of said meeting, Sarah. Item PC 38/16. Minutes you took?!

It is your mistake and I suggest an apology to the Clerk is in order.

Julie Norman

From: Jocelyn Robson
Sent: Monday, May 08, 2017 3:01 PM
To: Parish Clerk
Cc: julie.anorman@
Subject: Re: FOR FULL PARISH COUNCIL

Please confirm this is now going on as an item of correspondence tonight, as it should be.

Please also tell me why you thought there is no correspondence at the Annual Meeting despite having presumably taken minutes as last year's meeting yourself.

And please include all my emails today, as well as your own, to the original letter.

I ask the council why I am being mis-advised as to correspondence treatment at Annual Meetings.

Jocelyn

Sent from my iPhone

On 8 May 2017, at 14:35, Parish Clerk <parishclerk@melbournpc.co.uk> wrote:

Dear Jocelyn

Tonight is the Annual Parish meeting. It is not a formal Parish Council meeting and Councillors cannot make decisions at it. There is not a Correspondence agenda item.

I will forward your email onto Councillors this afternoon.

Regards

Sarah

From: Jocelyn Robson
Sent: 08 May 2017 14:06
To: Parish Clerk
Cc: 'julle.anormar' [redacted]
Subject: FOR FULL PARISH COUNCIL
Importance: High

Hi Sarah

Please can you include this full email exchange in the correspondence items for tonight?

Dear Melbourn Parish Councillors

I am disappointed that potentially serious matters I have raised **two weeks ago** now have not been taken any further, despite my having been informed that a meeting would be called with my concerns as a named agenda item.

I am now being told by the Parish Clerk, on your behalf, that no meeting will be held until advice is sought from CAPALC. Please see email below.

I refer you back to my original letter, in which I asked specifically for **advice as to the correct route for complaint** (please see attached).

This advice is with reference to your own complaints procedures, and my confusion as to which procedure is the correct one to follow in these circumstances.

Why can this advice not be given regarding your own procedures?

What kind of advice can possibly be needed from CAPALC before any meeting to discuss my letter is scheduled or indeed a response helping me commence the proper complaints procedure given?

I have to say that if I were still sitting on the Council I would expect this matter to be dealt with as a matter of urgency and for the member of public raising their concerns to be responded to on a timely basis. I'm not sure radio silence for 2 weeks is an appropriate response. It certainly does not feel so from where I am sitting.

Please therefore advise **by return** on the correct complaints procedure to follow, and advise if a meeting is going to be called in the near future to discuss my correspondence further (read that as a fortnight), as I am feeling that I am not being taken seriously.

I will also be raising the matter with the Monitoring Officer at South Cambs, and making them aware that I have sought to raise the matter with yourselves in the first instance but, to my knowledge, no meaningful action has been taken or advice given.

Jocelyn Robson

Sent from Outlook

From: Parish Clerk <parishclerk@melbournpc.co.uk>
Sent: 08 May 2017 09:24
To: Jocelyn Robson
Cc: 'julie.anorman'
Subject: RE: Update

Dear Jocelyn

I am seeking advice from Cambridge And Peterborough Association of Local Councils (CAPALC) on certain aspects of your letter. No decision on scheduling can be made until I have that advice.

Regards

Sarah Adam
Melbourn Parish Clerk

-----Original Message-----

From: Jocelyn Robson [m]
Sent: 04 May 2017 19:02
To: Parish Clerk
Subject: Update

Hi Sarah

You were going to get back to me with a date. Has been rather longer than expected. Can you send asap please?

Sent from my iPhone

Julie Norman
Chairman
Melbourn Parish Council

Dear Julie and Full Parish Council

Thank you for your email of 21st February regarding the Hub costs.

Having read and digested the contents, it is clear to me that there needs to be an the running of the Hub project and disciplinary action taken where appropriate.

I seek advice from you as to the correct route for complaint, as this situation arose from Council action together with poor processes and controls allowing such inappropriate be taken, so I am at a bit of a loss as to the correct path to take.

I am sending this letter to full Council too as I wish for this matter to be brought to a resolved properly once and for all.

The pertinent facts

August 2012 The Full Parish Council, as you have told me, approved a £742,904 on the Village Hub in August 2012, to include the building and the fit-out thereof.

This figure was at the recommendation of the Community Committee.

At this point, according to the records, there was already £254k (according to your email) ring-fenced for the project.

Autumn 2013 By the time the PWLB loan was drawn down in in Autumn at least £80k (potentially as high as £95k) had also been project.

With the ring-fenced reserves and the grants received added together, already £334k-£353k had been secured of the total approved cost of £743k.

Therefore only between £390k and £408k still needed to be found.

And yet, at this point, £650k was sought and borrowed from the Public Works Loan Board. This means an over-commitment of somewhere between £242k and £260k, plus interest.

Furthermore, the terms and conditions of the £650k borrowed state that this money was only for the purchase of the Hub building.

Issue 1 – monies intended for the Hub illegitimately spent elsewhere

It is my contention that the following costs were legitimately spent for this project, being directly related to the purchase and fit out of the Hub building:

	£'000
Purchase price	534
Variations	67
Stamp duty and land tax	25
Professional costs	48
Sundry	81
TOTAL	755

(This is very close to the approved £743k, and with build variations seems reasonable).

On the other hand, I contend that the following costs, which you have said were part of the project spend, were not ever properly approved to be included in the total cost **at the time the loan was drawn down in Autumn 2013:**

	£'000
VAT (because reclaimable)	19
Subsidiary to Hub Management Committee (not agreed by Autumn 2013)	75
Car park (actually precepted separately for 14/15)	40
Zebra crossing (not agreed by Autumn 2013)	18
Pavilion (irrelevant to Hub)	53
TOTAL	205

This therefore means that the Council was committed to somewhere between £200k and £250k more loan than was approved or required to meet the authorised works.

The long term cost of this is between £492k and £615k to the taxpayers of this Parish once you include the interest charged over 50 years, and I therefore contend it amounts to gross negligence

by whomever committed the Council to this amount without proper approval, and this matter must be fully investigated and resolved as a matter of urgency.

Issue 2

At the time the loan agreement with the PWLB was entered into in Autumn 2013, it was known that the full £650k was not needed for the Hub building purchase because of the reserves and grant monies raised to date.

Whomever entered into the agreement, therefore, did so knowing that they were going to fail to abide by the lender's terms, whereby the funds were only for the purchase of the Hub building itself.

This person/these people therefore exposed the Council to significant legal and financial risk, which I think may even constitute a criminal act of Misconduct in Public Office.

Issue 3

It has been made clear that the current Council values the Nolan Principles highly, and rightly so.

It is therefore against their own standards to fail to be clear and open about the total cost of the Hub project

I have counted three separate instances in the Royston Crow, in which Councillor Hales and others are interviewed, where the cost of the Hub to Melbourn Parish is stated as being £250k. This is simply not true, and even if the reporters got the wrong number the Council should have corrected the public understanding promptly.

I estimate the true cost in fact (with every £1 borrowed from the PWLB costing £2.46 over the life of the loan) to be more in the region of £1.9m - almost eight times as much as we were led to believe.

I have been asking for clarification of this cost since October 2014, and it has been extremely arduous getting information out of the Council. Whilst I can understand that new Councillors not in office at the time of the Hub build would have no reason to have these numbers, there are some Councillors serving now that were not only serving then but also intimately involved in the project and its finances, such as Councillor Hales. Why have these Councillors not helped members of the public such as myself get the information we request?

How does this show the Council being an exponent of the Nolan Principles of honesty, openness and accountability?

I therefore ask you to address this issue appropriately once and for all.

Please advise me if you need me to present the contents of this letter differently e.g. using a formal complaint procedure, as I am happy to do so.

I await your instruction

Jocelyn Robson