

ERNLLCA

East Riding and Northern Lincolnshire
Local Councils Association

Newsletter August 2011

2011 Annual General Meeting

This year's AGM will take place on Saturday 17 September at 2.00pm in the Memorial Hall, Haxey in North Lincolnshire. The agenda has been sent to councils and copies of all relevant paperwork is available on the Governance page of the ERNLLCA website.

A message from Sport England

The Sport England Inspired Facilities Fund is now open. 70% of the Sport England fund is being targeted at Parish and Town Councils and applications are now being invited for bids of up to £50,000 from Parish and Town Councils. This funding split reflects the priority Sport England is giving to Parish and Town Councils – an opportunity not to be missed.

Sport England is also advertising adiZones, which are available for funding bids in the Inspired Facilities Fund catalogue. Apply online for funding for adiZones at the Sport England website – <http://inspiredfacilities.sportengland.org/outdoor-sports-surfaces-and-adizones>.

To set up a meeting about adiZones or to find out more about applying to the Sport England fund, call 0207 450 4854 and ask for Charlotte or Paula.

The Woodland Trust Survey

Over the past year a growing number of Association member councils across the country have received **free trees** from the Trust to plant in their communities. The Woodland Trust hopes that parish and towns across the UK share the vision to double the number of native trees in the UK and recognise the benefits this will bring. The Woodland Trust is keen to understand member councils' needs better and would value 5 minutes of your time to complete a simple and anonymous online survey. Everyone completing the survey has the chance to win an illustrated pocket guide of best woods to visit in their area.

The survey can be accessed at: <http://www.surveymonkey.com/s/NALCSurvey>. Thank you on behalf of the Woodland Trust.

Green light for Audit Commission's audit firm

The Audit Commission is to be split into two – one stand-alone audit company to bid for contracts against other market players and a residual body to oversee contracts and appointments.

The Government has stated that all the Commission's work would be outsourced to the private sector in the next financial year. This would allow some employees in the commission's audit practice to transfer into a stand-alone entity, subject to it winning contracts. Other audit staff will transfer to private firms with their work. A small number of managerial and support staff at the watchdog would remain in place to oversee contracts and make audit appointments until the legislation has passed. It is understood that Gareth Davies, Managing Director of the audit practice, will head the new company and Commission Chair Michael O'Higgins will remain in charge of the residual body. In a statement to *Public Finance*, Davies said: 'The leaders of the Audit Commission's audit practice confirm their intention to bid for the work on offer in the coming procurement on behalf of an employee-owned successor to the audit practice. More details on the proposed bid will be provided when the procurement process starts.'

Communities Secretary Eric Pickles said: 'We have set in train measures to save council taxpayers money by radically scaling back on the centrally imposed, bureaucratic and costly audit and inspections previously undertaken by the Audit Commission. This Government is determined to refocus local audit on helping local people hold councils to account. We believe that the next step is to outsource the audit practice next year as a way to secure best value for money. We are working closely with the Audit Commission to design a fair procurement process that will allow a wide range of bidders, whether a mutual or private sector accountancy firm, to compete for the commission's audit business. Outsourcing will also allow further progress to be made on the new audit framework that will give councils the power to appoint their own auditors.'

The Commission has begun preparatory work for outsourcing its 2012/13 contracts, which are expected to run for three to five years, giving councils and other local bodies time to plan for appointing their own auditors.

O'Higgins said: 'We will be writing to audited bodies shortly to set out the implications for them.'

Proposals to reform registration system for village greens

The Government has unveiled proposals to reform the registration system for village greens. Some registrations had been used to hinder legitimate development of schools, health centres and other much needed services – even on brownfield land, it said!

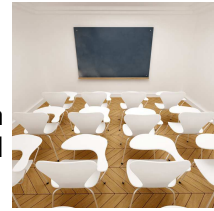
The consultation asks whether a better balance could be struck between protecting village greens valued by local people and securing the new homes, jobs and essential infrastructure the country needs. Applications were free to make but are often costly and time consuming for the local authority, the landowner and others, said Defra.

The Government insists its proposals won't prevent the protection of already registered village greens. Neither would any changes end the designation of new greens. Instead, the proposals set out seek to improve the operation of the current registration system, reducing the burden on local authorities and landowners.

Copies of the consultation document can be viewed via the website here <http://s.coop/3fuz>
The consultation invites interested parties to submit their views on the proposals by 17 October 2011.

Training in September—The Role of the Clerk

ERNLLCA has been asked to re-run this hugely successful session which attendees in 2010 described as being “*very informative*” and “*professionally presented*”.



One of the key areas of effective good governance is for councillors to understand both the operational and the statutory role of the Clerk. Confusion or misunderstanding can lead to a council not functioning as it should do and therefore not being able to properly serve the people of the parish. This seminar has been designed to assist councillors better understand the Clerk’s function within the council and will seek to explain the legal, financial, administrative and management responsibilities of the Clerk and how the role sits alongside that of the councillors. It will also clarify the working relationship between councillors and employees, in terms of accountability. As an attendee in 2010 stated, the seminar was “*of great help to me as a councillor*”.

Wednesday 7th September 2011 at the Pocklington Arts Centre - **FULL**

Thursday 8th September 2011 at Worlaby Village Hall

Wednesday 14 September 2011 at Grimsby Town Hall

Thursday 15th September 2011 at the Courtyard, Goole

All sessions start at 7.00pm. Cost is **£30** per delegate or **£60** for non-member councils.

If the demand exists, sessions can be provided elsewhere and councils should contact ERNLLCA to register their interest.

NALC Leadership Academy 2011: 1-4 November 2011—Gloucester

Course venue: Nexus Higher Skills Project, Alexandra House, Gloucester Docks, Gloucester

Accommodation: The Oliver Cromwell floating conference suite (adjacent to course venue).

About the event - In its 4th year the NALC Leadership Academy is now delivered in partnership with the University of Gloucestershire and supported by the Local Government Group; it is the only national programme of its kind aimed specifically at parish and town (local) councillors. The course is designed to:

- Increase knowledge of personal, organisational and community leadership theory
- Develop understanding of how these can be applied to the work of a parish or town councillor
- Enable delegates to develop skills in action planning for your community
- Broaden perspectives on the role the sector has to play in the wider Government localism and devolution agendas

The conference may be of interest to Mayors and Deputy Mayors; Chairmen and Vice Chairmen; Chairmen of committees and councillors aspiring to leadership positions.

Programme - includes sessions and workshops on:-

- Leadership—theories and models
- Exploration and application of personal leadership styles using the Myers Briggs Type Indicator (MBTI)
- Visioning—Setting long term ‘action plans’ for your community
- Community leadership and the role of the local councillor
- The general power of competence
- The role of local councils in leading public service delivery
- Raising the image of your council and the public perception of its effectiveness

The **Member** rate is £490+VAT(£98)=£588. The **Non-Member** rate is £600+VAT(£120)=£720. The fee includes accommodation, refreshments and meals.

The booking Form can be found on the Conferences and Events page of the NALC website www.nalc.gov.uk; tel. 020 7637 1865, or email on nalc@nalc.gov.uk

Local councils' powers to contribute to a pension scheme

A number of councils have asked if their employees can join a pension scheme other than the Local Government Scheme administered by the East Riding of Yorkshire Council. The following legal advice has been provided by the Head of Legal Services at NALC.

The Local Government Act 1972, Section 112, empowers local councils to be able to determine pension provision.

The Local Government Pension Scheme ("LGPS") is governed by statute, and a number of regulations, and some councils, such as boroughs, districts and counties, must participate in this scheme. Regulation 4(3) of the Local Government Pension Scheme (Administration) Regulations 2008 (SI 2008/239) gives local councils the discretion to designate an employee for membership of the LGPS. It is NALC's view that a local council's discretion does not extend to contributing to non-LGPS schemes on the basis of the Court of Appeal judgment in *Allsop v North Tyneside Metropolitan Borough Council* (1992). According to the *Allsop* judgment, section 7 of the Superannuation Act 1972 confers complete control of local authorities' pension provision on the Secretary of State, and this includes local councils. They do not therefore have the power to contribute to any pension schemes other than the LGPS i.e. the pension provision prescribed by the Secretary of State.

Local councils are not prevented from setting up arrangements for employees to contribute to a pension scheme provided they do not require employer contributions. Employers with 5 or more eligible employees are required by law to offer them access to such pension schemes under the Welfare Reform and Pensions Act 1999.

ERNLLCA has previously advised councils that the Pensions Act 2008 will require all employers automatically to enrol eligible workers in a pension scheme. The provisions will be implemented in stages between 2012 and 2016 and no employer with less than 50 workers will be covered by the new provisions before 2014, indeed some employers with less than 50 workers will not be covered until 2016.

A new workplace pension scheme called the National Employment Savings Trust ("NEST") will be set up. Employers will not be required to use NEST if they operate an alternative scheme that meets Government standards. The Department for Communities and Local Government is of the view that the duty automatically to enrol employees may apply to councils and that separate regulations are not needed for councils to comply with the duty. On this basis, the introduction of NEST will allow local councils to provide a more affordable pension scheme than LGPS. Further information will be sent to councils when it is known how the Coalition Government's plan to abolish the 1996 regulations will impact on local councils.

Gratuities

The Superannuation Act 1972 and the Local Government (Discretionary Payments) Regulations 1996 permit local councils to pay a retirement gratuity to their employees which must not exceed the prescribed maximum. The Coalition Government's proposal to abolish the 1996 regulations in 2012 will mean that local councils will no longer have the discretion to pay a retirement gratuity.

We're pleased to say that we have recently had a visit from Gareth Roberts who is recovering well from his major surgery. Gareth has asked us to pass on to everyone his thanks for all the kind messages he has received.