

## PLEASE NOTE THE VENUE AND TIME

### SWANWICK PARISH COUNCIL

Clerk to the Council  
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9<sup>th</sup> January 2018

You are summoned to attend the **FULL COUNCIL MEETING** to be held at **Meeting Rooms, rear of Baptist Church, Derby Road, Swanwick on Thursday 18<sup>th</sup> January 2018 at 7.00pm.**

Members are asked to sign the attendance sheet for the meeting and to complete the Declarations Sheet (if appropriate), both available at the meeting.

Clerk to the Council

## AGENDA

### 1. Apologies

Members are reminded to give their apologies direct to the Clerk.

### 2. Variation of Order of Business

### 3. Declarations of Interest

Members must fill out the Declaration of Interests Forms for submission. Members are requested to declare any personal or prejudicial interest they may have in any item of the evening's business, and to explain the nature of that interest.

Where a member indicates that they have a prejudicial interest, but wish to make representation regarding the item before leaving the meeting, they must do so under item 10D of Public Participation.

### 4. Public Participation

**A) Public Attendance & Speaking:** Residents wishing to speak need to book in with the Clerk, preferably prior to the meeting by email/phone or immediately prior to the start of the meeting.

**Whether wishing to speak or not, each member of the public is required to indicate whether or not they consent to have their name and/ or organisation recorded and published in the minutes of the meeting. Minutes are published on the Parish Council website and are available to the public under the Freedom of Information Act 2000.**

At the start of the meeting a period is available for members of the public to ask questions, make representations or submit comments. This is **LIMITED TO THREE MINUTES PER PERSON** – at the sole discretion of the Chair.

**B) Parish Council Members' observations will be taken alongside Reports from any Borough and County Councillors attending.**

**C) Police Matters**

Information about the Safer Neighbourhood Team's activity in the area and an interactive crime map are available on the following web pages [www.police.uk/derbyshire/NR06/](http://www.police.uk/derbyshire/NR06/)

**D) Representations or Evidence from Members Declaring a Prejudicial Interest**

Members indicating that they have a prejudicial interest in an agenda item and who wish to make a representation before leaving the meeting shall do so at this stage.

**5. Minutes of Full Council**

**5.1 To receive the Minutes of the Meeting held 21<sup>st</sup> December 2017**

**6. Planning Matters**

**6.1 Planning Applications for comment:** All applications can be viewed at [www.ambervalley.gov.uk](http://www.ambervalley.gov.uk) click on Planning and then click on Planning Applications and use the AVA reference number to search.

**7. Clerk's Report**

- 7.1** Village Hall Site – Intrusive Investigation/ Contamination Survey
- 7.2** Vacancies in the office of Parish Councillor
- 7.3** Councillor Attendance record 2017-18
- 7.4** Swanwick Recreation Grounds- Chapel Street
- 7.5** BT Poles on 76 – 80 Derby Road removal
- 7.6** Swanwick Old Peoples Welfare High Street
- 7.7** Gardening Maintenance Contract
- 7.8** Parking on The Green
- 7.9** Mud on Derby Road
- 7.10** Well Dressing
- 7.11** Bus shelter on Crays Hill

**8. Chair's Report (Verbal Report)**

**9. Councillors' Updates**

Website activity & Social Media  
Village Hall Working Group  
Defibrillator Working Group  
Well Dressing 2018

**10. Correspondence & Circulars (copies are available on the website)**

- 10.1** DALC 15-2017
- 10.2** DALC 1-2018
- 10.3** DALC 2-2018

## 11. Accounts

### 11.1 To approve urgent payments made to the following:

Date	Cheque	To Whom Payable	Reason	Amount £
05.12.17	3769	The Pantry	Civic Service Catering	475.00
07.12.17	3770	EMECS	SCC Asbestos Survey	300.00
07.12.17	3771	The Pantry	Civic Service Catering	95.00
07.12.17	3772	Cancelled		0.00
07.12.17	3773	M Barnett	Honorarium Qtr 4	80.00
11.12.17	3774	Cancelled		0.00
12.12.17	3775	New Farm	Xmas tree	250.00
11.12.17	3776	Crich Brass	Civic Service Band	140.00
31.12.17	3777	R Castledine	Wages Mth 9	1,343.13
31.12.17	3778	C Miles	Wages Mth 9	884.92
18.12.17	3779	HMRC	Tax & NI Mth 9	411.41
18.12.17	3780	St Andrew's Church	Civic Service Programmes	39.00
19.12.17	3781	C Miles	Exp's - payment stamp design	6.00
			SPC payment stamp	19.32
			Civic Service - supplies	23.88
			Civic Service - squash	2.00
			Well Xmas lights	12.74
			Civic Service - O Juice	4.00
			Well Xmas lights batteries	7.00
			Postage	1.75
21.12.17	3782	Broughton Contracting	SCC Excavation	300.00
21.12.17	3783	LITE Ltd	Xmas Light Contractor	10,674.00
21.12.17	3783	LITE Ltd	Xmas Light Contractor	468.00
21.12.17	3783	LITE Ltd	Xmas Light Contractor	1,950.00
21.12.17	3783	LITE Ltd	Credit Note - Xmas Light Contractor used with payment 3783	-1,428.00
21.12.17	3784	Cadent Gas Ltd	SCC Gas Disconnection	1,230.00
03.01.18	3785	LITE Ltd	Xmas tree lights repairs	582.00
03.01.18	3786	Swanwick C of E Girls School Trust	Civic reception room hire	30.00
03.01.18	3787	Iansprint Ltd	copying Sept-Dec 2017	61.79
			<b>Total</b>	<b>17962.94</b>

### 11.2 To approve payments to the following:

To Whom Payable	Reason	Amount £
	<b>Total</b>	<b>0.00</b>

### 11.3 Income Received:

Date	Remittance	Amount	£
		<b>Total</b>	<b>0.00</b>

### 12. Bank Reconciliation

No update as awaiting the latest bank statement

### 13. Exclusion of Press & Public

'That pursuant to section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, the press and public be excluded from the meeting for Agenda Item(s) below by reason of the confidential nature of the business to be transacted'.

Clerk's contract of employment from 1<sup>st</sup> March 2018

### 14. Items for the next Agenda

Items are invited for inclusion in next month's agenda

### 15. **Date of Next Meeting: 7.00pm 15<sup>th</sup> February 2018 at the Meeting Room at the rear of the Baptist Church, Derby Road.**

**SWANWICK PARISH COUNCIL**  
**MINUTES OF THE PARISH COUNCIL MEETING**  
**THURSDAY 21<sup>st</sup> December 2017 at 7.00pm**

**Present:** Cllrs Adams, Barnett, King, Payne & Soudah, Clerk C Miles.

**Members of the Public:**

**Members of the public listed waived their right to anonymity under the Data Protection Act:**

J Briggs, S Chidlow, R Castledine.

**424/2017 APOLOGIES**

Cllr Davies

**425/2017 VARIATION OF ORDER OF BUSINESS**

No variation proposed

**426/2017 DECLARATION OF INTEREST**

Members were requested to declare any personal or prejudicial interest they may have in any item of the evening's business, and to explain the nature of that interest.

Cllr. Soudah declared interest in item no.11.1

Cllr. Barnett declared interest in item no.11.2

The Councillor remained in the meeting.

**427/2017 PUBLIC PARTICIPATION**

**427.1/2017 Public Speaking**

**Mr John Briggs** voiced his frustration as a member of the public that AVBC/DCC are not keeping the public up to date with regard to the Local Plan and Lily Street.

**427.2/2017 Member's Observations**

**Cllr Bruce Adams –**

1. Asked if any starting dates had been issued for the development of Lily Street. He was informed that full planning hadn't yet been granted, so nothing could be done until then.

2. Wanted to bring to the Councils attention that a car had been keyed on High Street, the police have been informed.

**Cllr Mary Barnett** – reported that previous members of the Swanwick Social Club were willing to meet up with Cllr Soudah to discuss previous owner issues. Cllr Soudah is to meet them on Friday 5<sup>th</sup> January 2018. Cllr Adams reported that he knows someone that also may have some history information on the club.

**Cllr Brenda Payne** – referred to parking on the pavement below the Church on The Green during daytime hours. The Caretaker is to take a photo so the Clerk can report this to the local PSCO.

**Cllr Soudah (Chair)** reported that there is a large amount of mud on the road due to the farmer driving out of the top gate at Lily Street farm. The Clerk will report this to Highways.

#### **427.3/2017 POLICE MATTERS**

PCSO R Plant and two of the gentlemen that damaged the Christmas tree and lights have had a meeting with Cllr Soudah. It has been agreed that the gentlemen will pay the costs of repairs/replacement of damaged lights by 31<sup>st</sup> January 2018 under a Restorative Justice Agreement.

#### **427.4/2017 REPRESENTATIONS OR EVIDENCE FROM MEMBERS DECLARING A PREJUDICIAL INTEREST**

None

#### **428/2017 MINUTES OF FULL COUNCIL**

##### **RESOLVED:**

Minutes of Full Council held on 16<sup>th</sup> November 2017 be received as correct account of the meeting. The minutes were signed by the Chair.

#### **429/2017 PLANNING MATTERS**

##### **429.1/2017 Planning Applications**

None.

##### **429.2/2017 Planning Decision Notices**

The Council has received permission to demolish the Swanwick Social Club.

**429.3/2017 Pre Submission Amber Valley Local Plan:** Parish Council has responded and a copy is available to view at the office.

#### **430/2017 CLERK'S REPORT**

The Clerk's report was presented by the Clerk.

##### **430.1/2017 Village Hall Site – Intrusive Investigation**

It was noted that Groundsmiths have completed the Site Intrusive Investigation and issued a report. It shows that there is evidence of voids under the area of the proposed village hall which will need to be filled in by the grouting method.

##### **430.2/2017 Village Hall Site - Contamination Survey**

It was noted that Groundsmiths are currently doing gas sampling for the Site Contamination Survey.

##### **430.3/2017 Vacancies in the office of Parish Councillor**

It was noted that Cllr Briggs automatically vacated his office as a Member of Swanwick Parish Council due to non attendance of council meetings for a period of six consecutive months. AVBC have confirmed that no one has requested an election to fill the vacancy. The Parish Council will publish a notice that it intends to fill the vacancy by co-option. Members agreed to continue efforts to promote the vacancies, including on social media and the website.

##### **430.4/2017 Councillor Attendance Record**

Members noted need to inform Clerk of non-attendance well in advance of meeting. The attendance record was presented to Members.

#### **430.5/2017 Swanwick Recreation Grounds- Chapel Street**

##### **NOTED:**

It was noted that the Chair has requested further information from AVBC, regarding Land Registry, Trust issues etc. to allow the Council to make further decisions. Amber Valley Borough Council have not yet made a decision to transfer trusteeship.

#### **430.6/2017 Christmas Tree**

It was noted that the Clerk will endeavour to source a better tree for next year and allow time to view it before placing the order.

#### **430.7/2017 BT Poles on 76 – 80 Derby Road removal**

It was noted that the Clerk has sent further letters of Notice to both Openreach ENR Team and Pole Objections requesting the removal of the poles and is awaiting their responses.

#### **430.8/2017 Swanwick Old Peoples Welfare High Street**

It was noted that the fencing has been partially erected pending demolition of the building, electrical utility services have been disconnected, Cadent gas suppliers have quoted £1230.00 for disconnection and we are still waiting to hear from Severn Trent. Ownership investigations are ongoing. Three quoted for the demolition of the property ranging from £12,000 to £21,500.

##### **RESOLVED:**

**430.8.1/2017** To authorise the Chair/Clerk to pay Cadent £1230 for disconnection of gas services.

**430.8.2/2017** To authorise the Chair/Clerk to appoint a demolition contractor.

#### **430.9/2017 Civic Service**

It was noted that The Civic Service was a great success and the catering by The Pantry was excellent

#### **430.10/2017 DALC Course**

It was noted that the Clerk and Les Herbert (Village Hall Planning Group) attend the Grants and Grant Funding Course being held by DALC on 30<sup>th</sup> November 2017, to help with the process of securing additional funding for the Village Hall development.

#### **430.11/2017 Register of Member's Interest**

The Clerk reminded all Councillors to check their individual entries on the Register of Member's Interest on the Parish Council Web Site.

#### **430.12/2017 Gardening Maintenance Tender**

It was noted that invitation to tender for the gardening maintenance contract for 2018 has been sent out to the current contractor and two contractors, who have recently made inquiries. Notices have also been placed on our website and Facebook. Closing date is 31<sup>st</sup> January 2018.

### **430.13/2017 Christmas Decorations**

It was noted that this is the second year of a three year contract for supply, testing and installation of Christmas decorations.

The Chair and Clerk reviewed the cost of providing decorations for commercial premises. As the Parish Council does not pay for the cost of decorations to all commercial businesses, an approach was made to the public houses and the Post office for a £150 contribution toward the cost of each installation. Only one public house was prepared to participate in the Village Christmas illuminations this year.

### **431/2017 Chair's Report**

#### **431.1/2017 Budget 2018-19 – to determine budget for 2018-19**

The Chair presented the monitoring report and proposed adjustments to the 2017-18 Budget, followed by the proposed budget for 2018-19 and the proposed precept for 2018-19.

#### **RESOLVED:**

**431.1.1/2017** To approve the proposed virement of the funds in 2017-18 budget as identified in the report.

**431.1.2/2017** To approve the Swanwick Parish Council Budget for 2018-19.

**431.1.3/2017** To approve the level of Precept for 2018-19 at £149,250.

#### **431.2/2017 Banking arrangements - to approve internet banking arrangements.**

The Chair presented a report on banking arrangements. The problems include not having a local bank and not having the facility of internet banking or a debit card. This creates problems when items need purchasing online etc. Options were discussed and the Chair is to meet with the current bank to see how this matter can be dealt with. The item was deferred to a future meeting.

### **432/2017 Councillor Updates**

#### **432.1/2017 Website activity & Social Media**

Analysis of website activity as follows –

Facebook 250 to 400 visits.

SPC Website 271 visits.

#### **432.2/2017 Civic & Carol Service 11 December 2017**

The service was well received and the catering by The Pantry was excellent. Unfortunately the Primary school did not attend to sing carols at the service at the last minute, so there was a large amount of catering left, but the Chair and Clerk were able to organise taking the leftover food to the Padley Centre at Derby where it was distributed to the homeless.

#### **432.3/2017 Village Hall Working Group Meeting 15 November 2017**

Three architect members of the Working Group are considering designs and starting to work on the plans/drawings. Also the issue of the grouting of the voids has to be addressed, but this will be looked into when the structure has been decided on. There is an appeal for more experts in areas of business planning, grant funding and business/trust funds to join the working group.

#### **432.4/2017 Defibrillator Working Group meeting 7/09/17**

This meeting was not held as members could not attend.



## 433/2017 Correspondence & Circulars

Noted

## 434/2017 Accounts

### 434.1/2017 RESOLVED: To approve urgent payments

Date	Cheque	To Whom Payable	Reason	Amount £
06.11.17	3750	Iansprint Ltd	Newsletter	225.00
06.11.17	3751	Groundsmiths (UK) Ltd	Utility Clearance	900.00
09.11.17	3752	G Soudah	Phone & B/band	45.00
			Postage Stamps	6.72
			Misc - Bench stain	10.45
			Misc - Vacuum Cleaner	45.00
			Land Reg - SSC	12.00
			Misc - Bench fixings	3.96
			Misc - Sweeping brush	3.99
13.11.17	3753	Groundsmiths (UK) Ltd	Trial Holing	2,514.00
13.11.17	3754	SSE Atlantic	Gas Utility	53.31
20.11.17	3755	Western Power	Disconnection of SSC	278.47
21.11.17	3756	Waterplus	Quarterly Water Bill	36.09
23.11.17	3757	DALC	Grants Course	120.00
27.11.17	3758	G Soudah	Phone & B/band	28.50
			Postage	17.47
			Stationary	9.50
			Misc - T Rolls & Batteries	3.98
			Planning App Fee - SCC	40.90
			Ord Survey Map - SCC	21.00
			Civic ServiceWine	62.66
27.11.17	3759	Hart Signs	SCC Sign	25.00
30.11.17	3760	Employee wages 1	Wages Mth 8	885.12
30.11.17	3761	Employee wages 2	Wages Mth 8	1,242.34
01.12.17	3762	HMRC	Tax & NI Mth 8	342.51
01.12.17	DD	NEST	Pension Contribution 11/17	42.33
01.12.17	3763	New Leaf	Contract Payment 8 of 8	1,125.00
04.12.17	3764	New Leaf	Winter planting & compost	1,995.00
04.12.17	3765	Groundsmiths (UK) Ltd	Rotary drilling & gas wells	7,500.00
04.12.17	3766	Ilkeston Fencing	SCC Fencing	3,300.00
04.12.17	3767	Swanwick Baptist Church	Meeting Rental to November 2017	90.00
04.12.17	3768	MH-P Internet Ltd (Invoice 3178)	Website Cllr vacancy	18.00
			<b>Total</b>	<b>21003.30</b>

### 434.2/2017 RESOLVED: To approve the following payment

To Whom Payable	Reason	Amount £
M Barnett	Honorarium Qtr 4	80.00
	<b>Total</b>	<b>80.00</b>

### 434.3/2017 Income Received Noted

Date	Remittance	Amount	£
09.11.17	601367	2nd Swanwick Scouts - Defib	337.50
16.11.17	601368	Steampacket - Xmas lights contribution	150.00
16.11.17	601369	R Soar-A Booth Memorial Walk - Defib	900.00
04.12.17	601370	S Young Santander - Defib	750.00
		<b>Total</b>	<b>2137.50</b>

### 435/2017 Bank Reconciliation Noted

#### Cash Book Reconciliation

05.12.17

Opening Balance 01.04.17	72593.88	
Receipts to 04.12.17	148885.67	
Sub Total		221479.55
Unpresented cheques 16-17	2287.71	
Payments to 05.12.17	70447.15	
Unpresented cheques	16959.47	
Sub Total		55775.39
Closing Balance 05.12.17		165704.16
Bank Balance at 05.12.17		165704.16

### 436/2017 Exclusion of Press & Public

#### **RESOLVED:**

To approve the payment of a Christmas bonus to the caretaker.

### 437/2017 Items for the next agenda

None specifically proposed.

### 438/2017 Date & Time of Next Meeting

7.00pm 18<sup>th</sup> January 2018 at the meeting Rooms at the rear of the Baptist Church, Derby Road.

### Meeting closed at 20.41

Signed:

Date:

# 7.0 Clerk's Report to Swanwick Parish Council meeting 18<sup>th</sup> January 2018

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## **7.1 Village Hall Site – Intrusive Investigation/ Contamination Survey**

Groundsmiths (UK) Ltd has completed the Phase 3 Grouting Specification for works to be carried out on the development site. They will submit a copy of the report to the Coal Authority with an appropriate application to grout.

## **7.2 Vacancies in the office of Parish Councillor -**

There are now a total of five vacancies for Parish Councillors. I urge members to increase the effort to persuade any resident to consider applying to be co-opted as a Parish Councillor.

## **7.3 Councillor Attendance Record**

In an effort to be transparent, the record of member attendance will be included in the Clerk's report as a standard item. Members are reminded to notify the Clerk of any apologies (barring emergencies) well in advance of the morning of the council meeting. This is to ensure that the Clerk is aware that the meeting is quorate or needs to be rearranged if not quorate.

## **7.4 Swanwick Recreation Grounds- Chapel Street**

Cllr. Soudah is still awaiting additional information about the Trust from AVBC. The decision whether AVBC wish to offer the transfer of sole trusteeship of the Trust will be taken by AVBC Cabinet. When this has been done full details will be reported to Parish Councillors and then Members will then have an opportunity to make a decision.

## **7.5 BT Poles on 76 – 80 Derby Road removal**

The Clerk has had discussions with Openreach regarding the poles, they require us to pay £298 + VAT, for a survey to be done on the site to determine if either of the poles are live. This will then enable BT to quote for the removal of the poles. If they are not live BT will refund the survey fees.

### **7.6 Swanwick Old People's Welfare High Street**

We are waiting for Cadent to advise the date of disconnection of gas services, and are still waiting on Severn Trent to quote for the disconnection of water services.

The Clerk approached the demolition contractor with the lowest quote and asked them to try and reduce it, they came back with a quote of £9,950.00 + VAT. The Clerk has appointed them to do the works.

### **7.7 Gardening Maintenance Tender**

So far, we have not received any response to our Invitation to tender for the gardening maintenance contract for 2018, the deadline is 31<sup>st</sup> January, 2018.

### **7.8 Parking on The Green**

The Clerk enquired with the local PSCO about parking on the pavement in front of the garden on The Green and was informed that it was a local authority issue to deal with any yellow line parking infringements. Because this vehicle is on the pavement he wasn't sure if the council would actually ticket the vehicle. He will also try and locate the owner and advise them to park elsewhere.

### **7.9 Mud on Derby Road**

It was reported at the last meeting that there was mud on Derby Road, due to farming vehicles coming off the Lily Street fields out of the gate opposite Sleetmoor Lane. The Clerk has reported this issue twice to DCC Highways and is awaiting it to be dealt with.

### **7.10 Well Dressing**

The Clerk has had confirmation from Swanwick Hall that the Dining Room has been booked for 12<sup>th</sup> May 2018 for the Well Dressing event.

### **7.11 Bus shelter on Crays Hill**

AVBC have reported to the Clerk that the bus shelter on Crays Hill has been damaged and it has been arranged for the Caretaker is going to repair it.

## Councillor Attendance Record May 2017 – April 2018

Name	May 25	June 22	July 20	Aug HOLS	Sept 15	Oct 19	Nov 16	Dec 21	Jan 18	Feb 15	Mar 15	Apr 19	%	2016-17
Adams	<b>X</b>	<b>X</b>	<b>X</b>		√	√	<b>X</b>	√					<b>43%</b>	<b>75%</b>
Barnett	<b>X</b>	<b>X</b>	<b>X</b>		√	√	√	√					<b>57%</b>	<b>83%</b>
Davies	<b>X</b>	<b>X</b>	√		<b>X</b>	√	√	<b>X</b>					<b>43%</b>	<b>75%</b>
King	<b>X</b>	√	√		√	√	<b>X</b>	√					<b>71%</b>	<b>83%</b>
Payne	√	√	√		√	√	√	√					<b>100%</b>	<b>100%</b>
Soudah	√	√	√		√	√	√	√					<b>100%</b>	<b>100%</b>
Hayes	<b>X</b>	<b>X</b>	<b>X</b>		<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>					<b>0%</b>	<b>0%</b>
Wilson	√	<b>X</b>	<b>X</b>		√	√	√	<b>X</b>					<b>57%</b>	<b>83%</b>
Smith	<b>X</b>	<b>X</b>	<b>X</b>		<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>					<b>0%</b>	<b>0%</b>
Marshall-Clarke	<b>X</b>	<b>X</b>	<b>X</b>		<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>					<b>0%</b>	<b>0%</b>

Updated 01/11/2017

# Derbyshire Association of Local Councils



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## Circular No. 15/2017

To all Member Town and Parish Councils and Parish Meetings

### GENERAL CIRCULAR

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#### In this Circular:

- External Audit Arrangements for 2017/18
- Transparency fund – running out of time
- General Data Protection Regulations (GDPR)
- Pay Offer for Local Government Workers 2018 - 2020
- HR update: use of self-employed contractors
- Bird Flu
- Civic Voice Design awards 2018
- Community Infrastructure Levy – what next!
- New Grant open: Angling Improvement Fund
- Disposal of used furniture
- DALC Office Christmas closure

#### 1. EXTERNAL AUDIT ARRANGEMENTS FOR 2017/18

You should all now have received notification from PKK Littlejohn about the external audit arrangements for your council for 2017/18. As we have mentioned over the past couple of years, the arrangements are different this year. I would direct you the original framework guidance produced by DCLG [here](#).

In addition, PKK Littlejohn have also offered a free webinar on Tuesday 23<sup>rd</sup> January 2018 between 11 – 12.30pm which you are able to dial into. The webinar will be recorded and available afterwards as well and will cover:

- Introduction to the PKK Littlejohn team
- Overview of our approach to the limited assurance reviews
- Common issues that arose during 2016/17
- The new Annual Governance and Accountability Returns and Exemption Certificates

- Other aspects of the 2017/18 approach to our reviews

If you are interested in dialling into the webinar please contact us in the office and we will be able to give you the login details when we receive them.

## **2. TRANSPARENCY FUND – RUNNING OUT OF TIME**

It has now been two years since the Transparency Fund was launched and with just three months of the NALC managed programme left, time is running out for local councils with an annual turnover of less than £25,000 to secure financial help to comply with the government's Transparency Code. The Code aims to put power back into communities' hands and improve transparency of local councils' finances by requiring them to make their accounts, audits, minutes and councillor information digitally available to the public. Please see our website for more information.

## **3. GENERAL DATA PROTECTION REGULATIONS (GDPR)**

ALC have just informed us that in January there will be a series of templates available to help compliance with GPDR. This will include:

- consent forms;
- data rights checklist and template response letter;
- security incident response policy checklist;
- data processing checklist; GDPR checklist template;
- DPIA assessment template; and
- privacy notice templates (covering Employees and role holders, Candidates and job applicants, General use notice for residents receiving information, Specific notice for residents receiving services)

They are also actively exploring the option of a national Data Protection Officer, having come to the conclusion that this role cannot generally be carried out by clerks. Could I urge all councils to include a budget line in their budget for next year for GDPR expense. An early estimate is that a nationally provided service would be in the region of about £300 per annum. **We would appreciate feedback from councils on whether they would be interested in taking up this service.**

In addition, the Information Commissioner's Office have announced they are extending to parishes the [advice line](#) set up to help small organisations with the General Data Protection Regulation, as requested by NALC. Please do make use of this service should you require it. At a local level, I would like to support councils as much as possible through this process. We will be setting up a workshop for clerks to work through some real examples and identify any issues that need to be resolved. More details soon but if you are interested please call the office.

## **4. PAY OFFER FOR LOCAL GOVERNMENTS 2018-2020**

The National Employers for Local Government Services has offered council employees a two-year pay increase from 2018. The majority of employees – those on salaries starting at £19,430 per annum – would receive an uplift of 2 per cent on 1 April 2018 and a further 2 per cent on 1 April 2019, with those on lower salaries receiving higher increases. The offer, which will affect around 1 million employees, also includes the introduction of a new national pay spine on 1 April 2019. We will advise you on the final agreement but could Councils please note this as part of budget planning.

## **5. HR UPDATE: USE OF SELF-EMPLOYED CONTRACTORS**

Many Town and Parish Councils rely on the services of self-employed contractors to carry out adhoc and seasonal work, such as handyman/woman, caretaker, grass cutters and RFO's. However, the status of self-employed worker has come under extensive legal scrutiny in recent months following cases such as *Uber*, *Pimlico Plumbers* and *City Sprint*. The trend in case law has been that if an Employer exerts control over work activities, provides tools and equipment for the Contractor to do their job, and expects a named individual to deliver their services on a regular basis, they will probably be Employees. If so, they are entitled to a whole range of employment rights. Read more [here](#)

## **6. BIRD FLU**

Last winter the UK experienced several outbreaks of avian influenza – better known as bird flu – and the Department for Environment, Food and Rural Affairs is asking for help to share information in local communities. This highly contagious disease affects birds including chickens, ducks and geese, and can be fatal to them, devastating farmers' livelihoods. It is just as much of a risk to those with a few chickens in a back garden as to commercial farmers and anyone who keeps chickens, ducks or geese. Defra is asking local councils to share [their advice](#) on bird flu in their respective communities, for example on noticeboards using their [poster](#), through social media or in newsletters.

## **7. CIVIC VOICE DESIGN AWARDS 2018**

Civic Voice has officially opened the Civic Voice Design Awards 2018 by encouraging communities from across England to nominate schemes that are of high quality design and help enhance conservation areas and other parts of our towns, cities and villages across England. The award ceremony will be held in The Leadenhall Building, second tallest building in the City of London. <http://www.civicvoice.org.uk/get-involved/designawards>

## **8. COMMUNITY INFRASTRUCTURE LEVY – WHAT NEXT!**

Proposed changes to the Community Infrastructure Levy designed to enable charging authorities to capture a greater slice of the land value uplift arising when permission is granted risk adding further levels of complexity to the system, according to some experts. In its response to the recommendations produced by a panel set up to review the Community Infrastructure Levy (CIL), the government failed to deliver the "Kill CIL" outcome according to some practitioners. Instead, in the small print of the Budget, the chancellor Philip Hammond MP promised to consult on proposals designed to enable the development tariff to capture a greater slice of the land value uplift arising when planning permission is granted. Some observers believe that the proposals risk making the system more complicated. But the message from the Autumn Budget 2017 is that CIL is going nowhere. Instead, the Budget promises a consultation on a set of reforms to the levy, including changes intended to speed up the process of introducing and revising CIL, as well as measures intended to allow authorities to set rates which better reflect the uplift in land values between a proposed and existing use. The Budget also said that the government will consult on removing section 106 pooling restrictions in some circumstances.

## **9. NEW GRANT OPEN: ANGLING IMPROVEMENT FUND**

A new round of funding is open via a new on line application system and you will need to register your details before making an application. Please note the fund will close to



applications at midday on 25<sup>th</sup> January, however there are likely to be further rounds of funding during 2018.

Follow the link below to the appropriate page on our website:

<http://www.anglingtrust.net/page.asp?section=1096&sectionTitle=Angling+Improvement+Fund%3A+Get+Help+With+Funding>

#### **10. DISPOSAL OF USED FURNITURE**

We recently publicised, on behalf of a member council, the disposal of chairs and tables which were unwanted. We received many many offers to purchase the tables and chairs. Should any council be thinking of refurbishing their furniture and wanting to dispose of old stock, even in bad condition, please let us know as there are many organisations which would be happy to take them.

#### **11. DALC CHRISTMAS OFFICE CLOSURE**

The offices will be closed from Thursday 21<sup>st</sup> December 2017 to 2<sup>nd</sup> January 2018. Glen and I will continue to monitor e-mails and will endeavour to deal with anything urgent. May we wish you all a very Merry Christmas and a Happy New Year.

**Wendy Amis**  
**Chief Officer**

**December 2017**

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### TRAINING & EVENTS DIARY

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# Derbyshire Association of Local Councils



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## Circular No. 01/2018

To all Member Town and Parish Councils and Parish Meetings

### INDEX OF MOST IMPORTANT ELEMENTS OF 2017 DALC CIRCULARS

TOPIC	CIRC. NO.	ITEM NO.
Audit Arrangements – External for 2017/18	15	1
Audited Accounts – new rights of inspection	06	12
Better BroadBand Subsidy Scheme	03	6
Community Infrastructure Levy – What next!	15	8
Devolution of services to parishes : What you need to consider	06	1
Discretionary business rates relief – introduction on public toilets owned by Local Authorities	03	3
Diversity Commission	14	5
HR Matters	02 06 09 10 12 15	5 6 5 3 5 5
Legal Topic Note/Legal Briefing update	03 04 05 06 09 12 14	7 8 3 4 7 3 6
National Living Wage new rates from 1 April 2017	05	2
Neighbourhood Planning Bill signed into law	06	5
Pay Offer for local Government Services	15	4
Section 137 multiplier for 2017/2018	04	3
Statutory Redundancy Pay and Unfair Dismissal Compensation – increases	04	6

**Wendy Amis  
Chief Officer**

**January 2018**

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## Circular No. 02/2018

To all Member Town and Parish Councils and Parish Meetings

### GENERAL CIRCULAR

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#### In this Circular:

- **GDPR**
- **We're here for you**
- **HR & APPRAISAL TRAINING**
- **Annual Governance and Accountability Return**

#### 1. **GDPR**

Legal Guidance on the Data Protection Officer from NALC. Further to the information contained in the last circular, NALC have issued a new legal briefing on the role of the DPO which can be viewed [here](#)

#### 2. **DALC : WE'RE HERE FOR YOU**

Over the past 9 months, we have responded to queries from over 120 of our member councils, and have dealt with almost 500 queries.

We have delivered 19 training courses, plus our Spring Seminar with over 300 Councillors and Clerks attending these events from across 80 Councils. The feedback you provide from the courses is consistently positive and we use your comments to try to further improve. Our training provides the most up-to-date sector specific information to help you do the best job you can to deliver for your communities.

If you haven't attended one of our training sessions, our Spring Seminar or our AGM, please could we encourage you to do so – we would love to see you. Please don't consider our location to be a barrier to training. We are happy to try to arrange training in any part of Derbyshire if there is a demand – so please do get in touch to see what we can do in your area.

### **3. HR & APPRAISAL TRAINING**

It is good practice to undertake an appraisal with all your staff at least once every year, usually coinciding with the end of year – to review how the year has gone, what achievements have been made and what issues there are plus any training needs; as well as looking forward to the next year to ensure the Council and staff are all working to the same goals and that staff are fully equipped and trained to do so. This is an important employment process which benefits from all parties having some training on how to do it well to gain the maximum benefit.

Our upcoming HR and Appraisal Training, taking place on 13 February 2018 – 10am – 1pm, at the DALC Office, Cromford, will cover this as well as recent HR updates in legislation in areas of:

- Written terms and conditions of employment
- Effectively managing discipline problems
- Salaries and the national living wage
- Holiday entitlements
- TUPE regulations related to the devolution agenda
- Health assessments

There are some delegate places still available for this valued course. For Enhanced Members up to three free of charge places per Council are available and for non-Enhanced Members, a cost of £40 per delegate. Please contact the DALC Office without delay to reserve place/s.

### **4. ANNUAL GOVERNANCE AND ACCOUNTABILITY RETURN**

By now, you should all be aware that the arrangements for auditing have changed for 2017/18 onwards under the Government's transparency Code. Details are now available and you should be making appropriate arrangements to comply with the new regulations.

By now, all councils should have received notification from PKK Littlejohn about the audit arrangements for 2017/18. If you have not, please get in touch with them at: PKF Littlejohn LLP, SBA Team, 1 Westferry Circus, Canary Wharf, London E14 4HD

[sba@pkf-littlejohn.com](mailto:sba@pkf-littlejohn.com) 020 7516 2200.

The Return is in 3 parts:

[Part 1](#) is only to be completed by a smaller authority if there have been no financial transactions over the past year (2017/18).

[Part 2](#) is to be completed by authorities where each of their gross income and expenditure is £25,000 or less AND they meet the qualifying criteria and they wish to certify themselves as exempt from a limited assurance review.

[Part 3](#) is to be completed by those authorities with gross income or expenditure above £25,000 (but below £6.5million) and those who do not qualify as exempt or who wish to have a limited assurance review.

Please do take particular note of the PUBLICATION REQUIREMENTS in Parts 2 and 3 and the timings for these. If you have any concerns or questions, please do get in touch.

And please also note that there is still time to apply for funding for new equipment or website development/training for your council to comply with the legislation if income/ expenditure is £25,000 or less.

The practitioner's guidance on completing the return is available on the DALC website [here](#)

**Wendy Amis**  
**Chief Officer**

**January 2018**

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