

Update

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CONTENTS

- **THE CHIEF'S BRIEF**
- **THE LOCALISM ACT – WHAT DO WE KNOW?**
- **PROJECT GETS TOP BILLING**
- **AGM IS BEST EVER**
- **LOCAL COUNCIL SURVEY 2011**
- **SHAW THING**
- **OLYMPIC PLANNING**
- **MUG SHOT**
- **TRAINING AND DEVELOPMENT FOR LOCAL COUNCILS**
- **A CAUTIONARY TALE**
- **SITUATIONS VACANT**
- **CHRISTMAS BREAK**
- **HAVE YOU BEEN A COUNCILLOR TOO LONG?**
- **CONTACT DETAILS**



THE CHIEF'S BRIEF

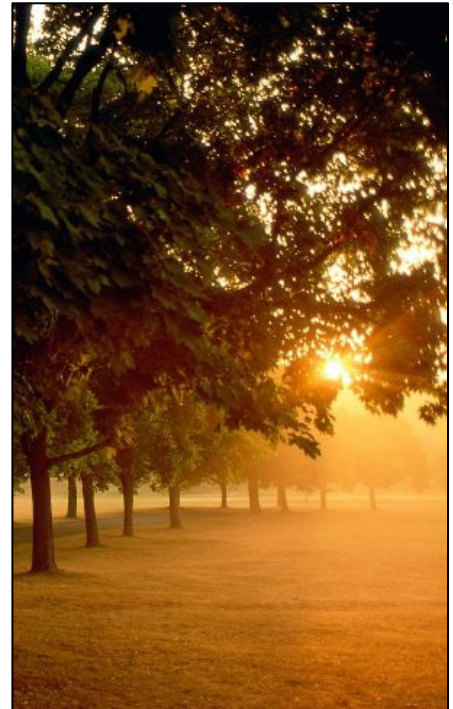
By Danny Moody, Chief Executive, Northants CALC

Last week saw the Localism Bill receive Royal Assent and become the Localism Act 2011. It is a testament to how much is riding on this new Act that it made it through parliament before Christmas and has come through relatively unscathed. There's a full report below that attempts to answer the question "What does the Localism Act mean for parish and town councils in Northamptonshire?". Please wish me luck trying to answer that one!

As you might expect Localism, and in particular Neighbourhood Planning, has dominated the agenda in the past two months. And there is a growing realisation that to make it work in every parish and community across the country there is a need for a reinvigorated, fit-for-purpose parish and town council sector supporting communities and acting as the spider at the centre of the Big Society web. Are parish councils, councillors and clerks up for it? We provide some evidence below in our review of the Local Council Survey 2011.

As usual the Association has been incredibly busy representing the sector in Northamptonshire and answering members' enquiries. The term "quiet period" has been consigned to the dustbin... every day seems busier than the one before.

On 14 & 15 October I attended the Society of Local Council Clerks (SLCC) Annual Conference near Reading. Northants CALC is an Associate Member of the SLCC and it is always interesting to see how the Society views the sector. The first thing you get a feel for is how the Society treasures the people in it; there is a real sense of professional respect for and personal pride in those who hold the office of Clerk to the Council, which is not always reflected by the public and, dare I say it, some councillors. Modern clerks are professional, competent officers, a far cry from the "dear lady to take our minutes" image of yesteryear.



It's the dawn of a new era of Localism, but just how different will tomorrow's world be?

On 19 October I attended the National Association of Local Councils AGM in London. There was some interesting debate on devolved services and I detected that government needs to have a much deeper understanding of the role of parish councils and their capacity to deliver public services. There's much work to do.

On 22 October it was the Northants CALC AGM in Raunds. There is a full report below but I would like to take this opportunity to thank all those that attended and made it such an enjoyable and worthwhile meeting.

I have attended a plethora of other meetings, but notably I have held meetings with senior members or officers of four of the county's district and borough councils. Northampton Borough Council (NBC) is under the new leadership of Cllr David Mackintosh and there is a growing desire to create new parishes in the presently unparished urban areas of Northampton. South Northants Council (SNC) is under the new management of Sue Smith (jointly Chief Executive of South Northants and Cherwell District Council). I discussed the possibility of setting up a new Parish Liaison Forum in South Northants and heard about the new area operating structure where each senior manager within SNC and Cherwell has been allocated a geographical area to get to know and to be a link for. These initiatives in Northampton and South Northants, as well as key work going on in other parts of the county, will help improve communications and strengthen the bond between the district/borough councils and the parish councils in their areas. This, I feel, is of great importance so that these two tiers of local government can work seamlessly together to bring forward Neighbourhood Plans over the next few years.



Alan Tebbutt – 40 years in local government.

It was my pleasure to be invited to Guilsborough Parish Council on 15 November for a presentation ceremony for Alan Tebbutt, who retired from the council this year after forty years' service. Alan was previously a county councillor and stalwart of both the county and national associations of local councils. His long service to local government in Northamptonshire and beyond is undeniable. Also present at the ceremony was the Clerk to Guilsborough Parish Council, Peter Winterburn, who is a

relative Johnny-come-lately, having “only” served twenty eight years - so far! My congratulations and best wishes go to Alan and to all at Guilsborough Parish Council for their continued success for decades to come.

I am always pleased to receive invitations to visit parish and town councils, whether to share in your successes and celebrations, or to talk about the issues of the day face to face with you. I will accept as many invitations as I am able.

Please do get in touch with your enquiries and issues. That’s what we’re here for.

THE LOCALISM ACT – WHAT DO WE KNOW?

In the “Chief’s Brief” I set myself the challenge of answering the question ““What does the Localism Act mean for parish and town councils in Northamptonshire?”

The only true answer is that I don’t know – no one knows – because the Localism Act only sets out a direction of travel, it is not a detailed travel plan. It’s like saying “we’re going to France”, without saying when you’re leaving, how you’re going to travel, which bit you’re going to and for how long you’re going. Without that rather important detail it is a bit difficult to say what the impact of the journey will be. In the case of the Localism Act the detail will be provided in secondary legislation and regulation by the Secretary of State for Communities and Local Government that will flow on from the Act over the course of the next six months to a year.

However, the question as to what it means for parish and town councils remains and I would be shirking my responsibility if I didn’t attempt a slightly longer answer than “I don’t know”! So for the purposes of this article I will look at three areas that I think will be of most relevance to parish and town councils and I will speculate about what these provisions will look like and what difference they will make. The three areas are: the General Power of Competence, Neighbourhood Planning and Ethical Standards.

The General Power of Competence

The General Power of Competence, or GPoC, is, it must be noted, a general power of *legal* competence, as opposed to *personal* competence, which is an entirely different matter! Part 1, Chapter 1, section 1, paragraph 1 of the Localism Act provides that “*A local authority has power to do anything that individuals*

generally may do.” This is a really big and important change for parish councils, which previously only had the power to do things that were specifically prescribed in law. Parish councils were at risk of being caught *ultra vires* if there was no specific statutory power underpinning their activities. The “catch all” provision of section 137 was limited in its scope being capped at around £6 per elector and with various other peculiar restrictions on its use. The lack of a statutory power has sometimes been a source of frustration to parish councils when a perfectly reasonable action had been proposed but was subsequently deemed *ultra vires*. A common example is the purchase of a commemorative gift for a retiring councillor of long standing – there is no specific power for this and it does not comply with one of the requirements of s137, which is that the expenditure cannot benefit an individual. Many other examples exist where the law is so unclear that councils have eventually chosen not to act in order to stay on the safe side.



Councils will soon be free of the straightjacket of complicated legislation.

GPoC is intended to release parish councils from the legislative straightjacket in the hopes that the sector will become more ambitious, more aspirational and more innovative.

So, section 1 confers the power but (as opponents of the Act pointed out when it was at Bill stage) sections 2 to 8 set about defining the limits of its operation. Why have a general power if it is then heavily caveated with significant powers for the Secretary of State to wind the rope back in if ever required?! Of

particular consequence to parish and town councils is section 8(2) of the Act, which states that “*A parish council is “eligible” for the purposes of this Chapter if the council meets the conditions prescribed by the Secretary of State by order for the purposes of this section.*” In other words, entitlement to use GPoC will be subject to eligibility and we are yet to hear what the criteria will be. My speculation is that there will be an elected mandate requirement (e.g. 66% of councillors elected at the last ordinary election) and possibly a training requirement. I predict that the eligibility criteria will be easily attainable and well within the reach of the vast majority of parish councils. Nevertheless, hoops there will be.

Personally I am not convinced that GPoC will suddenly unleash parish and town councils in the way that some might hope. I freely concede that in the future lack of legal power is less likely to be the limiting factor, but all that means is that new projects will depend on the next limiting factor... culture, funding, capacity, training, knowledge, aspiration, commitment, risk aversion etc etc. Undoubtedly there are some parish councils that are at the bleeding edge of project and service delivery innovation, but the whole culture of parish councils has been created under a blanket of restrictive powers and tight frameworks of governance and accountability. Like prisoners released from solitary confinement parish and town councils will stumble blinking in to the light, but it may take them many years to adjust to their new-found freedom and to build up their confidence to take on more. It is at this point that it is appropriate to point out that GPoC is a discretionary power... it's there for those councils that want it and need it.

Neighbourhood Planning

Be careful what you wish for, it may come true! Parish and town councils have for years sought to have more influence in the planning system. Incredible frustration results when the parish council makes what it sees as perfectly justified observations on a planning application only for a planning officer, or worse still, the councillors on the Local Planning Authority's Development Control Committee, to "ignore" the comments and make a contrary determination. In many cases it's not that the comments were ignored, it is just that they were not based on material planning considerations, or that there were other comments/policies/objectives that had to be taken in to account also.

Neighbourhood Plans, developed by communities themselves, will be part of the statutory Local Plan and will have to be taken in to account by the Local Planning Authority (LPA) when determining applications in that area.

So what are they and how will they work? Well, because it's the Localism Act we only know the headlines not the detail. Chapter 3, section 116 of the Act introduces Neighbourhood Planning by amending the Town & Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004. The mechanisms are set out in Schedules 9 & 10 of the Localism Act, and if you read nothing else, I would urge you to read these Schedules (only 25 pages out of 497!).

Neighbourhood Plans and Neighbourhood Development Orders will relate to a Neighbourhood Area. The Neighbourhood Area can be all or part of a parish or even comprise of more than one parish. In unparished areas the relevant Local Planning Authority (LPA) will have the power to authorise an organisation or body to act for that Neighbourhood Area and the organisation or body will be known as the Neighbourhood Forum (comprising a minimum of 21 people coming together for the purposes of promoting or improving the social, economic or environmental wellbeing of an area).

For parished areas I would assume that in most cases the Neighbourhood Area would be contiguous with the civil parish, but the flexibility in the Act allows for very large parishes to be divided in to more than one Neighbourhood Area and for very small parishes, including those served by Parish Meetings, to club together to form a single Neighbourhood Area between them.

It will not be possible for Neighbourhood Forums to include in their Neighbourhood Area any part of the area of an existing parish council.

The potential establishment of Neighbourhood Forums in non parished areas is a concern to the Association. It could be that they are the precursors of new parish and town councils, which would be OK, but the risk is that a new class of community governance organisation will be created that does not have the same level of governance standards and accountability that parish and town councils have. Our solution is to encourage the parishing of the non-parished areas in the boroughs of Corby, Kettering, Northampton and Wellingborough as a matter of urgency.



Getting communities engaged in Planning must be a good thing.

Schedule 9, Part 2, section 7 of the Act provides that “A “neighbourhood development plan” is a plan which “sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan.” I have heard Neighbourhood Plans described as “beefed up Village Design Statements (VDS)” and perhaps that’s a good description. I certainly see Neighbourhood Plans being more like a VDS

than Parish Plans, which by design include all sorts of things that are nothing to do with planning and development control. I am often asked about the differences between these various types of community-led plan and the relative merits of each. Until we know more about Neighbourhood Plans it is difficult to give a definitive view, but I would encourage any parish currently doing a Parish Plan, or thinking of doing one in the near future, to continue to do so. Anyone currently doing a VDS may wish to see how it might be used to form the basis of a Neighbourhood Plan.

Neighbourhood Plans must be in compliance with Local, National and European plans and directives... for example they cannot be used to override the housing targets for an area set out in the Local Plan.

For me, Neighbourhood Plans will be mainly about spatial planning, i.e. where in the Neighbourhood Area to put housing, employment, industry, recreation facilities and green open space. Neighbourhood Plans will require an evidence base to be established of the area's needs and aspirations and they are intended to be a positive statement for growth, rather than a collection of reasons for no growth. How relevant such a document will be for a very small rural parish (i.e. less than 500 electors) is open to debate.

In summary, Neighbourhood Plans will:

- Comply with other development plans for the area
- Be produced by parish and town councils in parished areas
- Be produced by Neighbourhood Forums in unparished areas
- Cover a Neighbourhood Area, which in parished areas can be the whole or part of the parish, or even one or more parishes together
- Provide a spatial plan for housing and employment
- Identify and secure important open green space

The production of a Neighbourhood Plans falls in to 6 key stages:

1. Designation by LPA of the Neighbourhood Area
2. Consultation with the community, supported by the LPA to ensure that the evidence base is robust
3. Production of draft Neighbourhood Plan, again with LPA support
4. Submission of draft Neighbourhood Plan to independent examination

5. Local Referendum to decide whether or not to adopt Neighbourhood Plan
6. Inclusion of adopted Neighbourhood Plans in the statutory Local Plan

There is a consultation out at the moment (deadline 5 January 2012) on the Neighbourhood Planning Regulations and councils are encouraged to respond. See <http://tinyurl.com/3vltjrl> for details.

But now for a word of caution: I believe that for the majority of parishes the most important document in terms of determining the level of housing growth still is, and will always be, the Core Strategy. The West Northamptonshire Joint Planning Unit (WNJPU (www.westnorthamptonshirejpu.org) covering South Northants, Daventry and Northampton) and the North Northamptonshire Joint Planning Unit (NNJPU (www.nnjpu.org.uk) covering East Northamptonshire, Corby, Kettering and Wellingborough) are both working on revised Core Strategies and I would strongly encourage parish and town councils to engage with the process now. Don't take your eye off the Core Strategy in order to start working on a Neighbourhood Plan – ideally develop both side by side.

So what about timing – should we start a Neighbourhood Plan now? This is one of the trickiest questions. There is a Government Frontrunner Scheme (<http://tinyurl.com/5s2yjnq>), which is effectively a pilot project for Neighbourhood Planning. I would encourage parish councils to put themselves forward if and when another wave of applications is invited but I am aware that not all LPAs are willing to submit an application on behalf of a parish in their area. The reality is that LPAs do not have the capacity to support more than a handful of councils at a time, and I feel that the harsh economic reality of introducing Neighbourhood Plans is yet to hit home. If government does not put a pot of money aside for the development of Neighbourhood Plans then I predict all sorts of unofficial workarounds will be created. After all, there's nothing stopping an LPA voluntarily adopting a "site specific supplementary planning document" that does essentially the same thing as a



Parish councils have forensic knowledge of their area and know where housing could go, and where it shouldn't!

Neighbourhood Plan. I hope I'm wrong but I fear that some cash-strapped LPAs in England might resist Neighbourhood Planning because of the cost and might discourage parish councils from preparing plans. It should be clearly stated that it is the decision of the parish and town council whether or not to bring forward a Neighbourhood Plan; although admittedly it is difficult to see how they could do so without the full support and co-operation of the LPA.

And one final tip: Remember the SHLAA? Parish councils in Northamptonshire received in January 2010 a request from their relevant LPA to comment on the Strategic Housing Land Availability Assessment for their parish. At the time I wrote in Update "*... are SHLAAs a harmless audit of land that will provide useful data for the future, or are they a sinister and underhanded "thin end of the wedge" and that once a piece of land is identified via the SHLAA then it is only a matter of time before it comes under development pressure?*" Well I think we now know that SHLAAs are not simply "a harmless audit of land" because they have popped up in the National Planning Policy Framework as the key mechanism for ensuring that there is an on-going (5-year rolling) supply of development land. I would urge parish and town councils to revisit the SHLAA for their area and see what, if any comments were made this time last year.

Ethical Standards

The Code of Conduct is dead; long live the Code of Conduct. Yes, Schedule 4 of the Localism Act abolishes Standards for England, the Quango that was responsible for overseeing the operation of the Code of Conduct of Local Authority Members in England. Many thought that the whole Standards regime, including the Code of Conduct, would disappear along with the Quango, but this turned out to be not quite the case.

Part 1, Chapter 7, paragraph 27 of the Act imposes a new duty to "*(1) promote and maintain high standards of conduct by members and co-opted members of the authority, and (2) In discharging its duty under subsection (1), a relevant authority must, in particular, adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in that capacity.*" So parish and town council will still need to have a Code of Conduct.

Parish Councils can adopt their own Code but it must comply with the requirements of the Act. Alternatively, parish councils can use the Code that is adopted by the borough or district council for their area and in so doing are deemed to have complied with the requirements of the Act. Any Code must be consistent with the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership (The Nolan Principles). I predict that the majority of parish councils will simply adopt the same Code as is used by their district/borough council.

The actual system for dealing with complaints will not be much different. Complaints or allegations of breaches of the Code will be made to the relevant borough/district council, just as now. The only difference is that the borough/district council can no longer escalate serious complaints to Standards for England. The Monitoring Officer at the borough/district council will continue to be the person responsible for the application and observation of the Code by parish councillors.

One key change is the creation under Part 1, Chapter 7, section 34 of the Act of a criminal offence for failure to declare a “*disclosable pecuniary interest*”. Prosecution could lead to a fine of up to £5,000 and disqualification from being a councillor. The new Standards regime will have considerably more teeth than the old system and only time will tell a) how the system operates and b) how frequently breaches result in prosecution.

Parish and town councillors will still be required to maintain a Register of Member’s Interests and they will be published on the borough/district council’s web site and (if it has one) the parish council’s own web site. Under the new regime I think it will become more important for a councillor to make certain that their Register is complete, full and kept up to date.

Further information and support

There will be a package of support and information provided to all councils over the coming months, including:

- A series of briefing notes and NALC Legal Topic Notes on specific elements of the Act of relevance to parish and town councils.

- Briefing events in the New Year on the Localism Act with particular reference to Neighbourhood Planning (dates being finalised)
- Training events on specific areas of the Act, e.g. the new General Power of Competence (GPoC).

There is an incredible amount of information circulating currently, much of which is either speculative or greatly lacking in detail. Rest assured that as soon as we have definitive, concrete guidance it will be disseminated to all councils in the usual way.

A DCLG press release on the Localism Act 2011 is available at <http://www.communities.gov.uk/news/newsroom/2030130>.

Further information on Neighbourhood Planning is available at:

- www.planninghelp.org.uk
- www.rtpi.org.uk
- www.towns.org.uk

Beyond the formal events, briefing sessions and publications, specific help is always at hand from Northants CALC. Please feel free to contact Northants CALC at any time with your questions about the planning system, Neighbourhood Plans, how to work with your Local Planning Authority and up to date information on the latest developments.

Parish councils should feel supported and should rest assured that help is available as and when required.

PROJECT GETS TOP BILLING

Billing Parish Council (near Northampton) is to receive £49,500 from the Heritage Lottery Fund (HLF) for an exciting project, the Billing Leys History and Heritage Project. Led by volunteers from the local community the project will focus on restoring as far as possible to their original condition areas owned by the Parish Council which were part of the original Billing Hall estate. A local oral history project will record people's memories of the area, which will be complimented by a record of old photographs and historical maps of the parish.

Most of the land in Billing Parish was at one time part of Great Billing Hall Park, a country estate with a long and varied history. The site of Billing Hall was originally occupied by the Manor, mentioned in the Domesday Book. Unfortunately following the untimely death of Gervase Elwes in 1921 the beautiful grounds, parkland and estate was broken up and sold. The Hall was finally demolished in 1956 to make way for new housing.

In the 1930's W. Pearce and Company, a flourishing leather manufacturer in the town, bought a part of the parkland and opened a purpose built modern factory landscaped in a garden setting. In 1987 Pearce's donated in perpetuity to the Parish Council the open space leading up to the 12th Century (Grade I Listed)



Billing Leys.

St. Andrews Church, now known as Billing Leys. Behind the church magnificent trees form the backcloth and it is behind these that Billing Hall was positioned, with sweeping lawns down to the ha-ha. Sadly, however, the full beauty of the scene is marred by the crumbling and disintegrating state of the ha-ha wall which, if not restored, will be lost for ever and with it something of the long history of Billing Park.

The ha-ha around the churchyard of St. Andrews Church in Great Billing is the only substantial remaining part of the Great Billing Hall ha-ha open to public view and access. It represents an important part of the historic stone wall associated with the now demolished Hall, which offered views across the parkland to the Nene Valley.

On one side of The Leys is an old orchard that originally belonged to a convent situated in Great Billing. The orchard is also in Parish Council ownership and attempts are currently being made to ascertain its full history. Full restoration of the orchard is intended.

At the beginning of 2010 the council decided to plant an avenue of native rowan trees either side of a natural pathway that runs the whole length of the Leys. This is known as Celebration Avenue and the trees are available for purchase together

with a commemorative plaque. This has proved very popular - 24 trees have already been sold with 20 more to be planted this autumn.

Sadly, due to disease, several magnificent old trees on The Leys have been lost and the Parish Council hopes to replace them all. It is Billing Parish Council's vision to restore the whole of this area, including the ha-ha wall, to how it would have looked at the beginning of the last century and to maintain it for future generations to enjoy.

It is also intended to record an oral history of the parish, to collate old photographs and resource historical records and maps available, with the objective to produce a publication containing both.

Billing Parish Council aims to draw the whole community together as a whole, to inspire and involve local groups and individuals in activities to enhance their appreciation of their heritage and to encourage participation in its ongoing conservation. This is particularly aimed at young people in the hope that they will become the heritage custodians of the future. Demonstrations and teaching sessions will be held so that interested parties may learn the rudiments of the ancient art of dry stone walling and it is hoped that as many volunteers as possible will take part in all aspects of the project.

Commenting on the award, Steve Rockall, Chairman of Billing Parish Council said *"I am delighted that Billing Parish Council has received this grant which will now enable us to restore the ancient ha-ha wall around St Andrews Church further enhancing the beauty and cultural history of this area. Linked in with the oral history project and the re-discovery of the old orchards on The Leys this promises to be an exciting time and a great project for the benefit of both the young and the old as well as protecting the heritage of the area for future generations"*.

AGM IS BEST EVER

Over a hundred delegates packed in to the Saxon Hall in Raunds on Saturday 22 October 2011 to transact the business of the Annual General Meeting of the Association and to listen to the keynote speaker, Peter Taylor, resident of the county and a partner specialising in planning in the law firm DLA Piper. The title of Peter's talk was *"A Brave New Planning World"* and he reviewed the national changes and outlined what it all means for communities. There was a lively question and answer exchange as delegates thought through the detailed

implications for their own parishes. Peter Taylor said “*The vision needs to come from parishes*”, and [the Localism Bill provides the] “*Opportunity for communities to shape development before the application stage*”. However, he asked “*Do local communities - especially very small ones - actually want these responsibilities?*” pointing out that the proposed legislation does not distinguish between very large urban town councils and very small rural parish councils.

Dr Paul Blantern, Chief Executive of Northamptonshire County Council (NCC), was re-elected as President of the Association. In his President’s Address he encouraged delegates to focus on the good things that are happening in Northamptonshire, including the recent announcement of two new University Technical Colleges for the county, the creation of the new Northamptonshire Local Enterprise Partnership and the award of a new Local Enterprise Zone in Northampton. All these developments will promote prosperity. Dr Blantern predicted “*a key role for parish and town councils in delivering the Open Public Services agenda*” and that “*there is a need for parish and town councils to feed in to and influence policy development.*”



Delegates voting at the AGM 2011.

My thanks go to all the attendees that made the event so successful, but in particular my thanks to Anne Kirkland and Helen Sitch who pulled the whole event together, made sure that it all went flawlessly and ensured that all delegates were well looked after. Following the success of the new format we will repeat it for the 2012 AGM and we look forward to seeing you there!

LOCAL COUNCIL SURVEY 2011

Thank you very much indeed to all the councils, clerks and councillors that took part in the Local Council Survey 2011. 144 councils (69%) responded to the survey of councils and 309 individuals (16%) responded to the survey of councillors. The response rates mean that the data is statistically reliable and so gives us a good evidence base for parish and town councils in Northamptonshire.

The data set is enormous and it is not the intention to provide all the results in this article. Instead the article will pick out one or two highlights and reveal a few surprises too.

Firstly, the councillorship is younger and newer than one might think. The majority of councillors are in full or part time work and the best represented age group is 55 to 64 year olds. Roughly 25% of councillors are in their first year of office, 25% in their first term, 25% in their second term and 25% have done ten years or more. So it appears that the image of a typical parish councillor being a 70+ year old retiree who has been on the council for decades needs to be updated. Think of someone younger, working, fresher. And given what respondents told us about their motivations for becoming a councillor (the top answers were: “to give something back to the community” and “to contribute to improving the quality of life in the community”) one can start to paint a picture of the councillorship being made up of dedicated communitarians that have the time, perhaps when the children leave home or their work/life balance tips in favour of life, when they feel that they have something to offer and want to give back rather than take out. Of course, sweeping generalisations, pigeon-holing and making assumptions are all very dangerous activities!

When asked what services/facilities the council currently delivers the answers were, in order of popularity, bus shelters or other roadside seating, street lighting, recreation grounds, village greens and war memorials. These things are the bread and butter of parish councils up and down the land. When asked what services/facilities the council was likely to be considering the top answers were affordable housing, allotments, pocket parks/environment schemes, festivals and entertainment. The survey suggests that parish and town councils are not straining at the leash to deliver innovative new local government services on behalf of principal councils.



Bus shelters and street lighting are bread and butter to parish councils.

When councillors were asked what area of council work interested them most the top answer was “Representing the community” followed by “Planning & development control”. Interestingly “Environmental projects” featured ahead of

“Highways”. These four areas scored the highest with “Providing Grants” at the bottom of the list.

Councillors thought that “Lack of power/influence” was the main barrier to effective councillorship, but 84% would recommend councillorship to others. Significantly, 25% of councillors said they were not sure if they would seek re-election at the end of their current term. It is a challenge to the Association and to all parish and town councils to ensure that those councillors that feel they have something to contribute are empowered to do so and that they are given every opportunity to make a difference in their community.

The results of the Local Council Survey 2011 will be a useful resource that will ensure that the Association meets the needs of its members, deploys its resources intelligently and appropriately and represents the sector accurately and honestly. Thank you for taking part.

SHAW THING

From 1 December 2011, Shaw & Sons Limited will be offering considerable discounts to members of the National Association of Local Councils with special enhancements to member councils who have achieved Quality Status. Shaw's are suppliers of specialist products and services designed for local council use, helping to save busy clerks both time and money. Amongst these is a wide range of off-the-shelf forms, records and registers for day-to-day administration, as well as bespoke services such as the binding of loose council minutes and the supply of freedom scrolls and heraldic artefacts. Since the company was established in 1750, Shaw's have been committed to serving local council needs. They are pleased to be offering a 15% discount to all Quality Status NALC member councils – and a 10% discount to all other NALC member councils – against all stock forms, records and registers. For a limited time only, Shaw's will extend the discount to apply to all bespoke products and services for local councils. Please note that this offer will end on 31st May 2012.

Every parish, town and community council can have account facilities with Shaw's. Orders may simply be placed by telephoning 01322 621100 or emailing sales@shaws.co.uk. Membership of NALC – and whether the council has achieved Quality Status – must be cited at the time of ordering to qualify for the discount.

OLYMPIC PLANNING

The London Organising Committee of the Olympic Games and Paralympics Games (LOCOG) wants to engage with parish and town councils in developing community well-being through the celebration of the Games. They are proposing two major streams of work for this:

1. A local leadership initiative. (Further details to come)
2. The ability for parish and town councils to be able to purchase official Olympic products and services for their communities.

LOCOG are aware of the budget constraints in this sector, so wants to form a focus group of around 10 local councils to inform them on how to cost and deliver on these products. LOCOG has asked the National Association of Local Councils (NALC) to co-ordinate any councils wishing to get involved so please e-mail Alan Jones at alan.jones@nalc.gov.uk to register your interest.

MUG SHOT

Parish and town councils are busy thinking about how they will mark the Queen's Golden Jubilee in 2012. We have received several enquiries regarding the statutory powers that parish and town councils have to incur expenditure on such celebrations. The one that has come up most often is "can we purchase mugs and give them to residents?" The short answer is yes, but it is a bit of a grey area. For example, section 145 of the Local Government Act 1972 allows councils to do "*anything... necessary or expedient for... the provision of an entertainment of any nature*". That's as wide ranging as it's possible to get! Additionally, some commentators say that section 144 (power to promote tourism) can be used. As always, the fall back is section 137, for which the current limit is £6.44 per elector. The basic message is that yes, parish councils have the power to buy and give out commemorative mugs.

The celebrations will centre around an extended weekend in 2012 on 2, 3, 4 and 5 June. Let us know what you're planning – big or small – and we'll feature the best ideas in a future edition of *Update*.



TRAINING AND DEVELOPMENT FOR LOCAL COUNCILS

The Local Council Survey 2011 showed that 33% of councillors accessed training in the last 12 months, 30% have received training in the last 4 years and 35% have never received training (you know who you are!!). However, 51% of councillors said they would need training in the next twelve months in order to be effective in their role, so the Association is going to have its work cut out. Respondents identified a wide range of training needs with, of course, planning being right at the top of the list. We will make sure that the 2012 Training Calendar meets the needs of both councillors and clerks and we hope that councils will create Training Plans, with an associated budget, to ensure that everyone that wants or needs training can access it. As a minimum councils should make sufficient budget provision for 1 standard-cost (£29) training event per member, plus whatever training and development needs have been identified with the clerk. The training and development opportunities planned for Winter 2012 are:

| Date & Time | Course Name | Course Summary | Cost |
|---|---|---|--------|
| January 2012 | | | |
| Thursday 19 January 2012 @ 7.00pm – 9.00pm | Developing Effective Websites | <i>Why every Parish Council should have a web site, how to go about choosing the right set up and the five secrets to creating the best web site for your Council and community. Suitable for both Clerks and Councillors</i> Northants CALC Offices Litchborough with Danny Moody | £29.00 |
| Wednesday 25 January 2012 @ 10.00am – 12noon | Insurance Workshop – What you Need to Know | <i>An informal Q & A Session pointing out what areas Councils need to be aware of when renewing insurance. This session illustrates 'hot-topics' in the industry and outlines recent claims cases allowing each Parish to assess their own insurance needs and what cover is necessary. Suitable for both Clerks and Councillors</i> Northants CALC Offices Litchborough with Came & Co | £29.00 |
| February 2012 | | | |
| Wednesday 1 February 2012 @7.00pm – 9.00pm | Off to a Flying Start | <i>This course is designed to help all Clerks and Councillors make an early, effective and confident start to their careers, by providing quality, constructive and participative training on the roles and responsibilities of Clerks and Councillors. Suitable for both Clerks and Councillors</i> | £29.00 |

| | | | |
|---|--|---|--|
| | | Northants CALC Offices Litchborough with Bill Robinson | |
| Saturday & Sunday 4 & 5 February 2012 10.00am to 5.00pm | Intensive CiLCA | <p>CiLCA - Certificate in Local Council Administration:</p> <p><i>This is the accredited certificate for our sector, designed to test basic levels of competence for the role of Parish Clerk. The syllabus has been designed to cover all aspects of the Clerk's role and candidates are required to compile a portfolio of evidence to show they fully understand their job. The certificate for Clerks is a vital criteria for a council gaining Quality Parish Status. This course is designed predominantly for Parish and Town Clerks, however, it can be undertaken by Assistant Clerks, aspiring Clerks and Councillors.</i></p> <p><i>As this is an intensive course, it is more suited to experienced Clerks.</i></p> <p>Northants CALC Offices Litchborough with Kate Houlihan</p> | <p>£300.00 (for both days)</p> <p>An additional Registration Fee of £150 is also payable to the SLCC</p> |
| Tuesday 28 February 2012 10.00am to 3.00pm | CiLCA 1 | <p>CiLCA - Certificate in Local Council Administration (Session 1 of an 8 part modular course running throughout the year). (As above). Suitable for Clerks, Assistant Clerks, aspiring Clerks and Councillors.</p> <p>Northants CALC Offices Litchborough with Kate Houlihan</p> | <p>£495.00 (for the 8 part modular course) plus SLCC Fee as above</p> |
| March 2012 | | | |
| Saturday 3 March 2012 10.00am to 3.00pm | New Clerks Training (Day 1 of a 2 day course) | <p><i>To provide a broad understanding of the role and responsibilities of a Town or Parish Clerk. This course is designed for newly appointed clerks, or clerks who feel they could benefit from some formal training.</i></p> <p>Northants CALC Offices Litchborough with Danny Moody</p> | <p>£125 (for both days)</p> |
| Saturday 24 March 2012 10.00am to 3.00pm | New Clerks Training (Day 2 of a 2 day course) | <p><i>To provide a broad understanding of the role and responsibilities of a Town or Parish Clerk. This course is designed for newly appointed clerks, or clerks who feel they could benefit from some formal training.</i></p> <p>Northants CALC Offices Litchborough with Danny Moody</p> | <p>£125 (for both days)</p> |

Two additional events looking at Neighbourhood Planning will take place in February and March 2012, dates to be confirmed. To be kept informed about these events please e mail training@northantscalc.gov.uk.

For more information on any of these courses, or to make a booking please contact Anne Kirkland, Training Manager, on 01327 831482 or by e mail training@northantscalc.gov.uk.

NTS Bursary Scheme for Clerks to Smaller Councils

A bursary scheme to help with the costs of training has been set in place, via NALC, for smaller Parish and Town councils who have an annual turnover of £25,000 or less. A brief summary of the scheme is outlined below:

- The bursary is available to clerks and administrative assistants to councils with an annual turnover under £25,000
- The amount claimable will be 50% of the cost of training to a maximum of £100
- The grant can be used for events and training courses related to council work or business (confirmed by the Chairman's signature on the application)
- One application can be made per council per financial year
- Funds will be transferred via BACS payment directly to the council's bank account.
- Confirmation of bursary approval will typically be issued within one week of the receipt of the application form; payment will be made within three weeks of approval

More information on the Bursary Scheme can be found at <http://www.nalc.gov.uk/Training/Bursary/Bursary.aspx>

A CAUTIONARY TALE

The Local Council Survey 2011 showed that the governance standards of parish and town councils in Northamptonshire have improved over the last four years with 95% now having Standing Orders and 92% having Financial Regulations against 90% and 83% respectively in 2007. Councils are also taking their responsibilities as employers more seriously but there is still some way to go. 82% of councils have a written contract of employment with their clerk, but given

that this is a legal requirement it is an on-going concern that the figure is not 100%. All employees are entitled by law to be given, within two months of the commencement of employment, a written statement of particulars setting out the main heads of terms of the employment. Failure to provide a written statement could lead to a claim of unfair dismissal at an Employment Tribunal.

Of less legal significance, but no lesser importance, is the fact that only 40% of clerks receive any form of annual performance appraisal. This is one area that really needs to be addressed. The appraisal gives both employer and employee the chance to review the previous period's performance and set targets and objectives for the forthcoming period. It is an opportunity to identify and plan for any professional development needs and for employer and employee to make sure their expectations of each other are properly documented. For guidance and sample documents on employee appraisal please contact Northants CALC.



SITUATIONS VACANT

Whilton Parish Council

Whilton Parish Council has a vacancy for a parish clerk and responsible finance officer. Applications are invited from suitably qualified and experienced persons, although training will be offered. 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 attendance at the bi-monthly council evening meetings 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. Hourly rate £8.344 - £8.747 / negotiable, 20 hours per month working from home. For further details please contact Cllr Peter Wingrave, Chair, Whilton Parish Council, Telephone 01327 842594. Closing date for applications: 31st December 2011.

To find out about the role of the Clerk download an introductory booklet entitled "The Essential Clerk" at <http://www.northantscalc.gov.uk/?p=257>.

CHRISTMAS BREAK

We're all looking forward to Christmas at Northants CALC and enjoying some well-earned time off! It's been another great year for us and for parish councils... exciting, daunting, exhilarating... it certainly hasn't been a boring year with nothing much happening! Next year promises to be just as busy with much change on the horizon for our sector.

Please note that there will be very limited office cover between Tuesday 20 December and Wednesday 4 January. If you have an enquiry please send it to us as soon as possible and we will do our best to answer any urgent enquiries before the break. Please send all your enquiries by e-mail so that they may be accessed from wherever we might be merrymaking!

We wish all councillors, clerks and other council staff the very best for the festive season. Thank you for supporting the Association in 2011 and we look forward to serving you in 2012.



HAVE YOU BEEN A COUNCILLOR TOO LONG?

You know you've been a councillor too long when...

1. You ask for three quotes for your home extension and invite members of the public round when you open the envelopes.
2. Sentences such as "NPAs will be empowered to require LPAs to make NDOs" start to make sense to you.
3. You know the Street Doctor telephone number off by heart.
4. You can remember being consulted on the very first draft, emerging, pre-submission joint core strategy.
5. You can remember the long-service award presentations for the last three clerks.

Merry Christmas!

NORTHANTS CALC CONTACTS

| | |
|---------------|--|
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