

Derbyshire Association of Local Councils



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Circular No. 13/2019

To all Member Town and Parish Councils and Parish Meetings

GENERAL CIRCULAR

In this Circular:

- DALC Annual General Meeting
- Spring Seminar – New Venue – 12 March 2020
- Grant Funding Training Course
- Website Accessibility Regulations
- Good Councillor's Guide to Transport Planning
- Local Councils tackling loneliness
- Vehicular Activated Speed Signs: Guidance from NALC
- Legal Briefing – pre-election publicity
- HR Matters: New Employment regulations
- Law and Good practice reminder: Confidential minutes
- What's in the pipeline?: Code of conduct for councillors

1. DALC ANNUAL GENERAL MEETING

The DALC Annual Report was approved and is available on our website for reference. Members of the new Executive Committee were confirmed and, again, are on the website for reference. It was also agreed that, in line with the increase imposed by NALC, the subscription fees for 2020/21 will be increased by 3%. I hope that this will help with your budgeting and that you continue to appreciate the value for money that membership offers.

2. A NEW VENUE FOR DALC'S SPRING SEMINAR WILL HOST A GREAT LINE-UP OF SPEAKERS NEXT MARCH

[Alfreton Hall](#), one of the county's historic mansions, will welcome delegates from across Derbyshire for a full day of presentations on March 12th – with topics ranging from a first-hand account of Whaley Bridge's recent dam crisis and the council's response, to how loneliness can be tackled in rural areas.

There'll also be discussion on tackling climate change at a local level, the challenge of encouraging young people to engage with council issues, and the remarkable community benefits of events like 'The Big Lunch'.

Talking of lunch (!), we're sure you'll love Alfreton Hall and the menu we've arranged for delegates...

Cost per delegate, inclusive of hot lunch, tea/coffee breaks and a full day of presentations, in addition to a wide range of exhibitor trade stands showcasing products and services, is £55. Please book soon as places are limited. 01629 826655 – admin@derbyshirealc.gov.uk

4. WEBSITE ACCESSIBILITY REGULATIONS

The Public Sector Bodies (Websites and Mobile Applications)(No. 2) Accessibility Regulations 2018 came into force on the 23rd September 2018. GOV.UK claims that 4 in 10 local council homepages fail the basic tests for accessibility. However, existing websites have until 23rd September 2020 to comply.

The legislation is about ensuring that everyone can access information about public life in the easiest way possible, including online access. Click [here](#) to view the legislation.

Actions to help meet the requirements:

- Contact your web provider to ensure compliance and whether you need an accessibility statement
- Look at government guidance [here](#) to conduct a basic accessibility check
- Budget for any costs that may arise
- Add the date to your calendar
- Start making required changes

5. GOOD COUNCILLOR'S GUIDE TO TRANSPORT PLANNING

NALC have just published a new Good Councillor Guide which gives practical advice for councillors and their role in transport planning. It is available on the DALC website [here](#).

6. LOCAL COUNCILS TACKLING LONELINESS

NALC and the Local Government Association have joined forces to provide a guide for local councils and others to help tackle issues of loneliness in local communities. The new Reaching Out guide outlines how you can work with other councils and organisations to improve the wellbeing of lonely people in your community. To read more and find out how your council can help, click [here](#).

7. VEHICULAR ACTIVATED SPEED SIGNS : GUIDANCE FROM NALC

Three specific powers (s.274A Highways Act 1980, s. 72 Road Traffic Regulation Act 1984 and s.31 Local Government and Rating Act 1997) are not powers that enable the provision of signs for traffic calming purposes by local councils.

In our view the general power of competence will not assist local councils as it is a power that enables a local authority to do anything individuals generally may do. Individuals cannot provide speed signs.

In the absence of a specific power the normal route is to consider s.137 of the Local Government Act 1972. S.137(2) which specifically allows a council to contribute towards the costs of another local authority's functions; as such, a contribution could be made to a highway authority's costs in respect of such speed signs. S.137 (1) is subject to existing statutory limitations and prohibitions, such as the three powers referred to above. Whether it could be used outside of those powers would depend on the specific circumstances.

Another possibility would be for a highway authority to delegate its function to a local under s.101 of the 1972 Act.

8. LEGAL BRIEFING – PRE-ELECTION PUBLICITY [\(L01-19\)](#)

This can be viewed on our website by clicking on the link above.

9. HR MATTERS : NEW EMPLOYMENT REGULATIONS

A number of new measures come into force from April 2020 including changes to: employment contracts, calculations of holiday pay, self employment under IR35 and zero hours contracts. For more details please [read on](#).

10. LAW & GOOD PRACTICE REMINDER : CONFIDENTIAL MINUTES

Council minutes must be published. They also have to be open to electors for inspection (s.228 of the Local Government Act 1972). Of course there may be confidential items that should not be disclosable to the public (e.g. discussions about a staff member's illness) and there are also personal data considerations. To deal with confidentiality, given the public nature of minutes, a report can be made that is separate from, but referred to, in the minutes. The minutes can detail the resolution and make reference to the confidential report, but should not reveal the confidential information contained within it. This is also a good place to confirm that minutes should be a record of resolutions made at a meeting and not a verbatim account of proceedings.

11. WHAT'S IN THE PIPELINE? : CODE OF CONDUCT FOR COUNCILLORS

The Local Government Association is to develop a new Model Code of Conduct for Councillors. This is in response to the recommendations made in the Committee on Standards in Public Life's report earlier this year, and in response to rising local government concern about the increasing incidence of public, member-to-member and officer/member intimidation and abuse, and overall behavioural standards and expectations in public debate, decision making and engagement. This is part of their programme on civility in public life and they aim to launch a revised code at their annual conference at the end of June. NALC will be contributing to this work to make sure the local council dimension and voice isn't lost, as the LGA is focussed on principal authorities.

Wendy Amis
Chief Officer

December 2019

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Member Councils”***

TRAINING & EVENTS DIARY

DATE	SUBJECT	CIRCULAR/ REF	VENUE	COST	CPD POINT	TRAINER
9 Dec. 2019 – (6pm – 8.30pm)	Essential Councillor Training	11/2019	DALC Office, Cromford	*Enhanced Sub Councils up to 3 free places/£50	1.5 per session	Wendy Amis
10 Dec. 2019 – (10am – 1.00pm)	Essential Clerk Training	12/2019	DALC Office, Cromford	*Enhanced Sub Councils up to 3 free places/£50	1.5 per session	Wendy Amis
23 Jan. 2020 – (10am – 3pm)	Grant Funding	13/2019	Gothic Warehouse, Cromford Mill	*Enhanced Sub Councils up to 3 free places/£50	2.5 per session	Ian Hey SDDC

* Up to 3 delegate places free per council on the enhanced subscription scheme

** Total fee for both days, plus follow-up support; a further payment is payable to SLCC for the examination and certificate.