

**LEIGHTON & EATON CONSTANTINE  
ONLINE  
PARISH COUNCIL  
EXTRAORDINARY MEETING  
Monday 15th March 2021**

**MINUTES**

1. **Chair's Welcome** The Chairman welcomed all to the meeting
2. **Present** Councillor S Jones-Chairman , councillor M Thorn, Councillor S Dawes, Councillor A Bain Councillor, apologies were received from Councillor E Parton who was trying to join but having technical difficulties joining the meeting.
3. **Declaration of Pecuniary Interests.** There were none declared.

*Leighton & Eaton Constantine Parish Council resolves That by the Public Bodies (Admission to Meetings) Act 1960 and under Section 100(A) of the Local Government Act 1992 , the public and press be excluded for the remainder of the meeting for the following items of business on the grounds they involve the likely disclosure of exempt information as defined in the Acts'*

4. **Council to discuss the Freedom of Information Request received from a resident of Cressage**  
After discussion the members agreed not to disclose the information using the Freedom of Information Exemption clause 43(2) Commercial Interests.  
The reasons for the Council's decision is that it considers this information to be exempt from the right of access as being information whose disclosure would, or would be likely to prejudice the commercial interests of the persons or companies who made the bids and of the Council, pursuant to FOIA section 43(2).  
The Council further believes (and following consultation with those who submitted bids for the work) that the public interest is better served by maintaining the above exemption rather than by disclosing the information because:
  1. disclosing contractors tender bids and the companies who bid for the work may undermine the confidence of contractors in the tendering process and may provide a commercial advantage to their competitors resulting in possible harm to contractors livelihoods, and
  2. If confidence in the tendering process is lost, the Council may find it difficult to obtain tenders and this could lead to increased costs and/or a lack of bids to provide services to the Council to the disadvantage of the Council and thereby to its ratepayers and the community.

The Council acknowledges its responsibilities of transparency and accountability in order to promote public understanding and to safeguard democratic processes and in fulfilment thereof the Council's Financial Regulations, for the procuring of goods and services, with which the Council complies, provide, inter alia:

- Regulation 11.h The clerk or RFO shall obtain 3 quotations. Where the value is below £3000 and above £100 the RFO shall strive to obtain 3 estimates.
- Regulation 11. i The Council shall not be obliged to accept the lowest of any tender, quote or estimate.
- Regulation 10.3 All members and Officers are responsible for obtaining value for money at all times.

Further, the Council undertakes an annual audit where its processes and procedures are checked against its Financial Regulations.

The Parish Council have also written a Public Interest Statement which is attached below.

**Public Interest Test – Leighton and Eaton Constantine Parish Council**

**Withholding information under a Qualified Exemption**

**Is the public interest better served by maintaining the exemption (and hence withholding information) or by disclosing the information?**

**Reasons for releasing or withholding information:**

- 1. Transparency and Accountability. To release information to promote public understanding and to safeguard democratic processes. In response to this:**

**The Parish Council follows set Financial Regulations in procuring goods and services. In particular:**

- o Regulation 11.h The Clerk or RFO shall obtain 3 quotations. Where the value is below £3000 and above £100 the RFO shall strive to obtain 3 estimates.**
- o Regulation 11. i The Council shall not be obliged to accept the lowest of any tender, quote or estimate.**
- o Regulation 10.3 All members and Officers are responsible for obtaining value for money at all times.**

**The Parish Council undertakes and annual internal audit where processes and procedures are checked. All accounts showing Parish Council's expenditure are in the public domain and can be accessed on the Parish Council's website.**

- 2. To what extent will the public benefit from disclosing this information?**

**Disclosing Contractor's tenders will undermine confidence in the tendering process. Tenders are discussed in private by councillors so as not to be affected by external influence.**

**Confidentiality of contractor's personal details and details of sensitive information which, if released, may harm the contractor's livelihoods, should be protected.**

**If confidence in the tendering process is lost then the Parish council will find it difficult to obtain tenders and this could lead to increased costs to procure services. This would not be in the public interest.**

- 5. Date & Time of the next meeting Tuesday 11<sup>th</sup> May 2021 starting at 7.30pm via Zoom or at Leighton Village Hall.**

- 6. The Chairman thanked all for attending and closed the meeting at 8.15pm**

On 4th April 2020, the government brought The Local Authorities (Coronavirus) (Flexibility of Local Authority Meetings) (England) Regulations 2020 into force to allow local authorities to conduct meetings remotely. Members of the public may access these meetings through the Zoom platform by sending an email to the Parish Clerk at [lecparrishcouncil@gmail.com](mailto:lecparrishcouncil@gmail.com) stating their device type and whether they wish to contribute audibly or visually and audibly.

In response the Parish Council will provide the Meeting ID, password, and the time of the meeting.

The request should be with the clerk 36 hours before the meeting. The rules for members of the public to speak will be the same as normal meetings, that is, during the opportunity to do so in the agenda item allotted for the purpose. Due to time limitations the speaker should limit their question/presentation to 3 minutes

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