

NOTES FROM CLERKS' FORUM – 18th October 2017

Notes from June 2017 Meeting

Fine – one matter arising (see below)

Matters Arising

Digital mapping – Amanda McCleery went through the help she had received from Action for Communities in Cumbria (ACT), Office for National Statistics (ONS) and SLDC on digital mapping of parish boundaries. **ACTION:** *Amanda McCleery to create separate help sheet on this and send to parish clerks with these minutes, plus forward email from SLDC Tom Dugdale on this matter.*

Verge Cutting

This issue was raised by Levens clerk asking for “role model expertise.” Of the clerks present, both Holme and Colton employ their own lengthsman which works well, rather than a contract with CCC (as worried about both expense after 1 year and additional planning/management/insurance). Lower Holker use contractors as and when it is needed. **ACTION:** *Levens clerk to contact Amanda McCleery if additional questions to put to all clerks.*

Insurance

According to Holme, Aon will no longer be doing council insurance. Both Colton and Lower Holker are insured with Zurich (one direct and one through a broker Community First). Holme and Colton have 3 year contracts, though they pay annually. **ACTION:** *Amanda McCleery to ask CALC Penrith about Aon and other companies insuring councils. (Post meeting note: NALC is working with BHIB Insurance Brokers – www.bhibinsurance.co.uk – and another co. that insures parish councils is Came and co.)*

Audit & Transparency

There were questions on whether internal audit becomes more onerous (as external audit is stopping for parishes on less than £25,000 pa) and what organisation will send out the exemption certificates for those parishes. **ACTION:** *Amanda McCleery to ask CALC Penrith and share answers with clerks.* Under the Transparency Code, those parishes must be publishing online: all items of expenditure above £100; end of year accounts; annual governance statement; internal audit report; list of councillors; location of public land and building assets; agendas, minutes and papers of formal meetings. CALC Chief Officer, Samantha Bagshaw, is updating parishes on transparency at the next District Association, on 30th November 2017. **ACTION:** *Amanda McCleery to find the list of documents on CALC website and share with clerks:* www.calc.org.uk/members/advice_guidance/transparency1718.asp with Annex A being the list of information that needs to be published online.

Banking

Both Lower Holker and Colton have lost their local Nat West branches and now need to travel a lot further (though they can pay in at the Post Office). They still use cheque books with 2 signatories. Holme banks with Barclays and is using online banking (with payments needing 2 people “signing”) successfully. It was also straightforward to set

up. Please note that, from January 2018, post offices can't pay PAYE tax and clerks will need to either do it online or post a cheque to HMRC.

NALC Legal Topic Notes (LTNs)

There has been one on the protection of ownerless common land and village greens (LTN 54 – July 2017) under 2006 Commons Act. The LTN explains the powers of local authorities over unclaimed land (section 45) and the prohibition on works without consent (section 38).

NALC Publications

There have been several easy-reference, useful publications produced by NALC this summer. There is now a 2017 edition to the "Good Councillor's Guide" and then 2 new sister publications: "Good Councillor's Guide to Neighbourhood Planning" and "Good Councillor's Guide to Finance and Transparency." Plus, a guide for "Being a Good Employer" has been published. These are all free to download from the NALC website (www.nalc.gov.uk) or available for £3 or so each from the CALC office.

CCC Highways

Guidance called "Report a Fault on the Highway" (covering reporting a fault; tracking an existing fault; registering for updates on an existing fault; making an enquiry/request) was produced by CCC in the spring. Clerks feel that this Highways Information Management System (HIMS) means that they no longer have to log problems on a parish spreadsheet. They are encouraging residents (eg. through a parish newsletter) to log faults themselves with CCC. **ACTION:** *Amanda McCleery to ask CCC Highways (at November District Association meeting) if such reporting of faults is being used to prioritise work.*

Data Protection

Amanda McCleery summarised an article in the October edition of the CALC Circular on the current situation on data protection, under the 1998 Data Protection Act. The website of the Information Commissioner's Office (ICO) includes a handy self-assessment tool on whether a parish needs to register or not (<https://ico.org.uk>). She then referred to a legal briefing from NALC in July (LO4 -17) about getting ready for 2018 General Data Protection Regulation (GDPR), with "Preparing for GDPR -12 steps to take now" on the ICO website. A further NALC legal briefing in August (LO5 – 17) covered the purpose of GDPR, gave examples of personal data and listed the changes being introduced by GDPR. **ACTION:** *Amanda McCleery to find out if registration (at £35 pa) will disappear with GDPR, as one change appears to be that data controllers (normally clerks) will no longer notify ICO but maintain written records of processing activities (page 8 of LO5 – 17). Amanda McCleery to find out if each parish will really need a data protection officer (with expert knowledge of law and practices) – as GDPR require public authorities (including local authorities such as parish councils) to appoint such an officer (page 2 of LO4 – 17). Amanda McCleery to ask CALC if a date has been agreed for data protection training. Separate help sheet on all this to send to parish clerks with these minutes.*

Free Cyber Proficiency Training

This is being delivered by the South Cumbria Community Safety Partnership at Kendal town hall in the evening of Tuesday 21st November and the afternoon of Wednesday 22nd November. **ACTION:** *Parishes to contact SLDC James McEvoy if interested (james.mcevoy@southlakeland.gov.uk).*

Funding for Neighbourhood Planning

Amanda McCleery let parishes know that the government has pledged more funding for neighbourhood planning (see article on page 3 of October 2017 CALC Circular). She explained that neighbourhood planning is about spatial development, follows a clear process (defining the area, public consultation, referendum) set out in the law and if passed becomes a legal document. It needs to be led by a parish council, buying-in (through the grant) planning expertise. The policies in a neighbourhood plan can tweak the development planned for a parish in terms of location, size of units and design but cannot oppose the total number of units planned for a village as set out in the Local Plan. Any parishes interested should contact their Planning Department (whether SLDC or one of the National Parks) for initial advice. Neighbourhood Plans have been passed in Coniston (within LDNPA) and Heversham (within SLDC). Community-led plans are much broader than just development. They can cover health, footpaths, events, local heritage and wildlife; whatever a parish wants to cover. There is still public consultation and often the actions form a Business Plan for the parish council but they are not a legal document. The steering group should include parish, district and county councillors but also representatives from other groups (eg. church, school, WI). Any parishes interested should contact Action for Communities in Cumbria (ACT).

Assets of community value

Registering such assets (village pubs, shops and halls are particularly popular) was made possible by 2011 Localism Act. The register is held by SLDC. It can enable a community to know when a building has been put up for sale. It also gives them 6 months to raise the funds to buy the building instead. **ACTION:** *Amanda McCleery to research the benefits and planning implications of such assets for clerks. Separate help sheet on this to send to parish clerks with these minutes.*

Fields in Trust

October 2017 edition of the CALC Circular (page 2 – 3) details some projects of this charity, namely Centenary Fields (a First World War commemoration project) and Active Spaces. **ACTION:** *Amanda McCleery to look into the statements that “Fields in Trust’s protection...is far less susceptible to development... ensuring green spaces in perpetuity” as normally town/village green registration is the best way of ensuring protection for open spaces.*

Articles from NALC LCR Magazine

Amanda McCleery handed round photocopies of articles on neighbourhood planning, community activities and recreational services, and landscape contract work.

Keeping in Touch Amanda McCleery told clerks to continue to seek advice and guidance from CALC and to use CALC as a conduit for finding out answers from each other to problems and opportunities. She looked forward to seeing them at future training and/or District Association meetings. They discussed the possibility of an online peer group for clerks in the future, whether a chat group with closed membership or Skype-style webex.