

Update

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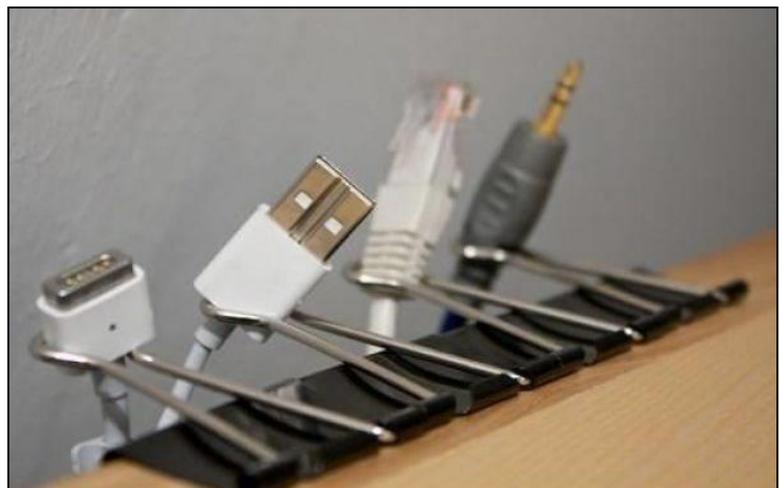
THE CHIEF'S BRIEF

By Danny Moody, Chief Executive, Northants CALC

Welcome to the first edition of *Update* for 2014. I hope you had a good Christmas & New Year and are suitably refreshed and revitalised for the year ahead. And what a year it promises to be. Northamptonshire is an interesting place to live at the moment with the green shoots of recovery everywhere you look. Barely a day goes by without an announcement of a major project or development somewhere in the county, and external funding seems to be flooding in. House builders are flat out and new (and big) planning applications are going through rapidly.

The public sector in Northamptonshire is changing rapidly too. Principal councils are busy sharing back office functions, public health has transferred from the NHS to the county council, EU economic development money is flowing through the Enterprise Partnerships instead of local government and the police are looking at “interoperability” with the fire service. If you were returning from a year travelling abroad you could be forgiven for not recognising the place!

The backdrop and of course the main driver is the dire financial situation that the public sector faces. Even if the green shoots of recovery are there for the economy as a whole, for local government and other public sector organisations it is still a very bleak outlook, with no prospect of better days until 2017 at the earliest. At the Northants CALC AGM in 2012 our President Dr Paul Blantern, whose day job is being Chief Executive of Northamptonshire County Council (NCC), described it as a “burning platform”. In other words, you’ve got to jump and you better decide pretty quickly how far to jump and in to which bit of water. Another phrase that fits the situation well is “necessity is the mother of invention”. The headless-chicken cutting of “waste” is largely over but it wasn’t enough. Now public sector bodies have to think intelligently about service redesign or, in some cases, service cessation. Brutal decisions lie ahead.



Necessity is the mother of invention.

For parish and town councils there is threat and opportunity in equal measure and it arises from the same source – the challenge to do more. The government wants parish and town councils to step up to the plate and play their part in delivering differently, and through the Localism Act 2011 has put the enabling legislation in place. But doing more brings with it the challenge of up-skilling, building capacity, creating visions and plans and working more efficiently and effectively.

Parish and town councils have been around for over a hundred years and will be for a hundred more. Why? Because ultimately our society is organised into human-scale communities and every one of them requires community-level governance to thrive. Parish and town councils are here to stay and may yet prove to be the one part of local government that survives, and flourishes, over the next ten years.

On 11 December I attended a meeting at Portcullis House in London on the Sustainable Communities Act 2007. Expect to hear much more about this Act because in 2013 the power to make proposals under the Act was extended to parish and town councils ([see more](#)), having previously been reserved to principle councils. The Act is intended to identify and bust any barriers to making communities better. It's early days but the Act could be a significant tool in the parish council toolbox.

Also in December I was able to visit Middleton Cheney Parish Council for a review meeting and West Hunsbury Parish Council, which is working with a grant under the government's New Councils Programme. In early January I spent an evening with Burton Latimer Town Council running a whole-council development session, which was as interesting for me as I hope it was valuable for the council. Getting out and about is the best part of my job and it helps me to really understand the sector.

On 7 January I met with Cllr Heather Smith, Deputy Leader of NCC and coincidentally erstwhile chairman of Nassington Parish Council. Cllr Smith is portfolio holder for Customer & Community Services at NCC and is the elected member responsible for the relationship with Northants CALC. It was a useful meeting and I hope that further meetings can be organised in 2014. On the same day I met with Nav Gahonia at MGWSP about the recently-launched Highway Warden Scheme. There's a separate article about the scheme below.

I attended the Police & Crime Commissioner's (PCC's) event on 22 January on violent crime. The Police and Crime Plan for Northamptonshire sets out the PCC's ambition to make the county the safest place in England and this event made me realise that the ambition needs to belong to every one of us. We all have a part to play, both organisationally and individually. Alcohol and drug related violent crime is too high in Northamptonshire but it is not beyond us to change that if councillors, teachers, parents, everyone takes responsibility for it. On 23 January Northants CALC held a meeting of the Northamptonshire Larger Councils Partnership (NLCP) with outside speakers on council business planning and volunteer policing. There's more about the meeting below.

On 27 January I met with a delegation from a residents' association in the borough of Kettering to talk about the pros and cons of becoming a parish council. The government's intention is that the whole country should be parished, so there is work to do in the four urban boroughs in Northamptonshire that have unparished centres. During the conversation it struck me just what a lot we take for granted in the parish sector in terms of independence, legal status, democratic legitimacy, autonomy and representation. It's early days but perhaps the meeting sowed the seed of something that may bear fruit in two or three years.

Please do continue to get in touch with your queries and questions. That's what we're here for!

GOING, GOING...

The Legislative Reform Order (LRO) that will repeal Section 150(5) of the Local Government Act 1972 and remove the requirement for all parish council payments to be made by cheque signed by two members of the council has completed its passage through parliament. The Joint Practitioner's Action Group (JPAG), which is responsible for writing guidance for parish and town councils is meeting in the middle of February to finalise the relevant text that will be inserted into the Practitioner's Guide. Ultimately this must be approved by the Audit Commission before publication but that shouldn't cause much delay. Plan to be operating a new system (if you wish to) from 1 April 2014.



And here's a related message from the Association's banker, Unity Trust Bank:

Unity Trust Bank - Banking made easy.

As you all know the Government is reviewing legislation which may allow Parish Councils to make electronic payments on the condition that robust anti-fraud measures are in place. Here is where Unity can help. We currently have a market leading Internet Banking service for electronic payments. Not only does our Internet Banking provide a faster payment service we also offer dual and triple authority on all payments.

The facility allows one user to submit the payment and one or two other users to authorise the payment. All users have an individual user name and password and can access their account from their own computers allowing them to submit and authorise payments wherever they are located. More recently we have developed an additional service allowing users to send an email reminder to others users prompting them to authorise any pending payments.

At Unity we are always developing our Internet Banking service based on feedback from our customers. If you are interested in switching to Unity call 0345 155 3355 or email us@unity.co.uk. Existing customers can visit – www.unity.co.uk/ibupdates for ongoing Internet Banking updates.

The Co-operative Bank Shareholding in Unity Trust Bank

As you may be aware the Board of Unity Trust Bank is in discussions with The Co-operative Bank about a potential sale of The Co-operative Bank's 26.7% shareholding in Unity Trust Bank. This follows a review by Unity Trust Bank of its ownership structure and the new business plan announced by The Co-operative Bank to simplify and reshape its business around retail and small business customers.

Discussions are at an early stage and any decision on a changed ownership structure would be subject to regulatory approval. The individual trade unions and trade union federations which own 73.2% of the shares in Unity Trust Bank have certain pre-emption rights in respect of the shares held by The Co-operative Bank and are engaged in the process.

The services that The Co-operative Bank currently provide will remain in place and customers should see no difference to business as usual. Over the longer

term however as Unity moves to a more independent model this will allow us to source services from across the whole financial services industry ensuring that we continue to provide the high levels of customer satisfaction for which we are known.

OVER 60 ON VILLAGE ROADS

No, it's not a shocking headline related to speeding, it's the number of Highway Wardens that have already signed up to the new Northamptonshire Highways Scheme. Sixty, and counting. And even though the scheme is countywide all of those Highway Wardens are from parished areas having been nominated by their parish councils, which is a great example of how valuable the parish network is to the county council.

Nav Gahonia, the Scheme Manager says *“Northamptonshire Highways recently hosted the first two Highway Warden inductions. Both workshops were very well attended and generated some very interesting discussion.*

“The first induction was held on Wednesday 8 January at the Wellingborough Depot, for volunteers covering the Wellingborough, East Northants and Corby areas. The session was attended by 10 volunteers from across all three areas and included some new faces as well as some existing contacts. The second session took place on Thursday 9 January at Riverside House in Northampton for volunteers from South Northants, this was attended by nine wardens, and again there was a nice mix of old and new faces.



“The sessions were informal and involved a presentation on the role of the Highway Warden, what Northamptonshire Highways expects from them and what the wardens can expect from Northamptonshire Highways. The volunteers were shown some very useful websites, including the interactive mapping page on Northamptonshire County Councils website, which contains some very useful information and will be very helpful when undertaking their new role. They were also provided with a Highway Wardens handbook, various useful forms and contact details for the Community Liaison and Area Maintenance Teams.

“Details have been received from new volunteers since the initial workshops were held, and it is proposed to run more workshops in the very near future. All new volunteers will be contacted directly with the details in due course. We look forward to a productive relationship going forward”.

If your parish or town council hasn't yet appointed a Highway Warden please consider putting an item on your next agenda to do so. The aim is to have at least one Highway Warden in each parish across the county. All the details, including a downloadable sign-up form, are at:

<http://www.northamptonshire.gov.uk/en/councilservices/Transport/roads/Pages/Highway-Wardens.aspx>

PARISH AREA FORUMS 2014

Following the successful inaugural events last year Northants CALC will once again be hosting Parish Area Forums in the county.

The West Northamptonshire Parish Forum is for parish and town councils in Daventry, Northampton & South Northamptonshire. It will be held on **Wednesday 11 June 2014** from 10:00 a.m. to 1:00 p.m. at the Bugbrooke Community Centre.

The North Northamptonshire Parish Forum is for parish and town councils Corby, Wellingborough, Kettering and East Northamptonshire. It will be held on **Monday 16 June 2014** from 1:00 p.m. to 4:00 p.m. at The Saxon Hall, Raunds.

Delegates can “swap” areas if they wish but bear in mind that planning matters in particular may be different between the two areas.

The Forums are organised by Northants CALC but it is entirely up to member councils to set the agenda and talk about what they want to talk about. Subjects last year included planning, highways and social media.

To suggest a topic please e-mail dmoody@northantscalc.gov.uk.

To book a place (it's free of charge) please e-mail akirkland@northantscalc.gov.uk or make your booking via the Northants CALC web site at (www.northantscalc.gov.uk).

PLANNING TO MEET?

A question that seems to be coming up more frequently in recent months is “Can the parish council meet with a developer before a planning application has been submitted?” The simple answer is yes.

However, nothing in local government is ever simple so what are the potential pitfalls and risks? The obvious risk is that of public perception. The council doesn’t want to give the impression that it is “in cahoots” with the developer or that its objective consideration of the proposed development has been compromised. This can be a particular risk where there is any kind of planning gain / community benefit fund under discussion.

A new guide from the Planning Advisory Service (PAS) states that “*Pre-application discussions between a potential applicant and a council can benefit both parties and are encouraged. However, it would be easy for such discussions to become, or be seen by objectors to become, part of a lobbying process on the part of the applicant.*” The guide advises that “*such discussions should take place within clear, published guidelines.*”

Clearly it would be unwise for any individual councillor to engage with a potential developer unilaterally. Any contact between the council and a developer should be authorised by the council either on an ad hoc basis or via policy. The clerk should be present at all meetings.

The PAS guidance, “***Probity in planning for councillors and officers***” is written with district/borough councils in mind but is a useful reference for parish and town councils too. If your council is or may be engaging in developer conversations it is well worth a read:

http://www.pas.gov.uk/web/pas-test-site/search/-/journal_content/56/10180/3979541/ARTICLE

IT’S YOUR ASSOCIATION

Northants CALC has changed beyond all recognition from seven or eight years ago. Back then it was called the Northamptonshire Association of Local Councils and the word “County” was inserted in the name to differentiate it from the National Association of Local Councils (NALC). Not only did that give Northants CALC its own identity but importantly it clarified where information or advice was coming from. Previously if something was issued “by NALC” it was unclear

whether that meant the Northamptonshire or National Association. A small distinction but a very important one.

Over the past seven years the Association has been on a journey of modernisation and professionalisation. This is particularly evident in its governance arrangements: In 2010 the Association incorporated as a company limited by guarantee and the old-style 18-member County Committee was replaced with an 8-member board of directors. The new structure makes the Association much leaner and fitter and means that it can respond more rapidly to any threats or opportunities. All of the board members are councillors or clerks at member councils in Northamptonshire and so understand the needs of the sector.



The first directors were (left to right): Gordon Shorley, Dryden Phillipson (seated), David Linnell and Gwen Radcliffe.

The chairman of the board is Richard Lewis who was elected to the post in November 2013. Richard is a town councillor at Rushden Town Council and also a district councillor at East Northamptonshire Council where he chairs the Policy and Resources Committee.



Richard Lewis.

Richard has a wealth of knowledge and contacts and takes the opportunity to mention the good work of Northants CALC wherever he goes. The other directors are Peter Allen, Peter Byng, Kath Bonner-Dunham, David Linnell, John Marshall, Gwen Radcliffe and Lynne Taylor.

Northants CALC is a membership organisation with 96.5% membership currently. It is run for the benefit of parish and town councils in Northamptonshire and it is very important that member councils feel ownership of it.

If you are a councillor or clerk in Northamptonshire and have any comments (positive or negative!) or suggestions about the way the Association is run please contact Danny Moody, Chief Executive at dmoody@northantscalc.gov.uk or Richard Lewis, Chairman, at rlewis@northantscalc.gov.uk any time you like. They will be delighted to hear from you!

PROTECTING COUNCIL STAFF

Adapted from an article by Chris Moses

Council employees including all clerks and, in bigger councils, administrative staff and grounds maintenance operatives seem to be particularly vulnerable to intrusive behaviour from members of the public.

The view that 'we pay your wages' has given some sectors of society the idea that council staff are fair game. Add on to this the controversy of local politics and some people get the idea into their head that having a go at council staff is a democratic right!

As a consequence many a clerk, grounds person, cemetery attendant or street cleaner have found themselves being berated by individuals who believe they have every right to make life unpleasant for council staff.

Since October 2010, the Equality Act has made employers directly liable for acts of harassment by third parties against their employees. This means that parish and town councils have been responsible for protecting their staff from public harassment.

From 1 October 2013 this section of the Equality Act has been repealed. However the council's duty of care to its employees is no less important, which includes the responsibility to ensure that council staff are not subjected to unreasonable conduct or placed in an unsafe environment.

Hostile, intimidating and threatening behaviour towards council employees can result in stress, depression and other mental health problems, which could potentially result in claims being made against a council by an employee.

Furthermore, failure by a council to take reasonable steps to protect its workers from hostility and intimidation may expose it to claims for constructive dismissal, due to its failure to protect its employees.

All parish and town councils must take steps to protect their employees from unwanted conduct. This could involve:

- Training staff to deal with difficult situations.

- Having an accessible grievance/complaints procedure for staff to use to report problems.
- Informing the public through notices, websites and other media that unacceptable conduct will not be tolerated, and may result in legal proceedings being taken against those responsible.
- Have a lone working policy and procedure.
- A council may also consider providing Employee Assistance Programmes which offer confidential counselling and support to stressed staff.

As long as a council has taken reasonable steps to protect its staff, and can demonstrate due diligence in its duty of care, it should be able to defend itself against claims from stressed or traumatised staff.

PROFILE

Christopher Moses is Managing Director of Personnel Advice & Solutions Ltd and a Fellow of the Chartered Institute of Personnel and Development. If you have any questions regarding these issues please feel free to contact him on 01529 305056 or email p.d.solutions@zen.co.uk. While every care has been taken in compiling these notes, Personnel Advice and Solutions Ltd cannot be held responsible for any errors or omissions. These notes are intended to provide general information. Guidance for specific legal problems should be sought separately.

TIME TO CONDUCT A REVIEW?

The current arrangements for the Code of Conduct for parish and town councillors came into force in July 2012 as a result of the Localism Act 2011. This swept away the rules-based system that had existed since 2000 and introduced a principles-based system. Every parish and town council was required by law to adopt a Code of Conduct that was compliant with the seven principles of conduct in public life (the Nolan Principles): Selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

At the same time as adopting a new Code, individual councillors were required to complete a new register of member's interests that detailed certain Disclosable Pecuniary Interests (DPIs) and, in some cases, other interests.

Now, almost two years on, the question is what has happened to your council's Code and, if you are a councillor, to your register of interests? Were they documents that passed through the council in 2012 and haven't been looked at or referred to since? Is the Code that your council adopted in 2012 still relevant and fit for purpose? Do you have any new or changed interests that should have been registered?

Now that the dust has settled on the new Standards framework it is a good opportunity to review the council's Code and make any changes necessary to bring it up to date.

The definition of the principle of "Leadership" is: "*Holders of public office should exhibit these [Nolan] principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.*" Thus every single parish and town councillor is a custodian and champion of high ethical standards.

The government has issued updated guidance on members' interests. The updates say that as well as registering DPs and any other interests in their council's code, members also need to register any further interests that they may have to ensure that they comply with the seven principles of public life. A copy of "*Openness and transparency on personal interests - A guide for councillors*" is available to download free of charge from:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/240134/Openness_and_transparency_on_personal_interests.pdf

GRANT PROGRAMME FOR WWI COMMEMORATIONS

Many parish and town councils will be thinking about commemorations to mark the 100th Anniversary in August 2014 of the start of the First World War.

Communities and organisations can mark the Centenary by exploring, conserving and sharing the heritage of the First World War, from memorials, buildings and sites, to photographs, letters and literature.

Grant programmes range from £3,000 - £10,000, £10,000 - £100,000 and £100,000 upwards and are being run by the Heritage Lottery Fund. For details please visit:



War memorial tablet in Cogenhoe.

<http://www.hlf.org.uk/HowToApply/whatwefund/FirstWorldWar/Pages/FirstWorldWar.aspx>

SUPERFAST LAUNCH

Ed Vaizey MP, Minister for Culture, Communications and Creative Industries visited Towcester on 3 February 2014 to cut the ribbon on the first cabinet to be lit up with superfast broadband under Northamptonshire County Council's (NCC's) Superfast Northamptonshire project.

It is the culmination of years of negotiations and planning by NCC and many months of surveys, design and engineering works by BT. The Towcester cabinet, which is two months ahead of schedule, is the first in Phase 1 to be lit up and others will follow quickly behind including Weedon and Long Buckby. The investment made by the County Council, BDUK and BT means that communities across the county will get superfast broadband much sooner than would otherwise be possible. NCC's target is that 90% of homes and businesses will have access to superfast broadband by the end of 2015.



*Dignitaries gather to see the first fibre cabinet go live.
L to R: Cllr Jim Harker (NCC), Cllr Dermot Bambridge
and Sue Smith (SNC) and Ed Vaizey MP.*

To find out more about the Superfast Northamptonshire project and to access an interactive map to see what the rollout plans for your community are please visit <http://superfastnorthamptonshire.net>.

LOCAL GOVERNMENT OMBUDSMAN

It is an anomaly in the local government sector that parish and town councils do not come under the jurisdiction of the Local Government Ombudsman (LGO). All district, borough and county councils do as well as education admissions appeal panels and adult social care providers.

If a member of the public wishes to make a complaint against a parish council then their first resort is to use the council's complaints procedure and the complaint is heard by full council or a committee established for the purpose. However, if the member of the public is not satisfied with the outcome then their

only recourse, should they wish to take the complaint further, is to seek Judicial Review; in other words, to take the council to court. Clearly this is an extreme and costly business and so is very rare in the parish council sector.

The lack of a robust, independent, external complaint handler means that members of the public often seek alternative remedy. Dissatisfied complainants sometimes become a thorn in the side of the council, scrutinising everything and picking away constantly. The subject of their original complaint may be lost in the mists of time but they have an ongoing vendetta against the council because their original complaint was not resolved to their satisfaction.

Communities minister Brandon Lewis MP is conducting a review of the LGO and the National Association of Local Councils (NALC) wrote to him in December asking him to consider extending the LGO's remit to parish and town councils. NALC also asked that parish and town councils be allowed to submit complaints to the LGO about principle councils.

In January the Northants CALC Councillor Panel was asked "*Do you think that the jurisdiction of the Local Government Ombudsman should be extended to cover Parish and Town Councils?*" and 94% of respondents said yes. This result was then discussed by the board and resulted in a resolution to support NALC's position.

Clearly government would have to look very carefully at the implications of adding almost 10,000 more local authorities to the LGO's remit, but if something can be worked out it might give parish and town councils a more objective framework for dealing with complaints and it might give members of the public an outlet other than bullying the council into submission.

Do you agree that the LGO (www.lgo.org.uk) should cover parish and town councils? Please send your comments to dmoody@northantscalc.gov.uk.

THE VOICE OF THE COUNCILLORSHIP

The Northants CALC Councillor Panel mentioned in the article above was established to provide a mechanism for gauging opinion amongst parish and town councillors in Northamptonshire. It is not a formal survey of councils as corporate bodies but it does allow individual councillors to express a personal view, which may then indicate how the councillorship views a particular subject. Where a

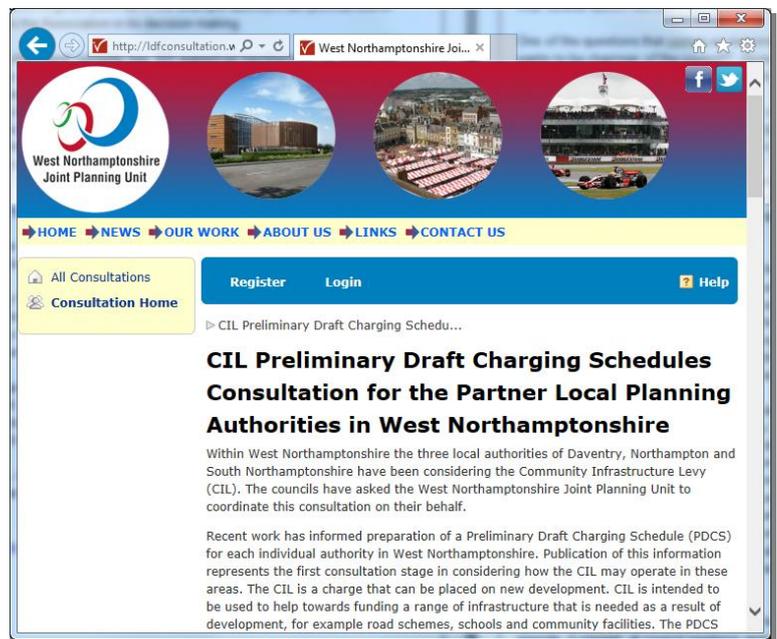
clear indication is given (such as in the example above) it can provide useful evidence to the Association in its decision making.

The Councillor Panel currently has 123 signed-up members but we would like many more. There are clear terms of reference that limit the number of surveys that members are asked to complete so that it does not become an onerous task (goodness knows we all receive enough surveys these days!). If you would like a copy of the terms of reference, or if you would like to sign-up to the Councillor Panel, please send an e-mail to cllrpanel@northantscalc.gov.uk. The Panel is open to any parish or town councillor from a council in membership of Northants CALC.

CIL DEMYSTIFIED

What is the Community Infrastructure Levy (CIL) and how will it benefit parish and town councils?

Essentially CIL is a charge placed upon development. It was introduced by the Planning Act 2008 and it came into force on 6 April 2010. Development may be liable for a charge under the Community Infrastructure Levy (CIL), if the local planning authority has chosen to set a charge in its area.



The first questions to ask is what is your district or borough council doing about CIL? What is its policy? Has it published a charging schedule yet? Most districts and boroughs in Northamptonshire have been consulting on their CIL policy but it is one of those things that is easy to miss.

Where CIL is charged parish and town councils are allocated a share by right. (15% for parishes without a Neighbourhood Plan and 25% for parishes with a Neighbourhood Plan). The government has produced new guidance on CIL, which can be downloaded from:

<https://www.gov.uk/government/publications/community-infrastructure-levy>

THE SHOW MUST GO ON

One of the questions that comes up from time to time is “What happens if no one wants to be chairman of the council?” With Annual Meeting season looming it’s a good opportunity to take a look at what the law says.

Firstly, a parish or town council is properly constituted with a chairman and councillors (Local Government Act 1972 s14(1)), or to put it another way the council is not properly constituted without a chairman.

The first item of business at the Annual Meeting is to elect the chairman (LGA 1972 s15(2)) and the previous incumbent remains in office until the new chairman has been elected and has signed their declaration of acceptance of office. In this way the council always has a chairman.

So what if no one wants to be chairman? Well, because the law states that it must be the first item of business, if the council is unable to transact this business and elect a chairman then the meeting should be adjourned, since it is not possible to transact any other business without having first elected a chairman. The council should convene another meeting and, again, the first item must be to elect a chairman. Normally the very thought of this never-ending loop is enough to convince most councils that they must elect someone.

Most councils have no problem at all in finding a chairman but those that struggle usually fall into two categories. There’s the “poisoned chalice” category where a council has been facing difficult times and the atmosphere has been quite negative or even hostile. Perhaps the chairman resigned in a fit of pique and took other councillors with them. In these circumstances no wonder no one is keen to pick up the reins! Then there’s the “big shoes to fill” category, which often arises when someone has been a very active chairman for a number of years (or even decades!). Other councillors look at the commitment the chairman has shown and think “I haven’t got that much time” or “I couldn’t do what he/she does”. Ironically the more successful and the more active the past chairman has been the more others hesitate to be his/her successor.

The statutory role of chairman is in fact extremely limited. The chairman must preside, if present, at council meetings and must exercise a second and casting vote in the case of an equality of votes. These two statutory functions are

discharged at meetings of the council so in fact they take up no more time than being an ordinary councillor. However, it is the non-statutory, discretionary elements of chairmanship that can take up time. Some councils are very chairman-led and the role can become almost full time, even in a relatively small parish. How much “extra” a chairman does is completely down to the individual and it shouldn’t put people off standing for chairman. The best councils are those that function as a team, with the work and responsibilities shared out equally.

When the council elects a chairman it is important to understand that the person is being elected as chairman of the council, not just chairman for the meeting. Some councils report that “no one wanted to be chairman of the council so we elected someone just for this meeting, then we’ll elect someone else for the next”. This is not lawful. The chairman is the chairman of the council. A chairman could of course be elected at one meeting and then resign before the next meeting thus triggering the requirement to elect a new chairman of the council, but the risk is that the council is brought into disrepute if there is any suggestion of this being an “engineered” process. It is better than someone agrees to be elected chairman of the council and carries out just the statutory basics of the role in the short term.

Larger town councils, whose chairman is styled “mayor”, have succession planning built in where it is custom and practice that the deputy mayor is nominated and elected to be mayor for the following year. For smaller parishes though it might be useful to give some thought to succession planning, especially if the current chairman has been in post for more than five years. Good chairmen will know when they intend to stand down and should take the opportunity to mentor a potential successor. Those wishing to be chairman of the council in the future should look to cut their teeth by being chairman of a committee, or taking on some of the non-statutory roles of the chairmanship (e.g. representing the council at external meetings).

A change of chairmanship may be forced upon a council at any time through the resignation or death of the incumbent. In this situation the first item of business at the next full council meeting must be to elect a chairman. The vice chairman (if the council has one) should preside over this agenda item (never the clerk!) and may vote for himself if nominated, including using his second and casting vote in his own favour.

So, in summary, a council cannot lawfully transact business if it is not properly constituted, and it is not properly constituted without a chairman. Being the chairman of a parish council (or the mayor of a town council) should be an honour and a pleasure. Don't be afraid to take it on – you might be pleasantly surprised!

LOCAL AUDIT AND ACCOUNTABILITY ACT 2014

The Local Audit and Accountability Act 2014 received Royal Assent on 30 January 2014. The Act contains important matters affecting parish and town councils, although frustratingly the details and timing of implementation are all subject to further implementing measures: either secondary legislation or determination by the Secretary of State. So, whilst it is interesting to note the framework set up under the Act, it is the detailed regulation and guidance about how, for example, new localised external audit arrangements and their links to audit panels will work in practice that is still awaited.

The main points affecting parish and town councils in the Act are:

1. External audit arrangements for the future. Date of implementation to be determined by the Secretary of State.
2. A statutory Transparency Code applying to local councils will be published, requiring even smaller councils to publish certain information (currently only larger councils have to publish expenditure over £500). Date of implementation to be determined by the Secretary of State.
3. A statutory Code on Local Authority Publicity which will relate to local council newsletters and other publicity. This provision comes into effect 2 months from 30 January 2014 but councils will be waiting for an implementing direction and detail from the Secretary of State.
4. Filming and use of social media at council meetings will be permitted. This provision comes into effect 2 months from 30 January 2014 but councils will be waiting for the implementing regulations and legislative amendments to emerge from Government.
5. New regulations will be introduced covering parish polls. Date of implementation to be determined by the Secretary of State.

So, whilst the Act heralds yet more changes for parish and town council procedures it is too early to say how far-reaching the changes will be. As soon as more information is published Northants CALC will inform all member councils.

A CAUTIONARY TALE

As a parish councillor do you use your private e-mail system for your parish council work? Have you ever sent an e-mail to a fellow councillor about parish council matters? If the answer is “yes” to both have you considered that your private e-mail system may become subject to a search under the Freedom of Information Act 2000?

In a recent case a member of the public who was in dispute with a council put in an FOI request asking for all correspondence relating to a particular matter. The clerk, being aware that certain councillors had corresponded on the matter between themselves but without copying in the clerk, ordered that the search for information should extend to the councillors’ private e-mail systems. Refusal to disclose information held or deliberate destruction of evidence are offences under the Act so the councillors concerned had no choice but to comply. Fortunately the correspondence between councillors was routine and factual so there was no cause for alarm, but it illustrates the point that councillors should be aware of the fact that any e-mail they write to do with council business may at some point find its way into the public domain.

A VERY SPECIAL OPPORTUNITY

Are you concerned about crime in your village or town? Do you think there should be more visible policing on the streets?

Northamptonshire Police is looking for volunteers to join the growing ranks of the special constabulary and also for people to sign up to a new Street Watch project.

Special constables play an essential role in the success of Northamptonshire Police, offering their time to support the force and make a difference throughout the county. They are volunteer police officers who hold the same powers and wear the same uniform as that of a regular police officer.

Special constables are involved in a variety of police work gathering intelligence, executing warrants and responding to emergency incidents such as burglaries, domestic abuse, assaults and traffic offences.

Volunteers will gain a wide variety of skills which they will be able to transfer to their regular job and everyday life. The thorough training provided can also increase self-confidence and the ability to cope with everyday situations. Special constables also meet new and interesting people and have experiences beyond the realms of their regular employment.

Becoming a special constable is an excellent opportunity to experience different aspects of policing, develop new skills, pursue a career within the police service and make a difference locally.

In the past parish councils have been asked to pay for the equipping and training of a special constable with no guarantee of deployment in their patch. Now Northamptonshire Police will cover the cost and also work with parish councils to ensure that local special constables are used locally. All that parish councils are asked to do is promote the scheme locally, perhaps by organising a village/town meeting, and encourage people to apply. There is no cost to the parish council and the community will benefit by having increased visible policing.



Please visit www.northants.police.uk/specials to find out more.

Street Watch, which is a new initiative from Northants Police, is described as “like Neighbourhood Watch but out on the streets”. Street Watch gives a community an opportunity to keep the area safe.

Local police keep in regular contact with Street Watch members to share information and work with them. Street Watch members patrol their local area for at least two hours every month, at times which suit them. They patrol in pairs, talk to people they meet and encourage them to take an active interest in keeping the area safe.

For more information about Street Watch please download the information leaflet:

<http://www.northants.police.uk/files/linked/Street-Watch-Observers-Guide.pdf>

TRAINING AND DEVELOPMENT FOR LOCAL COUNCILS

Look below for a course or event that may be of interest and make a booking through the Clerk to the Council. All councils must have a training budget from which councillors can book courses under the authority of the Clerk. If your council has not yet done this then why not ask for it to be on the next agenda?!

Training Opportunities February to September 2014

Financial Risk Management

Wednesday 12 February 2014 10.00am to 12.30pm, Saxon Hall, Raunds

Off to a Flying Start

Saturday 22 February 2014 10.00am to 12.30pm, Saxon Hall, Raunds

CiLCA 2014 (Module 1 of 7)

Tuesday 25 February 2014 10.00am to 2.00pm, Northants CALC Offices, Litchborough

How Local Councils Can be More Effectives Online

Wednesday 12 March 2014 11.00am to 1.00pm, Northants CALC Offices Litchborough

A Morning with Ian – Legal Ease NOT Legalese

Tuesday 18 March 2014 10.00am to 12noon, Northants CALC Offices, Litchborough

Dealing with Disruptive Behaviour

Monday 31 March 2014 7.00pm to 9.00pm, Northants CALC Offices, Litchborough

New Clerks

Saturday 12 & 26 April 2014 10.00am to 4.00pm, Northants CALC Offices, Litchborough

Planning Nuts & Bolts

Monday 28 April 2014 7.00pm to 9.00pm, Litchborough Village Hall

Off to a Flying Start

Wednesday 7 May 2014 6.30pm to 9.00pm, Northants CALC Offices, Litchborough

Section 106/Community Infrastructure Levy (CIL)

Monday 2 June 2014 10.30am to 1.00pm, Saxon Hall Raunds

Data Protection & Freedom of Information

Tuesday 10 June 2014 6.30pm to 9.00pm, Northants CALC Offices, Litchborough

Off to a Flying Start

Wednesday 25 June 2014 6.30pm to 9.00pm, Northants CALC Offices, Litchborough

Section 106/Community Infrastructure Levy (CIL)

Monday 7 July 2014 6.30pm to 9.00pm, Litchborough Village Hall

Playground Management & Inspection

Wednesday 16 July 2014 6.30pm to 9.00pm, Northants CALC Offices, Litchborough

Planning Nuts & Bolts

Tuesday 22 July 2014, 10.00am to 12noon, Saxon Hall, Raunds

Major Planning Applications and Parish & Town Councils – increasing the effectiveness of your response

Monday 8 September 2014 10.00am to 1.00pm, Litchborough Village Hall

Dealing with Disruptive Behaviour

Monday 16 September 2014 10.00am to 12noon, Saxon Hall, Raunds

For information on any of these courses please see

www.northantscalc.gov.uk/events.html or for further information contact Anne Kirkland, Training Manager, on 01327 831482 or akirkland@northantscalc.gov.uk.

All courses must be accompanied by a course booking form, which can be downloaded from www.northantscalc.gov.uk. Alternatively you can book online at <http://www.northantscalc.gov.uk/training-reservations.html>.

If you would be interested in a training session specifically designed and delivered for your Council, please contact Anne Kirkland to discuss your requirements.

NALC CHIEF EXECUTIVE

John Findlay, Chief Executive of the National Association of Local Councils (NALC) since 2000, retires on 13 February 2014 ([more](#)). A recruitment process is underway and it is hoped that the post will be filled by 1 April 2014.

SITUATIONS VACANT

Ashley Parish Council

ASHLEY PARISH COUNCIL has a vacancy for a Parish Clerk/Responsible Financial Officer. The Clerk will be responsible for the administration of the council's affairs and finances. Based on the advice of the previous clerk the job will require 2½ to 3 hours per week, based mainly at home plus attendance at 6 scheduled council meetings per year. The ideal applicant would be reasonably computer literate and have some bookkeeping experience. Training both on the job and at courses provided by NCALC will be provided at the council's expense. Salary will be based on the National Joint Council for Local Government Services pay scales starting at £8.43 per hour plus expenses. This will be negotiable according to qualifications and experience.

Ashley is a small village in north eastern Northamptonshire with an electorate of just over 200. This may be an ideal position for a parish clerk nearby to add to their employment without duplicating all their tasks. Should you be interested, or wish for further information, please contact The Clerk, Ashley Parish Council, c/o 1 Stanway Close, Market Harborough, LE16 8BT, or email pc.clerk@ashleyvillage.co.uk.

Greatworth Parish Council

GREATWORTH PARISH COUNCIL has a vacancy for a parish clerk and responsible finance officer. Due to the pending retirement of the current Clerk, applications are invited from suitably qualified and experienced persons, although training will be offered and enthusiasm to learn will be seen as an alternative to formal qualifications. The parish clerk will be responsible for the administration of the business and finances of the council. The post includes some evening work and occasional attendance at civic functions. The successful applicant would be expected to have, or be prepared to obtain, CiLCA (Certificate in Local Council Administration). He or she must be computer literate, with good communication skills. Friendly and positive outlooks are essential. Salary scale LC1, SCP 18-22, £17,333 - £19,817 pa. pro rata. 30 hours per month (to be confirmed). Work from home. Please apply in writing to:- Nicholas Peart, Chairman, Greatworth Parish Council, Stone Lea, Chapel Road, Greatworth, OXON OX17 2DT or telephone 01295 711339. Closing date for applications: 21 Feb 2014.

NORTHANTS CALC CONTACTS

Danny Moody	Chief Executive dmoody@northantscalc.gov.uk
Anne Kirkland	Training Manager akirkland@northantscalc.gov.uk
Linda Bain	Administration Manager lbain@northantscalc.gov.uk
General	info@northantscalc.gov.uk
Member Enquiry Service	mes@northantscalc.gov.uk

Address:

Northamptonshire County Association of Local Councils
6 Litchborough Business Park
Northampton Road
Litchborough
Northamptonshire
NN12 8JB

Telephone: 01327 831482



www.northantscalc.gov.uk

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