

ERNLLCA

East Riding and Northern Lincolnshire
Local Councils Association

Newsletter March 2011

ERNLLCA OFFICE CLOSURE DURING MARCH 2011

Owing to a period of annual leave Alan will not be available from Monday, 14th March to Monday 21st March inclusive. The office will not be manned at all from Wednesday, 16th March to Monday, 21st March. If you have an urgent enquiry, please mark it as such if sent by email, or leave a message on 01652 661617. Those can then be picked up as priorities when the office re-opens.

Don't forget to send in any enquiries that may need a response for meetings during that period, prior to the closure.



BUCKINGHAM PALACE GARDEN PARTY

In the January 2011 newsletter, ERNLLCA member councils were invited to submit nominations for long-serving councillors to attend a Buckingham Palace Garden Party. Only four places were available, enabling two councillors to be accompanied by a guest. The closing date for nominations has now passed and the ERNLLCA is pleased to announce that the successful nominees are Councillor Joanna Sheldon, who is currently the Chairman of Wawne Parish Council and Councillor Bob Harris who is currently Vice-Chairman of Burton upon Stather Parish Council.

ERNLLCA hopes that Councillors Sheldon and Harris, and their guests, enjoy their day at Buckingham Palace and looks forward to inserting photos of the event in a forthcoming newsletter.

End of Parish Creation Project

ERNLLCA says a sad farewell to Gareth Roberts whose project has come to an end in March. Gareth was jointly employed by ERNLLCA and YLCA to work with principal authorities and local communities to examine establishing local councils in urban areas. Gareth has produced a Guidance Manual to help communities establish new councils which can be viewed on the public pages of the ERNLLCA website. His project has taken him all over the Yorkshire and Humber Region but, with no additional funding available, this valuable work will not continue. Gareth has become an integral part of ERNLLCA during his time with us and efforts continue to secure funding that will see him, once again, "back in the fold".

MEMBERSHIP RENEWALS COMING OUT IN MARCH

Membership renewals forms are being sent to member councils during March and, as previously notified, fees will rise by 2.5%. If councils intend to make payment by **BACS**, would they please ensure that payment by their bank is held over until 1 April 2011, and kindly inform us via email that this method of payment has been used.

Clerks' employment status

ERNLLCA recently circulated councils with information from HMRC about the need for Clerks to be registered as employees in order that appropriate levels of NI could be paid. In summary, HMRC will require of councils that:-

- Clerks can never be considered self employed for tax of National Insurance purposes;
- Clerks must not be paid gross;
- Clerk's must be taxed under PAYE

The council will now have the responsibility of dealing with deductions due and they will probably need to consider that this will be an added responsibility for some clerks and another time commitment.

Once a PAYE system is established a council is at liberty to engage an external company to run the payroll and submit all returns and payments on the council's behalf. Councils will likely have to pay for this service but it may be appropriate for some where the clerk really does not have capacity to give more time for this responsibility.

What has not been made clear in the recent HMRC notice is that where a clerk's total income from all employment is less than £97 per week (i.e. below the Lower Earnings Limit), the council is not required to register a PAYE scheme. However councils need to be careful, income means not only the remuneration that the clerk is receiving from the council but combined income, i.e. from other employments or pensions. The council also has to take into account the aggregate of income e.g. where the amounts paid to the clerk may differ from time to time.

It should also be noted that HMRC now requires that where the RFO is a separate appointment, as an office holder he/she will be subject to the same rules whereby tax and NI should be deducted. Again, HMRC has taken a relaxed approach to this in the past but is now enforcing the need for direct taxation of this officer.

Where a councillor is appointed as the council's RFO, or to any other unpaid position, this councillor should be registered as an employee but there will be no deductions due because this officer must be unpaid.

Should there be any problems at this point the best option is for the council to obtain advice direct from the HMRC helpline on 0845 60 70 143.

Elections 5 May 2011

The elections will soon be upon us. Clerks should check with the Electoral Services Team at your principal authority to make sure you are advised of the election timetable and that you have access to Nomination Forms should you be approached for one by a member of the public.

Current councillors planning to stand again for office are reminded that they too must complete a Nomination Form.

E-mail address

We have noticed that some councils have been contacting ERNLLCA stating that they have not had a response to an e-mail enquiry. This is always worrying for us and extremely frustrating for the council concerned. However in each of the cases reported, an old e-mail address had been used. Please double check your address book, ERNLLCA's e-mail address is: enquiries@ernllca.org.uk

Bonby Parish Council

Congratulations to Derek Sharland who has just been appointed to take over the role of Clerk at Bonby Parish Council. Derek is new to parish councils following a career in banking and takes over from long-standing and well-respected Clerk, Jean Brown. Derek is looking forward to taking on his new role and meeting colleague Clerks across the ERNLLCA area.

Our parishes

Thank you to all who have sent in photographs of your parishes. ERNLLCA is preparing a gallery of photos which you will be able to access from the website. In the meantime, if you have not sent photos of your parish, please do so.

No pay rise in 2011/2012

The Employers Side of the Local Government Services National Joint Council (the NJC) has informed the trade unions that, for the second successive year, it will not be in a position to make any pay offer. This is in response to the unions' 2011/12 claim for at least £250 on all salary points. The Employers Side concluded that the protection of services, and consequent mitigation of job losses and redundancies, should take priority over any increase in pay.

This directly impacts on parish and town councils as the recommended salary scale points are tied into the agreements made at the NJC. Obviously, therefore, Clerks employed on NJC grades are affected but those Clerks employed on local agreements may be in a different situation.

There may also be changes to any "Green Book" terms and conditions of employment. Contracts of employment for the vast majority of Clerks may be affected by this. At present no detail is available but it is known that the employers' side of negotiations is keen to bring in changes.

As soon as ERNLLCA has any information, it will be forwarded to Clerks.

Consultation with communities

The Government, as part of its Localism Bill, wishes major developers to consult with communities prior to submitting certain planning applications. Communities will not have a power of veto over whether a planning application can be submitted. They will however be able to raise issues for the developer to consider, and make suggestions which could improve the development and reduce its impact on the neighbourhood. The Government's view is that this will reduce local opposition, increase chances of a timely and positive decision from the planning authority, and improve the quality of the development that results.

The Government proposes the types of development to be affected by this measure as being large-scale, specifically those residential developments of 200 or more new residential units, or (where the number of residential units to be constructed is not specified) with a site area of four hectares or more. The second affected proposal is where there is to be a non-residential development providing 10,000 square metres or more of new floorspace, or with a site area of two hectares or more. That having been said, the Government states it is "still open for discussion". In essence this approach will cover full applications for planning permission; outline applications for planning permission and applications for minerals consent.

Other application types, including householder planning applications, lawful development certificates, prior notification applications, listed building and conservation area consent applications and section 73 applications are not subject to this requirement.

The Government has suggested that although this requirement will apply only to developments, there is potential for all schemes to benefit from pre-application discussion. National policy could be used to encourage developers to go beyond any minimum requirements set out in legislation, and to consult communities wherever they consider this to be appropriate.

ERNLLCA will issue further information when the Government's plans are finalised.

Good Councillor Guides

We have been advised by NALC that a limited supply of the updated Good Councillor Guide will soon be available. As has always been the case, if councils wish to receive copies, the cost of postage will have to be met. The long-awaited updated version takes into account recent legislative changes but continues to use the layout adopted in earlier versions.

Audit Commission

ERNLLCA has taken a number of enquiries recently about the demise of the Audit Commission. Certainly there are going to be changes but the Commission will continue for the time being. Councils should continue to treat audit as they have been doing. It will be some time before the Commission is finally wound up, indeed the Government has just announced that it will consult further on appropriate audit arrangements for local councils. As soon as ERNLLCA has any concrete information, that will be sent to member councils.

The Public Sector Mapping Agreement

The new Public Sector Mapping Agreement (PSMA) offers town, parish and community councils the opportunity to access a range of Ordnance Survey products. The PSMA will enable local councils to share that data between the public, private and voluntary sectors in your area. Any local councils can register from now for a licence.

PSMA states that geographical data can be used to underpin and therefore enable all town, parish and community councils to provide services, which not only meet local needs but also improve quality of life and sustain community well being. Councils will have access to wider information and perspective which they will need to make difficult choices about resource allocation, better data and intelligence at ward and neighbourhood level.

From 1 April 2011 English Parish Councils and Welsh Community Councils are eligible to join the PSMA giving them access to a wide range of Ordnance Survey map data free at the point of use.

NALC's Communities in Action Conference & Exhibition - Delivering more for local people

15 June, The Grand Thistle, Bristol

19 July, St Paul's Mercure, Sheffield

22 September, Holliday Inn Camden Lock, London

Do you want your local (parish or town) council to deliver effective services in response to local needs and aspirations?

Do you want to improve how your community or local council influences and helps shape service delivery in your area?

Do you want to find out what the new era of localism and Big Society means to very local government?

By using existing and forthcoming new strengthened powers, communities and local councils can get in the driving seat to make places better.

Find out more here: http://www.nalc.gov.uk/Conferences_and_Events/Communities_in_Action.aspx

DISTRICT COMMITTEE MEETINGS

Below is given a schedule for the next round of District Committee meetings.

DISTRICT	DATE	TIME	VENUE
North Lincolnshire	4 April 2011	6pm	Pittwood House, Scunthorpe
East Riding - North East	12 April 2011	7.30pm	To be arranged
East Riding - Central	13 April 2011	7pm	Town Hall, South Cave
East Riding - Holderness	19 April 2011	7.30pm	Withernwick Village Hall
East Riding - West	20 April 2011	7pm	Sports Hall, Snaith
North East Lincolnshire	To be convened after 5 May		