

OFF TO A FLYING START

An introduction for new councillors and clerks

Basic information to get you started



Delivered on behalf of
Warwickshire and West Midlands Association of Local Councils

CONTACT

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INTRODUCTION AND WELCOME

SO MANY

QUESTIONS...

- ? What have I done?
- ? What do I do now?
- ? Have I got to make decisions?
- ? What can the parish council do?
- ? How does it get things done?
- ? Where's the money?
- ? How much have we got?
- ? Who gives it to us?



THE COUNCIL'S PURPOSE IS TO:

- 1. Represent the electorate**
- 2. Provide services**
- 3. Improve lives and the environment**

YOUR COUNCIL IS A STATUTORY BODY

It was set up in law and is governed by law.

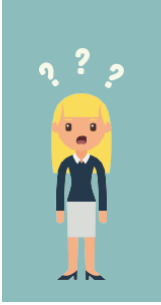
As a council you can only do what the law says you can do.

As a member of Warwickshire and West Midlands Association of Local Councils, help is available to your council on both a local level through WALC and a national level by way of NALC (National Association of Local Councils), the parent body.

WALC provides training on various council topics, including induction training to build more knowledge, dates for which are on the WALC website (walc.org.uk).

There are c10,000 parish and town councils across the country, collectively known as local councils. Town councils have the same powers and responsibilities that are available to parish councils; size varies from the largest such as Royal Sutton Coldfield with an electorate of 74,500 to the smallest such as Barton-On-The-Heath with an electorate of 76.

See page 14 for useful contacts



WHAT DO I DO NOW?

THE ROLE OF A PARISH COUNCILLOR

- **Responsible to:**
All people resident within the Parish
- **Regular liaison with:**
Other councillors, local authorities, residents within the Parish
- **Period of service:**
Four years with possible extension
- **Salary:**
This is a voluntary position with some expenses payable

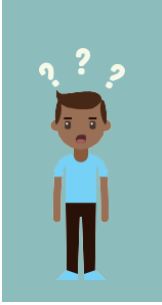
As an individual member you have these specific duties:

- **MUST** sign declaration of acceptance of office
- **MUST** complete Interests Register within 28 days of taking office
- **MUST** comply with the Members' Code of Conduct
- **MUST** declare interests where known.

SECONDARY PURPOSE

As part of a local council, you will have responsibility for:

- running local services which may include open spaces, play areas, village halls, community car schemes and potential for more
- deciding how much to raise by way of a precept to deliver your council's services
- strategically influencing and shaping the long-term development policy for the town/parish and as part of the planning process commenting on planning applications in the parish
- improving the quality of life and the environment in the local area
- working to identify issues which are important to the lives of the residents you represent
- working to bring about improvements through local projects, lobbying other service providers, working in partnership with other parishes and agencies
- employing staff to carry out the council's decisions
- deciding council policy.



WHO ELSE WILL HELP?

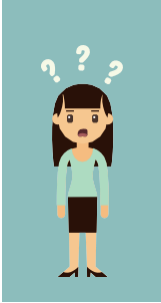
Your council will employ staff.

Smaller parish councils will have one member of staff known as the Clerk, larger councils may have other staff such as grounds men, minutes' secretaries, Mayor's P.A.



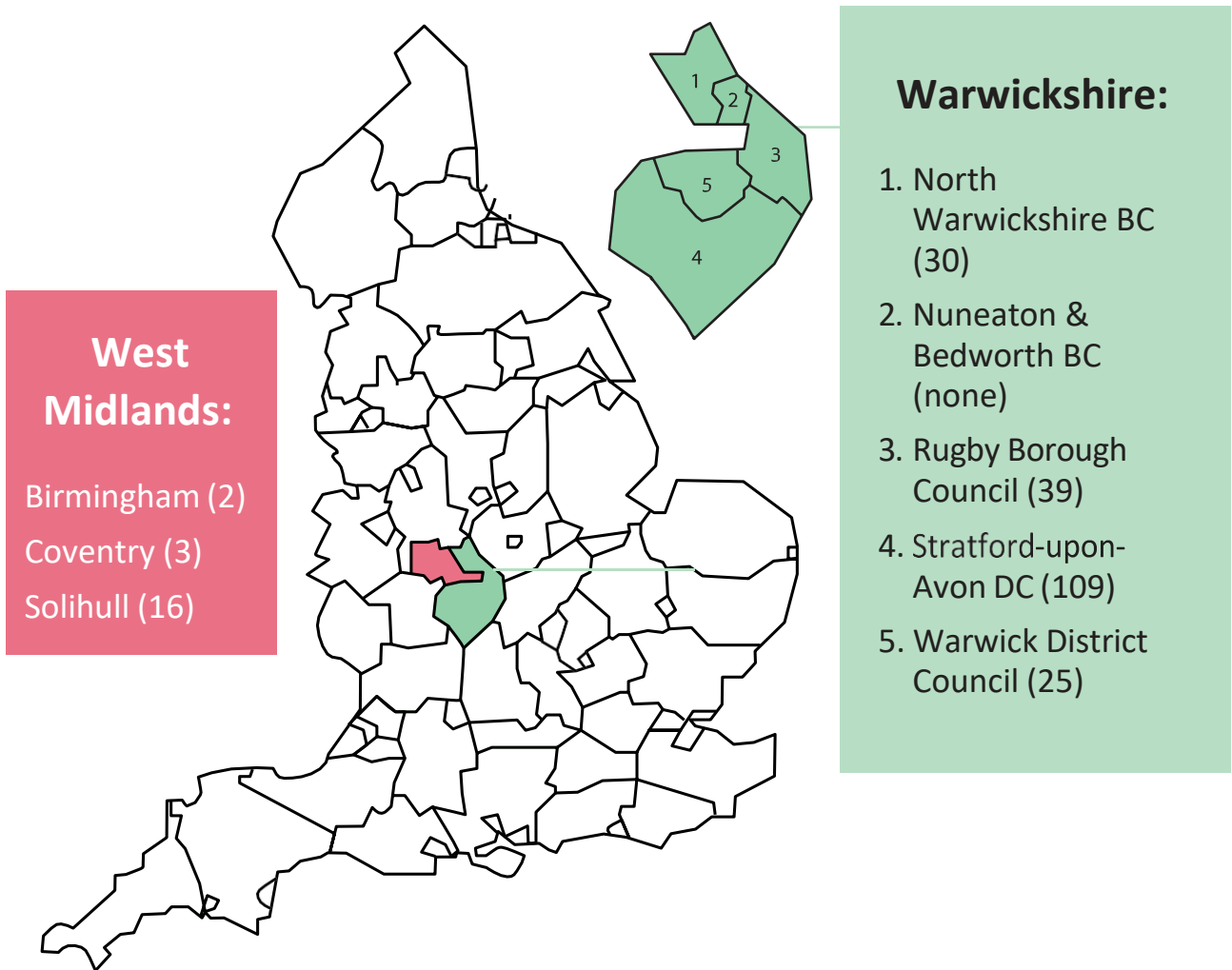
THE CLERK'S ROLE IS TO:

- ensure the council conducts its business lawfully
- administer all the council's paperwork
- ensure meeting papers are properly prepared
- ensure the public is aware of meeting times
- implement the council's decisions
- oversee the council's projects
- supervise staff (if any)
- maintain the council's records
- keep property registers and other legal documents
- keep up to date by training and obtaining appropriate qualifications.



WHERE ARE YOU?

BUREAUCRATIC CONTEXT

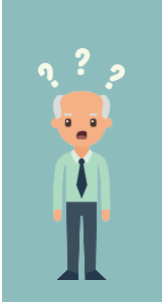


DISTRICT/BOROUGH COUNCIL PROVIDES:

- Planning (strategic and development)
- Waste collection
- Housing
- Recreation and leisure.

COUNTY COUNCIL PROVIDES:

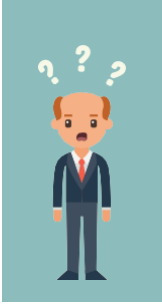
- Education
- Highways
- Mineral's planning
- Street Lighting
- Waste disposal.



PARISH/TOWN COUNCILS CAN:

• Provide allotments	• Provide roadside seating and shelters
• Provide public baths and wash houses	• Deal with ponds and ditches
• Provide traffic signs and other highways notices	• Maintain, repair, protect & adapt war memorials
• Specify the right to be notified of planning applications	• Provide buildings for offices and for public meetings and assemblies
• Provide and maintain bus shelters	• Take part in schemes of collective investment
• Provide byelaws	• Acquire/appropriate/dispose of land
• Provide funding for tourism; attract visitors	• Repair and maintain public rights of way
• Support Citizens Advice Bureau	• Provide litter bins / dog-waste bins
• Provide public clocks	• Promote lotteries
• Maintain closed church yards	• Provide mortuaries & post-mortem rooms
• Manage and provide commons	• Issue newsletters
• Provide conference facilities	• Provide recreation grounds and open spaces
• Provide and support community centers	• Accept gifts of land
• Support crime prevention	• Provide a wide range of recreational facilities
• Light footways and public places	• Provide parking spaces
• Use decorative signs to inform visitors	• Spend money on community transport
• Provide entertainment & support the arts	• Contribute funds to traffic calming

• Maintain and provide burial grounds, cemeteries & crematoria



WHAT ARE THE COUNCIL'S POWERS?

FOR INSTANCE:

Local Government Act 1972 for powers that allow councils to:

- Accept gifts (s139)
- Issue newsletters (s142)
- Provide entertainment and support the arts (s145)

Or...

Parish Councils Act 1957, s2: power to provide public clocks

Or...

Food Act 1984, s50: power to provide marketplace/building

Or...

Local Government & Rating Act 1997, s30: the power to contribute to traffic calming schemes

**See a comprehensive list of powers in the 'Good Councillor's Guide'
(Download from WALC)**

BUT THESE ARE OPTIONS.

IS THERE ANYTHING THE COUNCIL MUST DO?

Statutory requirements mean the Council **MUST**:

- appoint a Chairman;
- meet at least 4 times per year;
- consider impact of decisions on bio-diversity;
- consider impact of decisions on reducing crime and disorder;
- assess the risks facing the council;
- appoint appropriate officers, including a Responsible Financial Officer;
- adopt a Code of Conduct;
- produce a Publication Scheme;
- appoint an independent and competent internal auditor;
- comply with Freedom of Information requests;
- adhere to the relevant Transparency Code.

THE CHAIRMAN'S STATUTORY DUTIES ARE TO:

- Chair the council meeting and the parish meeting when present
- Sign the minutes following whole council approval
- Sign the Annual Governance Statement, following whole council approval
- Sign Annual Accounting Statements (if present at the approving meeting)
- Receive, in writing, resignations from council members
- Use casting vote (MUST in one instance only), otherwise not mandatory.

Decisions are made by the council acting as one body; no one council member can make decisions on behalf of the council, not even the Chairman.

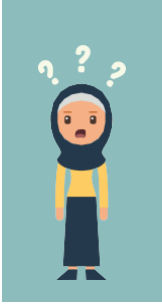
However, most decision-making can be delegated to:

- A committee
- Another local authority and/or
- An officer of the council

unless the decision relates to:

- Setting the precept
- Approving the annual accounts
- Agreeing to borrow money.





WHAT IS THE PROCEDURE?

CHECK OUT YOUR COUNCIL'S DOCUMENTS ESPECIALLY:

1. Standing Orders, which refer to items such as:

- meeting procedure
- rules of debate
- draft minutes
- Code of Conduct complaints.

2. Financial Regulations, which refer to items such as:

- day-to-day finance management
- budgetary control
- banking procedure.

AS A COUNCIL MEMBER, YOUR ROLE IN THE MEETING IS TO CONTRIBUTE EFFECTIVELY.

Effective Contribution means:

- Attending promptly
- Knowing what's on the agenda
- Participating appropriately
- Supporting the Chairman
- Supporting fellow members
- Supporting the result
- Complying with adopted rules.

The Chairman's role is to:

- Keep good order
- Encourage participation
- Maintain focus
- Manage conflict
- Follow the agenda
- Ensure clarity of decisions.

What type of meeting is it?

- Ordinary
- Annual (2 types)
- Committee / sub-committee
- Working Party / Group
- Extraordinary

Public notice of the meeting giving date, time and venue will be given at least 3 clear days before the meeting.

The agenda will:

- Be posted or emailed to you at your usual address
- Be comprehensive
- Comply with the law
- Allow for good decision-making.



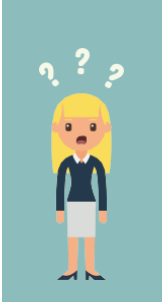
Meetings are open to the public; they should be welcome to attend, after all, you are managing the money they must pay to the council even if they don't agree with how you're spending it!

Presumption of openness

- Openness of Local Government Bodies Regulations 2014

Unless you are to discuss confidential business...

- The Public Bodies (Admission to Meetings) Act 1960



FINANCIAL MANAGEMENT

- Money is needed to deliver services
- Privileged status – council can set a **precept**
- The council will decide the budget in the Autumn
- Must send **precept** demand to Billing Authority by the end of February
- Will impact on the amount of council tax residents pay
- The council's financial year starts 1st April, ends 31st March.

What if...?

Councils must always ask the 'what if' question to show the council's risks are being managed.

For example, 'What if...'

- The precept is not paid on time?
- The community Centre burns down?
- A lamp-post is hit by a car?
- The summer event is rained off?
- The bus shelter is vandalized?
- A resident sues the council for libel?

If you manage council services, then you must be prepared for the unexpected.

Risk management should be embedded within the council's annual schedule, making use of risk assessments and annual review.

Risk is an area of council governance that is covered in the annual governance statement and checked during the **annual audit**.

The Precept is the:

- 'Authority to raise money through taxation'

and is -

- 'A preemptory demand upon a billing authority to pay a named sum'. The billing authority reclaims this via the Council Tax.



Audit

All councils will prepare for:

An annual INTERNAL audit carried out by a person appointed by the council who is both independent and competent. This can be done at any time of the year although many councils wait until the end of the financial year.

All councils will prepare for:

- An EXTERNAL audit which is carried out by auditing companies appointed by Smaller Authorities' Audit Appointments Ltd.

OR, depending on relevant **Transparency Code**

- Will declare exemption from the external audit and publish all required information on a freely accessible website.

During the audit, the council's accounting records are open to public inspection for a 30- working day period that must include the first ten working days in July.

Transparency Codes

Two codes, one for parish councils with an annual turnover of less than £25,000 and one for parish and town councils whose annual turnover exceeds £200,000.

These councils must publish specific information on their website and councils with annual turnover of less than £25,000 are not required to submit their **Annual Return** to the external auditor.

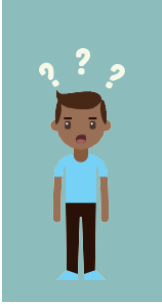
The Annual Return:

This document must be completed by all councils and published on their websites at the appropriate time.

Depending on Transparency Code requirements some councils will also have to submit it to the External Auditor for review.

The Annual Return consists of:

- annual governance statement and
- annual accounting statements, to show it has:
 - properly prepared and approved accounts
 - appropriate systems of internal control
 - complied with the law
 - published the accounts for public inspection
 - assessed all possible risks
 - checked there are no outstanding liabilities
 - explained all inter-year differences
 - properly managed any trust funds.



USEFUL ORGANISATIONS

- **ACAS - www.acas.org.uk**

Provide information, advice, training, conciliation and other services for employers and employees to help prevent or resolve workplace problems.

- **BHIB Insurance - www.bhibcouncils.co.uk**

NALC have agreed a new partnership with insurance brokers BHIB to provide tailor made support and protection for local councils and communities.

- **Community RePaint - www.communityrepaint.org.uk**

A non-profit distributing company that collects reusable, leftover paint and re-distributes it to individuals, families, communities, and charities in need, improving the wellbeing of people and the appearance of places across the UK.

- **Dementia in Warwickshire - www.dementia.warwickshire.gov.uk**

Work in collaboration with Health, Voluntary and Independent sector partners so that people with dementia and their carers.

- **Independent Memorial Inspection (IMI) - www.imi-cenotaph.co.uk**

Undertakes memorial headstone inspection on behalf of Burial Authorities. Also offer the service of cleaning and conserving War Memorials using only methods approved by War Memorials Trust and English Heritage.

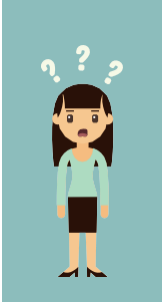
- **Institute of Cemetery and Crematorium Management (ICCM)- www.iccm-uk.com**

The ICCM is the only provider of accredited education and training opportunities for those persons working within the service, its Professional members. ICCM - developing and promoting best practice in cemeteries and crematoria.

- **My Community - www.mycommunity.org.uk**

If you want to save or take over a local asset, improve a space, place or service or plan for the future, we'll help you get the basics in place to make your communitydreams a reality.

- **PKF Littlejohn LLP - www.pkf-littlejohn.com**
The appointed audit firm for Warwickshire and West Midlands.
- **RoSPA - www.rospace.com**
The Royal Society for the Prevention of Accidents.
- **Rural Services Network - www.rsnonline.org.uk**
The national champion for rural services, ensuring that people in rural areas have a strong voice. We are fighting for a fair deal for rural communities to maintain their social and economic viability for the benefit of the nation as a whole.
- **SLCC - www.slcc.co.uk**
The Society of Local Council Clerks is the professional body for local council clerks. Its membership is steadily growing and now represents clerks to over 4500 council in England and Wales.
- **The Electoral Commission - www.electoralcommission.org.uk**
The independent body which oversees elections and regulates political finance in the UK.
- **The Open Spaces Society - www.oss.org.uk**
The Open Spaces Society is Britain's oldest national conservation body, founded in 1865.
- **Warwickshire Fire and Rescue Training Services - www.warwickshire.gov.uk**
Warwickshire Fire and Rescue Service provide a high level of fire safety, first aid and other types of training. Our flexibility and size mean we can cater for individuals and groups at your premises, or at one of our Warwickshire locations.
- **WCAVA - www.wcava.org.uk**
Warwickshire Community and Voluntary Action is the countywide infrastructure organisation for Warwickshire providing vital support to the volunteers, groups, organisations, enterprises, and charities who are working to strengthen all our communities across the county. It is worth noting that part of CAVAs contract is to work with and support Parish Councils.
- **WRCC - www.wrccrural.org.uk**
Warwickshire Rural Community Council (WRCC) helps and encourages people living in rural areas to develop their communities.



USEFUL ORGANISATIONS

PLANNING HELP

- **'Locality' Neighborhood Planning Toolkits and Guidance - neighbourhoodplanning.org**
- **Avon Planning Services - avonplanning.co.uk**
Independent planning specialists specialising in the public sector. First two hours of consultancy free to WALC member councils.
- **CPRE - www.cpre.org.uk**
National and local planning work together to make sure that development is good for people and the environment.
- **Planning Aid - rtpi.org.uk/planning-aid**
Free, independent, and professional planning advice.

