



Michael Pawley <clerk@stadhampton.org>

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## Internal review of Freedom of Information request - Transparency Request relating to confusing public records, financial compliance and future budgetary provision..

1 message

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Rupert Davis

17 April 2020 at 15:01

To: "FOI requests at Stadhampton Parish Council, Oxfordshire" <clerk@stadhampton.org>

Dear Stadhampton Parish Council, Oxfordshire,

Please pass this on to the person who conducts Freedom of Information reviews.

I am writing to request an internal review of Stadhampton Parish Council, Oxfordshire's handling of my FOI request 'Transparency Request relating to confusing public records, financial compliance and future budgetary provision', dated 11 March 2020.

I request an internal review of the response provided by Stadhampton Parish Council (SPC) on 07 April 2020, as this response failed to adequately provide answers to, or transparency regarding reasonable aspects of non-prejudicial facts pertaining to SPC records.

It would appear that the response by SPC seeks to avoid clarity on matters raised in the request, little, if any of which are prejudicial to legal matters initiated by SPC itself - transparency would only be prejudicial if the initial basis claimed by SPC is false.

Specifically, it would appear from fragmented records that SPC has, since early 2018, spent at £12,524 on legal and professional fees regarding unregistered land on Copson Lane, in which time SPC have twice failed to secure registration and had its application for injunction, subject to a Stay of Proceedings, by the Court. Put simply, SPC have nothing to show for this time and expenditure.

Whilst a S21 exemption might be reasonable, this begs questions on transparency. Without a unified total expenditure, made clear in either your response or minutes, the public would have difficulty in understanding the cost vs benefit and public interest test, regarding SPCs expenditures and pursuit of continued action.

On matters of financial conduct, specifically questions 8 & 9, if, as stated in the response, SPC does not hold the information requested, then, by virtue of this admission, SPC would be considered in breach of the regulatory sections referred to in the initial request. Put simply, SPC has not applied its own regulations or codes of conduct and practice in pursuit of expenditures, above explicit levels, relating to land it does not own.

SPCs application of Section 42 of the FOIA brings into scrutiny how appropriately SPC has balanced public versus 'other' interests. If the SPC basis for claim and thus case is as strong as SPC minutes record it as being, publication of this basis and the facts and evidence behind them could only strengthen a claim, hence it is a shame SPC appear to favour secrecy over transparency. Put simply, having spent over 2 years and a sum equivalent to 86% of SPCs annual public precept (income) on unregistered land not in SPCs ownership, it is reasonable to seek far greater levels of disclosure and transparency. This is all the more justified when SPC have nothing to currently show for this time and cost and are now themselves subjects of a tribunal relating to this action.

It is therefore requested that the response is reviewed and amended as a matter of urgency to fulfil SPCs public duty, on matters as significant as to represent, in expenditure terms, 86% of its annual public income; actions which still present a current and future financial risk to SPC in the region of £ 50,000, little if any of which has been made as clear as this to Parishioners, by SPC.

A full history of my FOI request and all correspondence is available on the Internet at this address:  
[https://www.whatdotheyknow.com/request/transparency\\_request\\_relating\\_to](https://www.whatdotheyknow.com/request/transparency_request_relating_to)

Yours faithfully,

Rupert Davis

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