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e-news update

4th January 2022

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Happy New Year

Welcome to 2022. Who knows what we'll be dealing with this year? Will it be more of the same or will we be able to move forward? All we know at this stage is that your clerk and council will continue to serve your communities as well as you can. And we at LALC will continue to support you as before.

We've not sent out a mailing since the 14th December so this newsletter will try to bring you up to date with several weeks' worth of correspondence.

Congratulations

Well done to Jane Slaymaker, Clerk to Hundley and Old Bolingbroke Parish Councils, who has completed her ILCA qualification.

Knowledge Bank

Thanks to Pete who has provided a [checklist](#) for your website. Are your key pages up to date? As he says, he will not change the information on a website unless you ask him to. You need to know what is on your website at all times in case a member of the council or public quizzes you; you should be able to give them at least a general answer.

Notes and queries

Dog waste collection

We've been contacted by Skegness Town Council. During lockdown they noticed that there was a big increase in the amount of dog waste that is being placed in litter bins. As they say, it is good that the public are picking up, but the change now means that waste from the bins can no longer be regarded as simple commercial waste. It is now regarded as contaminated waste which their usual commercial waste collector will not take.

They approached East Lindsey District Council to see if they could piggy back their contract but have been told this is not possible. Specialist companies are available which tend to be looking at large volumes and deal with septic tanks/chemical spills etc rather than a few black bags a week of dog mess. Skegness TC suspect these companies will be prohibitively expensive for their requirements.

Does anyone else have a similar problem or a solution? Please contact Skegness TC directly. There may be an opportunity for procurement by parishes working together on this.

Public contract regulations

We've also had two queries which have been answered by Steve Parkinson.



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Q: I have read through the information you have provided and under section 11 of the LTN87 it states the following:

A council does not advertise an opportunity where it makes the opportunity available only to a number of particular economic operators who have been selected for that purpose (whether ad hoc or by virtue of their membership of some closed category such as a framework agreement), regardless of how it draws the opportunity to the attention of those economic operators (i.e. if a council has an arrangement with a limited number of approved organisations to undertake work for the council);

Does this mean we do not have to advertise on the contractor finders' website if it has not been advertised elsewhere and we approach these suppliers directly?

A: I agree with you, LTN87 is a lawyers attempt to re-explain the legislation, but doesn't offer any practical help.

The interpretation is correct, the council does not have to publish an invitation on Contracts Finder if they have approached individual contractors directly. However, if the council awards a contract over £25,000 it should still post a notice of the contract being awarded on Contracts Finder.

Q: I am aware of the new thresholds in pounds sterling from the financial briefing, but a council is questioning why they must still have the regulations now that we are not in the EU.

A: The rules still apply, but Parliament sets the thresholds (although they still base them on the EU figures, which are also the WTO figures). Find-a-Tender has replaced OJEU for UK tendering. I did a suggested amendment for Hertfordshire some time ago:

18f A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by Parliament) ~~the European Commission every two years and published in the Official Journal of the European Union (OJEU)~~ shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website ~~and in OJEU.~~ and the UK e-notification service (Find-a-Tender).

18g A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by ~~the European Commission every two years and published in OJEU~~ Parliament) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.



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Election budget

North Kesteven DC have sent the following information to clerks in the district about election budgeting.

2023 Parish Council Elections and Potential By-Elections

*The full four yearly cycle of elections for all Parish and Town Council is scheduled to take place in **May 2023** which is not that long away...The District Council will recharge all reasonable associated costs for holding an election. Whilst not all Parish Councils may be contested, it is prudent to be prepared. Alongside, Councils also need to be mindful that a By-Election could take place and that provision should be made for such an event. The cost of a By-Election is wholly met by the Parish/Town Council.*

Costs will vary dependent on the electorate of the Parish or Town Council (or warded parish) and whether any component costs can be shared where there is a combined election. To give an indication of component costs – these cover poll cards, nomination papers, postal packs, ballot papers, postage, hire of premises such as polling stations and count venue, election fees, staffing and labour costs, transport, other print related items etc

As a guide only, parishes comprising up to 2,000 electors should make a provision of £3,000. Parishes comprising an electorate between 2,000 to 5,000 could allocate £5,000 and those with a higher electorate should consider setting aside around £7,000 per election.

NKDC also provide a modelling spreadsheet which helps calculate the precept once you've worked out your budget. It would be interesting to compare the package and information provided to help with your budgeting. If you've had something from your own district, please could you share with our office?

<u>Current vacancies</u>	Position	Closing date
Wickenby and Westlaby Parish Council	Clerk/ RFO	14 th January
Saltfleetby Parish Council	Clerk/ RFO	14 th January
Essendine Parish Council	Clerk/ RFO	17th January (readvertisement)
Fulbeck Parish Council	Clerk/ RFO	18 th January
North Hykeham Town Council	Services Team Manager	22 nd January
	Services Team – Team Operative	
Live and Local	Community Engagement Officer	1 st February
Leicestershire and Rutland ALC	Deputy Chief Executive	2 nd February (readvertisement)



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Government consultation on changes to burial proposals

[PR23-21 Environmental Permitting Regulations](#)

NALC has [opposed](#) some of the government's proposals on burials in its consultation.

The two main changes proposed are to increase the minimum grave size to 5m² (5 metres squared) and retain a 1-metre minimum clearance between the base of a grave and the water table in a cemetery.

NALC opposed these proposals, which would roughly halve the cemetery space available to many local councils, lead to premature closure of many graveyards, and cause problems with residents who pre-purchased family plots.

The consultation closed on 22nd December.

In addition to NALC's published objections, councils locally have expressed concern to LALC.

- They may be prevented from having any new burials. The requirement to have a 1m gap between the base of the grave and the ground water level may not be achievable.
- We've been told about drainage installed years ago when the cemetery was designed. This runs under the cemetery and discharges into surrounding field drains. It's likely that this won't be compliant but any remedial action is going to be very expensive and disturbing to existing graves.
- Loss of burial fees may have a significant impact on council income. This may not affect your current budget and precept discussions but may do so in the future.
- Many grave reservations have already been sold. DEFRA [appear to have said](#) that the proposed conditions will not apply to existing grave plots or grave plots that have already been reserved. However, this will need to be confirmed. If this is not the case, councils may be liable to refund the purchase price of unusable reserved graves. This could be a significant cost for some councils. In addition, residents affected may consequently not be buried next to their loved ones as planned.
- Open churchyards may be affected by these regulations and closed to new burials. This will mean that the cost of maintenance may be transferred to Parish and Town Councils much earlier than otherwise planned.

Could your council be affected by this government proposal?

If you have already sent comments directly to DEFRA or to NALC on this matter, please may we see your response?

DEFRA's consultation closed on 22nd December. However, you can still check the [original consultation documents](#) and [NALC's response](#). How may the proposals affect your council - new and existing graves, finances? If you have a cemetery, please complete our [short survey](#) by 14th January. We'll pass on comments to NALC to help inform future responses.



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Internal Auditor's Forum

Summary of feedback for the external auditors:

On 30 September 2021 we had processed and completed 97.89% of AGARs received that were able to be concluded.

The below points relate to common and new areas of concern including those that are repeated each year, where it is good to reiterate the message again:

- Reminder that where a smaller authority has been selected as part of our 5% sample for intermediate procedures, it is still possible to certify exemption if the criteria for exemption is met;
- Internal Auditor objectives – L, M and N on the standard form which cover transparency code and publication requirements, concerns raised by Internal Auditors and Clerks in respect of these objectives will be fed back to SAAA in addition to concerns we have previously communicated to SAAA;
- The Other Matter raised in our report in respect of insurance claims refunds and repayments clearly states it is in “our view” that they should be netted off, however we appreciate the Practitioners’ Guide is silent on this matter and this has been brought forward for JPAG to consider for clarification;
- Unamended prior year figures/ incorrect answer to Assertion 4 – Authorities should refer to our prior year report before completing the AGAR and if restatements are required, ensure that the prior year figures are restated as identified, and marked as such, or that a detailed explanation is provided explaining why the amendments have not been made.
- Amendments should also be correctly initialled and dated;
- Lack of correct publication on a website/incorrect public rights dates;
- Period set for the exercise of public rights commencing before the date of approval stated on the AGAR. The AGAR has to be approved and the notice of commencement of the public rights period announced prior to first day of the public rights period;
- Public rights dates confirmation form not submitted – it is a statutory requirement to inform the auditor of the dates chosen and this is the document most often omitted from submissions;
- Queries regarding the fees charged – the standard fees are based on income and expenditure bandings and may increase/decrease each year depending on the income/expenditure band the Authority falls into for the year – please see the SAAA website for a breakdown. This is the most common query once invoices have been sent out;
- Queries received from Authorities that have certified themselves as exempt regarding not receiving an external auditor report - as in prior years, if a Council has exempted themselves from our review, we do not carry out a review and, therefore, have no closure documentation to issue;
- Administrative Charges incurred are not set by us and if a reminder email has been issued due to the submission deadline being missed, we are not able to waive the fee;
- Explanation of variances – we need narrative and quantitative information to support the explanations provided, to bring the unexplained element to within 15%.



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For 2019/20 Lincolnshire County Council had its maintenance funding from the Government cut by a massive £12m. This was to have a huge effect on the county's roads.

Because of the cash cut, county councillors voted to fill the void so that essential road works could still be carried out. They did this using council funding reserves for the year, but as town and parish councils will be acutely aware, this is something that they won't be able to do in the future.

This missing £12m pays for filling 24,000 potholes and rebuilding 37 miles of deteriorating road per year. Now, as the Department for Transport begins looking at funding allocations for 2022/23, we are calling on the Government to repair the £12m pothole it has left in our roads.

Cllr Martin Hill, Leader of Lincolnshire County Council, said: *"It was incredibly disappointing when the Government cut our highways funding by 25% last February. "We're a large rural county and our residents place a huge amount of importance on well-maintained roads – something we're doing our best to deliver but are struggling to fund."*

And this is where we need you to add the town and parish council voice to our campaign to Fix the Funding so that we can Fix the Roads.

If people or businesses in your town or parish have been affected by poor road conditions or suffered as a result of the road system not being as good as it should be, then this is where your story matters most. How does the current state of the road network affect you? As highways continue to degrade what will the long term effects be on your town or parish? Tell us.

Every single story that town and parish councils share with us really matters and is a valuable addition to the campaign for the missing millions in funding.

By talking about this we can all come together to campaign Government directly.

[Share your story](#) [Write to your MP](#)

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LCR Magazine



Do your clerks and councillors receive NALC's quarterly [LCR magazine](#)? Latest edition now sent to subscribers. As well as the features highlighted on the cover, the magazine includes articles on climate change, buildings insurance, local government spending, duty of care as an occupier of land, flexible working and LCAS.

Youth engagement special also focuses on representational deficit and diversity. How would your council answer the question below?

YOUTH ENGAGEMENT SPECIAL

Your say

We asked you: How are you ensuring younger people are actively involved in your council and can tackle the issues they care about? You said...

"Over the last 20 years all of my projects have been for young people and they feel comfortable talking to councillors"

"We're not doing enough to get young people involved in the parish council and decision making. We did have an initiative with the local comprehensive school but that's not happened over the last couple of years. Some councillors are running a programme to help tackle anti-social behaviour, which is showing dividends, and we recently got young people involved in a town tidy up"

"We actively go to meet them and break down the barriers of perception. We make them appreciate that there's give and take in processes"

"This is an area we are trying to develop in the parish"

"We have a youth engagement sub-committee and are working towards a youth forum"

"We have little or no contact with young people and no idea of how to do this. Young people have no time, no interest and no trust in the council to help them. They have no understanding of what a parish council is or does"

"We have a youth council for young people who live or go to school here or in the surrounding areas and who want to contribute to making life better. The town council listens to their views and ideas, and supports the youth council to deliver and interact with the town council. The emphasis of the youth council is for young people to lead meetings and they have identified key areas that are important to young people including homelessness, the climate, mental health and more"

"There are no formal mechanisms in place. We tend to use social media and instagram to connect. But so far, there is no evidence of success"

"The council struggles to make headway with this"

"We have held interactive meetings with groups of young people in our parish. Contact was established with younger teenagers through a 21-year-old who is very well known for his skateboarding abilities. We have also consulted with young people through the Scouts and Youth Group and younger children through the school and via pre-school families"

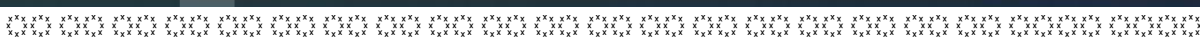
"We aren't, sadly"

Do you have a specific forum for young people to voice their opinions?

YES	18%
NO	82%

Do you let young people lead and initiate action?

YES	21%
NO	54%
SOMETIMES	25%





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‘Pop-up’ walk-in sessions w/c 3 January, whereby anyone eligible can get vaccinated without an appointment, whether that be a booster (18 and over, 16 and over if you have a health condition which puts you at high risk of getting seriously ill with covid) or for first and second doses (available to anyone aged 16 and over, as well as 12-15 year-olds provided a parent/guardian is present to consent):

Tuesday 4th January at the Springfields Events and Conference Centre, Spalding, between 10am and 4pm, including boosters and first and second doses for anyone eligible (see above) including 12-15 year-olds provided a parent/guardian is present to consent.

Wednesday 5th January at the Engine Shed, Lincoln, between 10am and 4pm, including boosters and first and second doses for anyone eligible (see above) including 12-15 year-olds provided a parent/guardian is present to consent.

Thursday 6th January at St Marys Church Hall, Market Place, Long Sutton, Spalding PE12 9JZ, between 10am and 4pm, including boosters and first and second doses for anyone eligible (see above) including 12-15 year-olds provided a parent/guardian is present to consent.

Friday 7th January at the Stamford Arts Centre, Stamford, between 10am and 4pm, including boosters and first and second doses for anyone eligible (see above) including 12-15 year-olds provided a parent/guardian is present to consent.

Saturday 8th January at Stanhope Hall, Horncastle, between 10am and 4pm, including boosters and first and second doses for anyone eligible (see above) including 12-15 year-olds provided a parent/guardian is present to consent.

Posters to advertise these events for your noticeboards are available from [our website](#)

