

SLCC CHESHIRE ANNUAL CONFERENCE - 27 SEPTEMBER 2018

KEY POINTS

PROMOTING YOUR COUNCIL

Parish Newsletter

- Most attendees' councils produced one
- Some quarterly some monthly
- Some problems with how to fill a regular newsletter
- Are social media more important these days?
- Some use it as a tool to ask residents 'what do you want from your Parish Council?'
- Marston's monthly newsletter is drafted by the Clerk but they budget to pay a company to print/produce it (£114/month)!

Councillor surgeries

- E.g. ½ hour surgery (2 councillors) before each council meeting
- About 1/3 attendees' councils run a surgery
- Often poor public attendance
- Importance of finding the right location for the surgery, to maximise use

Community events

- Some parishes organise many – mention of e.g. scarecrow festival (very successful in generating community involvement), film night in Village Hall, Drama group

Annual Parish Meetings

- Wide variation in approach; most successful seemed to be an event with a speaker (e.g. someone from CEC talking about recycling/ what should/should not be).
- Events involving local groups seemed reasonably common,
- No rules about what form they should take, but the 'standard' approach of the Parish Council presenting to the public seemed the least successful approach in terms of attendance etc.

DATA PROTECTION – GDPR

- Good practice to have a Data Protection 'buddy' e.g. a clerk from another council, cross-checking one's GDPR arrangements.
- Is mandatory to report a breach of security (e.g. loss of a laptop with residents' personal information on) to the ICO within 72 hours of the breach. One small council who did this and expected no response from the ICO received an immediate response, indicating that the ICO is on the ball at the moment.
- In reply to questions, need to be careful about publicising photos e.g. of local fetes etc.

- May be worth a notice on the website opening page saying “If you contact us, it may be that your communication will be shared with parish councillors to enable a response to be made or action to be taken”.

As always though, each of us needs to take care in relation to emailing around with the public’s name/details on.

RISKS OF MANAGING OPEN SPACES AND PROPERTY

THIS WAS PRESENTED BY REPRESENTATIVE OF CAME & CO – OUR INSURANCE BROKERS

- Property inspections/risk assessments – the Insurance Co./ the courts seek a common-sense approach
- An inspection regime should be in place for **all** property types.
- These comments underlie their Insurance Companies’ assumptions and therefore the insurance policy we hold.

Play Areas

- Ideally a weekly visual inspection, with at least a more thorough Annual inspection – important to keep a record of inspections; he suggests approaching the site equipment from a different angle each time, because you will notice different things.
- His slides included some photos of apparently ‘low risk’ faults which gave rise to pay-outs of £20,000 plus.

Trees

- **Should be inspected every 3-5 years by a qualified and properly insured arboriculturalist**

Open spaces

- **Should be inspected annually, and there should be an inspection before any event that uses that land.**
- Typical problems might include molehills in an area frequently used by the public. In such a case where the problem might recur, you need to record the inspections and any action that is taken as a result.

Water, lakes, rivers etc

- Toxic algae – OK as long as the Environment Agency is used to test if there seems a likely problem; obvious need to erect warning notices if there is a problem – ROSPA website has examples of signage.
- HSE website has examples of risk assessment pro forma (eg one for Village Halls)
- **Issue of Community Group events on the IROS – there should be some insurance cover** – If the Parish Council wishes, the event can be included in our cover through Came & Co – **if so it is essential that a risk assessment is in place before the event.** The risk to the PC in covering the event is that there is an accident and a claim against our insurance, and our premium then rises.
- **THE RISK ASSESSMENT IS KEY IN ALL AREAS. THE KEY ISSUE IN COURT CASE IS WHETHER THERE HAS BEEN NEGLIGENCE.**

INSURANCE GENERALLY

- Buildings should be revalued for insurance purposes every 7-12 years, otherwise there is the risk that any pay-outs for damage etc will be proportionately reduced to reflect an undervalue.

PROCUREMENT

EU tendering thresholds:

- Supplies and Services €209k (over the lifetime of the project)
- Works €5.2m

If you need to follow this process PAY FOR SOME CONSULTANCY HELP – IT'S WORTH THE ADDITIONAL EXPENDITURE

Tendering – need to seek the MOST ECONOMICALLY ADVANTAGEOUS TENDER ie not the cheapest, but the most economical over the life of the project (eg include running costs of a building).

A tender is a quote but involving sealed submissions/opening protocol – more rigorous process; needs spec of how the tenders will be evaluated.

PUBLIC CONTRACTS REGS 2015 – any contract over £25k if advertised is required to be published on the Government's "Contracts Finder" website. Inviting a small group of individual tenderers is not advertising. If the contract is over £25k and even if you've not used Contract Finder, you need to put details of the selected contract on CF.

BETTER BUDGETS

Is in part the basis for calculating the precept. Should include **contingencies**, e.g. for a possible by-election. Could be a percentage figure; for a small council could be a general contingency rather than trying to specify small contingencies for individual subjects.

Should also include a figure to specify in reserves for a future project (e.g. a new play area) – perhaps accumulating a fund over several years.

Budget should include any planned use of part of the reserves.

What can be included in Reserves:

- A working balance (to provide a smooth cashflow)
- Contingencies (THUS RENEW PLAY AREA, MAJOR REPAIRS VH? MAJOR REPAIRS PAVILION? IROS GRASSCUTTING)
- Earmarked reserves
- Unspent monies from the previous year
- Perhaps a provision for bad debts.

INTERESTS AND CODE OF CONDUCT

It is members' responsibility to complete the Personal Interests registration form and get it to the Monitoring Officer, not the Clerk's. Perhaps should remind members from time to time. Criminal offence if not done. Needs to include Spouse/partner interests.

Declarations of interest – will vary with individual codes of practice – may be just the statutory minimum, or may include e.g. where a close relation may benefit.

What is compulsory is a **disclosable pecuniary interest**:

The person must not be involved in discussion of or decision-making on the item (Standing Orders may or may not require them to leave the meeting)

The person **can** ask for a **dispensation** – e.g. **if the Council would thereby become inquorate, or if it is in the public interest to remain (the Council should have some criteria to enable this)**. To use this measure the Clerk needs to be notified in good time – i.e. before/as papers go out. Most councils delegate the decision on this to the Clerk.

A pecuniary interest should **directly** impact the Councillor's property.

- Codes will have different provisions on what has to be done on receipt of a Declaration of interest.
- Does the matter affect the Councillor or a close relationship more than everyone else in general? If they are affected, would a member of the public acting reasonably think that that unduly affects their view of the public interest?

Jack Steel

Parish Clerk