

PARISH COUNCILS LIAISON GROUP

Minutes of the meeting held on Wednesday, 11th July 2012 at Worksop Town Hall

Present:

Councillors: H M Brand, D Challinor, G Freeman, M T Gray, F Hart, D R Pressley, T Rafferty, D Pidwell and Mrs K Sutton.

Parish Council Representatives: G Brown, H Burton, B Cooper, J Evans, D Langmead, H Holdaway, G Perry, J Salmon and M Stokes

Officers in attendance: S Brown, A Burton, L Dore, K Tarburton, N Taylor, R Theakstone.

Also in attendance: Councillor S A Greaves - Leader of the Council

1. NOMINATIONS FOR ELECTION OF CHAIRMAN

RESOLVED that Councillor F Hart be elected Chairman of the Parish Councils Liaison Group for the ensuing year.

2. NOMINATIONS FOR APPOINTMENT OF VICE-CHAIRMAN

RESOLVED that Councillor H Brand be appointed Vice-Chairman of the Parish Councils Liaison Group for the ensuing year.

(The Chairman welcomed all to the meeting and read out the Fire Alarm/Evacuation Procedure.)

3. SUSPENSION OF COUNCIL PROCEDURE RULES FOR 15 MINUTES TO ALLOW QUESTIONS

There were no questions.

4. APOLOGIES

Apologies for absence were received from Councillor S Fielding and Parish Councillor C Fraser.

5. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS

(a) Members

There were no declarations of interest by Members.

(b) Officers

There were no declarations of interest by officers.

6. MINUTES OF THE MEETING HELD ON 25TH APRIL 2012

In response to a query regarding Minute No. 37(a) Improving Communications between Bassetlaw District Council and Town/Parish Councils, the Senior Manager Support Services advised the Leader was to cover this topic in his report later on the agenda.

In response to queries regarding 36(a) Dog Warden Service, i.e. whether the administrative service had been set up for the issuing of fixed penalty notices and whether the training on enforcement was ready to roll out to parish councils, the Senior Manager Support Services advised he would refer to Environmental Health for clarification and forward a response to everyone.

RESOLVED that:

1. The Minutes of the meeting held on 25th April 2012 be approved.
2. A response regarding the Dog Warden Service and the issue of fixed penalty notices and training enforcement be forwarded to members of the Parish Council Liaison Group.

7. MINUTES FOR ACTION.

With reference to 36(b) Localism Act, the Senior Manager Support Services commented on an information sheet circulated at the meeting from the Corporate Development and Policy Manager who could be contacted for any additional information. A limited number of copies of the Council's Asset Management Plan were also available after the meeting for anyone interested. With reference to Council owned land matters, enquiries should be made directly to the Council's Property Manager.

With reference to the Register of Interests and Code of Conduct, a question was asked as to how the Council would be dealing with any challenges to information registered. The Monitoring Officer advised that this issue is being looked at and it is planned that a report on how the Council is going to address this will be presented to Cabinet in September. Further clarification and information will be made available over the next few weeks.

RESOLVED that the Minutes for Action be received.

8. OUTSTANDING MINUTES LIST

RESOLVED that the Outstanding Minutes List be received.

SECTION A - ITEMS FOR DISCUSSION IN PUBLIC

Key Decisions

None.

Other Decisions

9. ITEMS SUBMITTED BY BASSETLAW DISTRICT COUNCIL

(a) The Future Agenda

The Leader of the Council thanked the Chairman and Group for the opportunity to speak at the meeting to outline a few areas on his 'rural agenda radar' and to answer any questions.

He commented that last year, the Council launched a new Corporate Plan which showed a commitment to hosting a rural conference in the future; this will be a positive and different way to engage with parishes and the rural community.

He had considered it appropriate to have help in Cabinet for issues on the rural agenda, to influence policy for example, and Councillor Brand has been appointed to this role. For issues that are important to parishes, e.g. communications, the Council will take on a more proactive role through its Communications Manager for two-way interaction.

With reference to 'Community Right to Challenge', there is more work to be done and a draft report is being prepared for presentation to Cabinet in September.

He acknowledged that with reference to funding, the Council, parish and town councils are all under pressure. For the Council, which has to make a saving of £1.3-4m, the pressure is considerable. Work is underway in the background in preparation for the budget setting process but there are other issues, such as the changes to Council Tax Benefits, and for all councils there will be the difficulty of maintaining the level of services with scarce resources.

He declared a desire to start a dialogue about the future including concurrent grants which is a concern to some and considered more positively by others. For the Council to make no changes would be a non-sustainable position. No decisions have yet been made but there has to be an adult discussion on what the future proposals for the parish and town councils are; some may have the capacity to raise funds for providing some services. The process needs to start today for a long term sustainable solution as continuing as at present is not the answer.

Concerns were raised on behalf of NALC regarding concurrent grants, CCTV in the parishes and broadband availability. A request was made for a special committee/working group to be established to discuss and progress problems and issues.

The Leader advised that he was aware of the problems with broadband and that in his opinion, County and national initiatives were flawed; the Council is progressing its own programme to move forward. He was not aware of any interest from the residents of Worksop and Retford to be 'parished'; if there was a campaign and this was what the residents wished, then the Council would respond accordingly. With reference to CCTV, the Council is making a move in the right direction having recently undertaken a procurement process with partners to purchase wireless cameras; without the extra cost of hardwiring there will be the opportunity to move forward to roll this out to other areas. Regarding a special committee, he could see the benefit for a forum at which issues specifically affecting rural areas could be discussed; the Senior Manager Support Services could establish a working group in due course if there was merit in doing so.

A parish representative stated he was encouraged by the comments from the Leader and welcomed the role of Councillor Brand in representing rural aspects of the District at Cabinet but considered the Council needed a better way of communicating information. With reference to the 'Right to Challenge', the Council was behind the progress made by the County Council. Parish councils were looking for fair funding where they would be providing services on behalf of, or instead of, the District Council; they considered those living in Worksop and Retford received many services free of charge. The creation of a working group had been discussed earlier in the year and the response had been to wait until after the elections in May. Nothing had yet been progressed.

Councillor Brand assured the Group that in her role advising Cabinet, she would be using her existing network of informal reference groups (including NALC, RCAN, etc.) and parish councils in her Ward to source information. The agreement to set up a working group had been confirmed that morning and organisations would be contacted during the following week.

The Leader reiterated his intention for there to be proper two way communication between the District and parish/town councils in the future to move the rural agenda forward. He did not, however, consider that the residents of Worksop and Retford receive free services but recognised that the parish councils have the role of providing some services and that funding is tight. He acknowledged that he did not have all the answers but hoped that decisions made at Cabinet could be made through engagement and input so that parish councils and the District Council moved forward together in a sustainable way.

The Cabinet Member for Community Prosperity (Planning) commented that additional meetings had been held as part of the Local Development Framework consultation to engage all parts of Bassetlaw. With reference to CCTV, parish councils should contact the Council's Community Safety Team if they consider the mobile system would be of benefit to their area.

The Director of Corporate Services, (also the Monitoring Officer), advised she has responsibility for consultation and engagement, including the Communications Unit, within her service. The Council has a statutory duty to consult and this is undertaken by the team and issues on which to engage are reviewed on a monthly basis. Officers scan the horizon for emerging policy on which to proactively alert Cabinet Members but with fewer resources than the County Council has. Consultation is often part of Cabinet decision making and a decision can be challenged if no consultation has taken place but should have. There is still much to learn regarding the Localism Act and the Council will undertake to get it right.

Another parish council representative expressed concern regarding the decision made by the Council to no longer distribute paper copies of information on planning matters. Many people did not have access to the internet and therefore could not access relevant planning applications.

The Leader advised that a trial was being undertaken to use new technology and reduce the amount of printed paper for meetings etc. No decision had been made for the Council to be completely paperless. A degree of balance was called for which would still enable people to engage in matters.

Another parish council representative asked if parish clerks could be alerted on planning application submissions so that they could inform parish councillors. The Leader recognised that the parish councils needed to have this information sent through and advised he would make enquiries regarding the circulation list.

A further comment was made asking that the inequality of taxation where rural areas subsidised the well off in Worksop and Retford be dealt with. The Leader again commented that he did not see any desire to parish the two towns but that he would be happy to discuss a sustainable future with everyone.

AGREED that thanks be recorded to the Leader of the Council for his attendance at the meeting.

(b) Code of Conduct

The Monitoring Officer informed the meeting that the Council had approved a new 'Code of Conduct' and 'Register of Member Interests' at the Council meeting on 28th June 2012. This had been necessary to comply with a general duty arising from the Localism Act 2011 which abolished the former Standards Regime and is consistent with the seven 'Nolan Principles' and the development of arrangements for the consideration of complaints against elected Members.

Members' interests should be notified for inclusion in the Register within twenty-eight days of being elected and any change of interest amended within twenty-eight days of the change being

made. The Register also applies to parish councillors and forms have been sent out to parish councillors and parish council clerks for distribution, completion and return to the Council's Legal department. A composite Register of Members Interests must be published on the Council's website although parish/town councils can provide their own version if they operate a website of their own.

Parish/town councils have choices in relation to adopting their own Code of Conduct and do not have to adopt the one used by their local authority or the one produced by NALC. However, the Council is not duty bound to consider any complaints against parish/town councillors if the Code adopted is not consistent with those of the Council and NALC as complaints may be difficult to deal with.

There is some confusion about who is the 'Proper Officer' regarding dispensations and different thoughts are emerging in terms of whether it should be the Monitoring Officer. Larger parish/town councils may wish the parish/town clerk to deal with issues locally if so designated by their town/parish council. A letter will be sent to parish/town councils regarding procedure and in consideration of the best way of moving forward. The Council is considering creating some form of committee for consideration of complaints and to include co-opted parish councillors although they would not be voting members.

A parish representative queried the timing of 1st July 2012 as an implementation date when many parish councils would not meet again until September and was advised by the Monitoring Officer that many would be in the same situation and that a slight delay was unlikely to be challenged. All Councils had been waiting for the detail of 'disclosable pecuniary interests' and this had not been published by the Department of Communities and Local Government until 8th June 2012. With reference to failure to disclose certain pecuniary interests and potential prosecution and criminal conviction, the Monitoring Officers from all the District Councils in Nottinghamshire are to meet with the Police at the end of July to discuss matters and agree a protocol. There is insufficient guidance on a lot of issues which are raising queries, e.g. land ownership but hopefully greater clarity would emerge over the months ahead.

A parish representative also queried the political balance of a new style committee to investigate complaints and why parish councillors would be non-voting. The Monitoring Officer advised that decisions regarding political balance had not been made by the Council but had come directly from the Localism Act which also states that a co-opted member cannot vote and that an independent person should be appointed by the Council in an advisory capacity to the committee, Councillors and the Monitoring Officer on matters relating to the Code of Conduct.

AGREED that the verbal update be noted.

(c) Council Tax Base

The Head of Revenues, Benefits and Customer Services presented a verbal report to the Group advising there will be changes to the Council Tax Base as a result of legislation in the Localism Act 2011. The Council has to introduce a new local scheme to come into effect from 1st April 2013 and residents who are of working age who currently claim Council Tax Benefit will be affected. Housing Benefit will migrate to the Department of Work and Pensions as part of the Universal Credit scheme starting in October 2013 and will take four years to fully transfer.

The new scheme must award discounts to residents by reference to financial need and as the Government want to reduce welfare spend and encourage the journey from welfare to work, the local scheme will be funded by only 90% of existing demand led Council Tax Benefit. Pensioners are protected by law as part of a national scheme and their discount is therefore unaffected. In consideration of the Council's equality duties, vulnerable groups, e.g. the severely disabled, must also not be disadvantaged.

The Council Tax Base is, and will remain, at the heart of Council Tax setting: the bandings which create lower and higher bills, the 25% discount and disability band reductions shape it. Under the current system, all parishes decide what they need to raise from Council Tax to spend on their services and the Council sets the precept to return this amount. From 1st April 2013, there is a requirement, due to funding change, to show benefits as discounts in the overall Council Tax Base and it is this that may have an impact on parishes as the Tax Base may fall by the number of benefit related discount qualifiers in each parish.

In preparation for the new local scheme, the Council will base the first year, i.e. 2013/14 on the old Council Tax Benefit Scheme calculation and factor in the 10% reduction in subsidy from the Government, receiving an estimated £8.031m instead of just over £9m. It is anticipated a draft scheme with a number of suggestions will be out for consultation in August after consideration by District Council Members with the new scheme finalised by November 2012.

Parish representatives expressed concern over the implications of the change and in particular the increased costs for residents. The Director of Resources was thanked for information forwarded in bringing the issue to the attention of parish councils. NALC are aware of the proposed changes and are lobbying the Department for Communities and Local Government.

AGREED that:-

1. The verbal report be noted.
2. A summary of the information presented on Council Tax Base be forwarded to all parish councils and Parish Council Liaison Group District Council Members.

(d) Good Neighbour Campaign

The Senior Manager Support Services presented a report which provided information about the 'Good Neighbour' campaign being launched across Nottinghamshire which encourages people to look out for their elderly and disabled neighbours. It aims to reduce the number of people who have falls, accidents or become a victim of abuse or crime.

Parish councils were asked to circulate information, including the 'Good Neighbour Guide' distributed at the meeting, in their local communities.

AGREED that the report be noted.

10. ITEMS FROM PARISH COUNCILS

(a) Concurrent Grants

A parish council representative commented on a letter received from the Director of Resources which advised that concurrent grants might vanish by the end of the year and that the Council was considering levying land drainage costs on parish councils. With this and the earlier discussion regarding the potential change of funding through the changed Council Tax Base he sought reassurance that the Council would be fair to everyone wherever they live.

The Director of Resources commented that: Drainage Boards illustrate a lot of costs to do with rural areas are not being acknowledged; services are provided in rural areas but not at different rates; broadband is being looked at for rural areas but not in towns; the new bus station being progressed in Worksop will benefit rural areas.

The Leader added that he hoped discussion over the coming weeks would be fruitful and open-minded.

A parish clerk commented that he had distributed the letter to four parish councils and it had been received with discomfort, disquiet and had been seen as a real issue for their communities. Seen in isolation without explanation, the letter had created a lack of understanding. Another representative added that there had been disgust at the tone of the letter and that the strength of feeling should not be ignored; to pay for services such as grass cutting that those living in towns do not have to pay for would be a double taxation. Another representative felt that the parishes were already subsidising the towns by paying a precept for some services.

The Leader commented that he was under no illusion at the depth of feeling and recognised the difficulties in being able to provide services within budget. He did not see the issue as double taxation and acknowledged work needed to be done to ensure sustainable services. It was important to look forward not back.

The Cabinet Member for Community Prosperity (Planning) considered that the comment about double taxation was spurious and added that all parish councils needed to be part of the discussion and consultation and not just those represented at the meeting. Cabinet may not always get it right; all parish councils should be part of the discussion.

A parish representative considered that equality between the towns and parishes should start now while another commented that: the letter could have been better written; the towns should be parished so that they also pay for the same services the parishes have to pay extra for. He added that parishes were grateful for the grants received from the Council which paid for things such as insurance and maintenance of play facilities, but this same cost did not fall on the residents of Worksop and Retford who also did not have to pay extra for grass to be cut.

The Leader reiterated that he did not see a desire from the residents of Worksop and Retford to have town councils and this would not be imposed on them. He added that there was clearly a case for discussion to find the best way forward regarding future funding for services.

AGREED that the item and comments be noted.

11. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

As there was no other business to be discussed the Chairman closed the meeting. He thanked everyone for their attendance and in particular the Leader of the Council for his contribution.