

COLNEY HEATH PARISH COUNCIL

Highfield Park Visitor Centre

Hill End Lane

St Albans AL4 0RA

Tel: 01727 825314

Email: clerk@colneyheathparishcouncil.gov.uk



21st November 2023

**RE: Freedom of Information Act 2000
Colney Heath Parish Council – Request regarding decisions made at 3rd
August 2023 Parish Council meeting.**

I am replying to you in response to your email received 2nd October 2023 requesting information under the Freedom of Information Act 2000. Firstly may I apologise for the delay in responding to your request. However I am now in a position to confirm a response on behalf of the Parish Council.

Your request:

Please advise if Council decisions made at 3rd August meeting on papers that were all issued by a Parish Councillor without any input or advice of a qualified Proper Officer/RFO are lawful and could be subject to [legal] challenge

Parish Council response:

The file note dated 21st September 2023 held by the Parish Council states:

Item 23/24-25 contained within the approved minutes of 22 June 2023 relates.

It was agreed and minuted by Council that the July meeting would be moved to 3rd August 2023 so the meeting held 3rd August 2023 was not an extraordinary meeting called by the Chair of Council but the rescheduled Parish Council meeting of July 2023.

As this was not an extraordinary meeting the summons should have been issued by the Proper Officer or an appointed interim Proper Officer. This was not the case and an agenda was issued by a councillor.

The decisions made in the meeting held on 3rd August 2023 may be subject to challenge but this will be for members of the electorate to determine and challenge should they wish to.

The decisions will also be subject to review during the audit process which commences in April 2024 and will report by September 2024. This file note will be held on file and presented to both internal and external auditors.

This concludes the response to this request.

If you are dissatisfied with this response the Commissioner's Office recommends that you first refer the matter to the Parish Council.

You can do this by writing to clerk@colneyheathparishcouncil.gov.uk and asking for an internal review of my response.

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If you wish the Parish Council to undertake an internal review, then you must write to the Parish Council within 40 working days of the date of this letter.

The Council will not consider any requests received after this date unless there are exceptional circumstances for the delay.

You have a right to appeal to the Information Commissioner's Office at the following address: Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF. You must do this no later than two months after the date of this response.

Yours sincerely,

Mrs Lisa Peters LCGI PSLCC CPFA CiLCA
Clerk to the Council
For and on behalf of
Colney Heath Parish Council

