














Hampshire Association of Local Councils e-Update

For the attention of officers and councillors of Hampshire Parish and Town Councils

May 2018

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Dear Member,

With the election and AGM season over, the focus of councils will be on completing the year end accounts and approving the Annual and Governance and Accounting Return before the legal deadline of 30th June 2018 .

Please remember that this form WILL NOT come out in the post to you this year - it is available to download from the website of the new external auditors, PKF Littlejohn - link is [here](#) .

All councils still need to get their internal audits done in accordance with the guidance and regulations. For councils who meet the requirements and are exempt from external audit (the decision tree is [here](#)) the correct documents need to be sent in and the full details of their Annual Return published on their websites in accordance with the Transparency Code.

The forms need to go back by post, with the correct signatures, within the deadlines set.

Links to all of the guidance and regulations are as ever on the HALC website as well as that of [SAAA](#) and PKF. The HALC team will be able to help with email queries as far as possible but this is a very new system for all of us.

Training continues apace over the coming months. The sessions are an excellent chance to update skills and network with other members. In the mean time, enjoy the lovely weather while it lasts.

Best wishes to all,

A handwritten signature in black ink that reads 'Eleanor Greene'.

Eleanor Greene
Company Secretary





Important GDPR Update

“GDPR continues to be a major focus for Councils and we know that many of you are reviewing your policies and processes following on from our training courses. As a reminder there is a lot of helpful information to assist you with drafting privacy notices and policies on the ICO website for small organisations. For those who are also NALC members they have produced a toolkit which can be accessed through the Hampshire ALC website. If you use the NALC toolkit, please be aware that some changes may be required particularly in relation to the Data Protection Officer (as outlined below). As the ICO have said they are viewing GDPR as a journey, particularly for smaller organisations.

As those who have attended our training will be aware, a key issue for our sector was the need for town and parish councils to have a Data Protection Officer (DPO), which had a potential financial impact. We are pleased to confirm that there have been some proposed amendments tabled to the GDPR legislation. There are a variety of amendments proposed, however the most relevant one for our sector is the proposal the town and parish councils will not be considered Public Authorities for the purposes of the Act. If this is passed it will mean that for most town and parish councils there will be no need to appoint a formal DPO, although it is likely to still be recommended as best practice. You will of course still need to have a point of contact for the regulator. There are no other suggested amendments so the rest of the legislation we have discussed in the training will still apply. These amendments are being debated tomorrow (9th May) so we should have more clarity next week. The ICO have also reiterated their current advice that Town and Parish Councillors do not normally need to be individually registered for GDPR as their duties will typically be covered by the town or parish councils registration.

Councils are reminded that they should review all their internal processes and policies to ensure that any reference to the Data Protection Act is updated to GDPR. This will also need to be carried out for employment contracts, and consent clauses for employment should be removed and replaced by an appropriate reason for processing the data. For LCPD members further information regarding employment, along with a suggested employment contract clause will be issued by the end of this week.

So in summary, the situation is still not finalised and we will not have clarity until the final legislation is passed, and in some cases until some case law is established. It is however still appropriate and for Councils to work on their policies and internal procedures, and we recommend that you do so in order to show you are attempting to comply with the legislation. We will keep you updated with any further information as it become clear.”



Barrowden Parish Council (Leics.) Building Control SCA Proposal Survey

Dear Colleagues.

I hope you are very well and had a fantastic Bank Holiday weekend.

Barrowden Parish Council (Leicestershire) believes that there is a strong case for ending the complete division of responsibility between planning bodies and building control. It should be a requirement that building control bodies ensure that development proceeds in general accordance with the approved plans and conditions. To that end it will be submitting a proposal direct to Government over the early summer of 2018 asking for an end to this policy division.

Please circulate the following survey link to member councils in your areas (<https://www.surveymonkey.co.uk/r/D7H9VKE>) to gather supporting evidence from the local council sector to strengthen the Barrowden proposal when submitted to Government (summer 2018). Please also feel free to complete this short survey yourselves which will only take 5 minutes to complete. The deadline for completion of the survey is **17:00 on 11 June 2018**.

Thanks as ever – this is much appreciated,

Chris Borg
Policy and Development Manager
National Association of Local Councils

Age Concern Hampshire's Chairman takes on Hampshire to Nice Bike Ride

2 May 2018

Age Concern Hampshire's very own Chairman, Tony Hopkins will be taking on a huge sponsored cycling challenge to raise vital funds for their Village Agent Service.

Age Concern Hampshire is an independent registered charity working to promote independent living to over-50s in the county. One of the vital services we provide is the Village Agent Service - this was set up in 2011 and has been successfully delivered by over 50 highly-trained volunteer Village Agents across the county. Their primary role is to enable older people to live independently, for as long as possible, in their own homes.

Tony who is a volunteer Village Agent himself, has decided to cycle 1,150 miles from Hampshire to Nice. He will be setting off on 25 May and will be calling in en-route at our Lockswood Day Centre, where he's expected to receive a warm reception by all the staff and clients at the centre as they cheer him on his way.

This is a mammoth cycle challenge that Tony is undertaking, he will be making his way down to Portsmouth ferry port with his friend winding through the beautiful Hampshire countryside. After crossing over to Saint-Malo they will then embark on their 3 week cycle across France to Nice. As if this wasn't challenging enough they will also be completely self-supported and carrying all their own equipment and supplies - no guide and no support van following behind.

Fundraising for the Village Agent Service

Tony is raising funds for our Village Agent Service. Our volunteer Village Agents rely solely on funds raised directly by Age Concern Hampshire and it is crucial that we continue to find ways to ensure that we continue delivering this vital service.

Our chairman, Tony Hopkins says *"Working as a Village Agent myself in Crondall and Ewshot, I really appreciate the fantastic work that all our volunteers do and want to raise as much money as possible to keep this incredible service going. I feel so passionately about the work that we do, that I would like to personally contribute - I will donate £100 for every £500 generously donated to my fundraising page."*

To show your support and to make a donation, please visit his Just Giving page

<https://www.justgiving.com/fundraising/tony-hopkins-cycle>

(Continued on page 6)



For more information about Age Concern Hampshire and to get-involved visit www.ageconcernhampshire.org.uk

For all the latest updates on Tony's bike ride follow his progress on our Facebook page.

Notes to editor

Age Concern Hampshire

Age Concern Hampshire is an independent registered charity working to promote independent living to over-50s in the county.

In the last year, advisors in the Information and Advice Team dealt with 2200 enquiries and conducting 197 visits through our OPAL scheme.

Our vision is that getting older should be a positive experience where everyone is respected, valued and able to make informed choices.

Our mission is to assist older people to increase their independence, knowledge, income, wellbeing and sense of purpose. We will do this by

- Providing access to a range of services to support the needs identified by older people within Hampshire
- Ensuring that appropriate information and advice is available, and
- Providing a caring and supportive community to ensure older people, their carers and families achieve a better quality of life.
- <http://www.ageconcernhampshire.org.uk>

Village Agent Service

The scheme supports older people in rural areas, assisting them to access information and the support services they need. As an active member of their local community a Village Agent directs people to the information about such things as day care, foot care, computer training, transport for shopping and medical appointments, finding reputable tradespeople and help around the home.

Our Village Agents provide information, advice and support to over 950 older people and their carers and provided 3,235 hours of service across rural parts of the county.

<http://www.ageconcernhampshire.org.uk/our-services/village-agent/>

The Route

<http://franceenvelo.cc/route/>





Local MP launches petition to give police more powers against unauthorised traveller encampments

Member of Parliament for North East Hampshire, Ranil Jayawardena MP, is launching a petition to urge HM Government to strengthen police powers by giving the police the power to direct trespassers to leave simply because of trespassing—and before damage, abuse or six vehicles occurs.

Another police power that Mr Jayawardena is calling on the government to strengthen is Section 62A of the Criminal Justice and Public Order Act 1994. Currently, police can direct travellers to leave an unauthorised site if there is a suitable pitch provided by the council elsewhere in Hampshire. The petition calls on the government to allow council pitches within 25 miles—even if this requires crossing the county boundary.

And, as many travellers submit retrospective planning applications for unauthorised building work, the petition calls for "a presumption against illegal encampments whereby appellants cannot be resident while appealing".

Ranil Jayawardena MP said:

"Unauthorised traveller encampments are a nuisance for local communities and a completely inappropriate use of open space—whether it is highway land, Ministry of Defence land, or otherwise. People are rightly frustrated at the length of time processes seem to take within the law."

He continued:

"While it was the last Conservative government—back in 1994—that ensured some powers exist for local authorities and the police to deal with unauthorised traveller encampments, it is time to bring

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those powers up to date, to tackle the problems that people are facing today.

"This petition aims to do just that and I would strongly urge you to visit ranil.uk/travellers, sign it, then share it with your friends and family."

In the House of Commons, Mr Jayawardena said:

"We do have discrimination in this country, not against Travellers and Gypsies, given the number of advocates they clearly have on the Opposition Benches, but against the hard-working, honest residents of communities up and down the land, the silent majority.

"It is a totally un-level playing field and something must be done.

"More must be done. Constituents demand it—and, boy, do they deserve it."

Cllr Rhydian Vaughan, County Councillor for Calleva Division, said:

"Since August last year, two of my Parishes have been laid siege to by travellers who have been in flagrant breach of the law at almost every turn. Criminal damage, breaches and misuse of the planning system, threats of violence, you name it.

"It is high time we were all under the same laws - there is a persecuted population in my Division and it is not the travellers. I would welcome a realignment of the law in these areas."

Cllr Venetia Rowland, Borough Councillor for Bramley and Sherfield Ward, said:

"I welcome the opportunity for my constituents to have their say on the review of laws dealing with unauthorised encampments in my ward. Local residents want to have laws that apply to everyone equally, and not have to endure the anti-social behaviour which there seems a reluctance or the lack of powers to deal with."

Cllr Rhydian Vaughan (left) and Ranil Jayawardena MP (right) striving to enforce the law.

ENDS

Notes to Editors

- The petition can be signed at ranil.uk/travellers
- The Ministry of Housing, Communities and Local Government has recently launched a consultation on powers for dealing with unauthorised development and encampments:

Press release: <https://www.gov.uk/government/news/government-to-review-powers-to-deal-with-unauthorised-caravan-sites>

Consultation: <https://www.gov.uk/government/consultations/powers-for-dealing-with-unauthorised-development-and-encampments>



Justice and Public Order Act 1994 to remove trespassers, including unauthorised travellers

encampments, if the occupier of the land has already taken reasonable steps to ask them to leave and one of two conditions are met:

- ◇ "that any of those persons has caused damage to the land or to property on the land or used threatening, abusive or insulting words or behaviour towards the occupier, a member of his family or an employee or agent of his"
- ◇ "that those persons have between them six or more vehicles on the land"
- ◇ Section 61 of the Criminal Justice and Public Order Act 1994.
<https://www.legislation.gov.uk/ukpga/1994/33/section/61>
- ◇ Section 62A of the Criminal Justice and Public Order Act 1994.
<https://www.legislation.gov.uk/ukpga/1994/33/section/62A>

- Hampshire County Councillor Rhydian Vaughan: <http://democracy.hants.gov.uk/mgUserInfo.aspx?UID=1371>
- Basingstoke and Deane Borough Councillor Venetia Rowland: <https://democracy.basingstoke.gov.uk/mgUserInfo.aspx?UID=645>

Public Consultation

MHCLG consultation on caravan encampments. Please respond to NALC by end play on 25/5.

[Please click here for briefing.](#)



Press Release: Bluebell Walk



Congratulations and thanks go to Hannah Houstin-Lacey from the North Hampshire District Group for raising over £2,400 for CPRE Hampshire.

Hannah organised a Bluebell walk in Ellisfield in aid of the charity on Sunday 22 April.

Over 50 walkers and numerous dogs took part in the event including constituency MP, Ranil Jayawardena, and Peter Bedford, recent Chairman of CPRE North Hampshire District Group.

Hannah was delighted with the turn out. 'This was such a happy social occasion with everyone pulling together to support a very worthwhile charity. There was a fabulous community spirit throughout the whole occasion with many friends supporting me as well.'

The walk took in seven miles of the beautiful Hampshire countryside and ended with tea, cake and a raffle in Ellisfield Village Hall.

Hannah continued. 'It was a glorious sunny day and the bluebells were magnificent, I never get tired of drinking in their sight and smell – we also saw the wild primrose, wood anemone and vibrant colours of the trees in Spring – it was all fantastic.'

CPRE Hampshire is a cause close to Hannah's heart, 'The countryside is precious. With a greater demand to build there is a real threat to our green spaces. I want to try and help protect it. Involvement with CPRE North Hampshire has been so worthwhile and provides that opportunity, to raise awareness of the Charity generally and raise essential funds to support the Charity's work.'

Our thanks go to Hannah and everyone who supported this wonderful event.

For more information on CPRE Hampshire and our current campaigns please visit www.cprehampshire.org.uk



Rubbish! Government consults on guidance on new fixed penalties for littering in England

On 10 April 2018, the Department for Environment Food and Rural Affairs (Defra) published a consultation on amending the Code of Practice on Litter and Refuse to give guidance on new fixed penalties for littering that were introduced in April 2018. The consultation closes on 8 June 2018.

Amongst other things, the consultation clarifies that:

- When exercising their enforcement powers, local authorities are acting in a quasi-judicial capacity, and should exercise these powers in a proportionate way that upholds public confidence in a fair judicial system.
- Local authorities should not view the use of fixed penalty notices (FPNs) or civil penalty notices as a way of generating income and, where a third-party enforcement agency is used, their enforcement should not be based on targets.

The Environmental Offences (Fixed Penalties) (England) Regulations 2017 (SI 2017/1050), which mostly came into force on 1 April 2018, increased the levels of fines under FPNs for litter, graffiti, fly-posting and unauthorised distribution of free literature offences in England.

The Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 (SI 2018/171), which also came into force on 1 April 2018, introduced new fixed civil penalties for littering from vehicles.

To contact our specialist planning team please click [here](#)





NALC Legal Topic Notes

LTNo1	Council Powers to Discharge their Functions - Revised	April 2018
LTNo2	The Chairman of Local Councils - Revised	April 2018
LTNo5	Parish, Town and Community Council Meetings - Revised	April 2018
LTNo8	Elections- Revised	April 2018
LTNo87	Procurement	April 2018

NALC Legal Briefings

Lo6-18	Data Protection Legislation for Public Authorities	April 2018
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Training Schedule 2018

Plan-ET are running a special Neighbourhood Planning Training Day in Chandlers Ford, Eastleigh on Thursday 24th May 2018. For more details on this popular event please follow the link provided below:

[Neighbourhood Planning - Your Plan Evolving Together](#)

Councillor Development	The Knowledge & Core Skills (Parts 1 & 2)	23 May 2018
Officer Development	What You Need to Know (Part 1 of 2)	20 June 2018
Councillor Development	Local Council Finance for Councillors	21 June 2018
Information & Networking Event	Officers Update	27 June 2018
Officer Development	What You Need to Know (Part 2 of 2)	04 July 2018
Councillor Development	The Knowledge & Core Skills (Parts 1 & 2)	04 July 2018
Councillor Development	Chairing Skills	11 July 2018
Qualification Preparation	Introduction to CiLCA	18 July 2018

Please book online or email Sue Ramage – sue.ramage@eastleigh.gov.uk. When making a booking, please specify the delegate name, parish council and personal contact number of the delegate (in case emergency contact needs to be made on the day of the event), as well as any mobility or dietary issues which you think the organisers of the event may need to know about.

By submitting a booking you are agreeing to the LCPD Training & Events Terms & Conditions, which can be found on our website at www.hampshirealc.org.uk//pagedetail?id=263

Source: Susan Ramage, Business Support Officer, HALC sue.ramage@eastleigh.gov.uk



A NEW & EXCITING one day event - *Launch yourself to the Next Level.*

The Level 6 students pioneering the Community Governance Degree are proud to host an informative and educational conference for forward thinking clerks.

- Date: Thursday, 5th July 2018
- Time: 9.30am – 4.00pm
- Location: The Space Centre, Leicester

Make sure you attend the event to:

Gain knowledge and advice from presentations given by the Level 6 Community Governance Degree students including:

- Trees – effective tree management.
- Clerk qualifications – a mechanism to improve council performance.
- The General Power of Competence and innovation.
- Public Rights of Way: An asset or liability?

Can SLCC, through the Community Governance programme enhance clerks' careers?

- Feeling stressed? Learn about the impact of stress on local council staff and explore solutions;
- Learn about **Engagement Techniques** from Kate Hellard, Community Development Officer at Frome Town Council;
- Understand **Cyber Crime and Fraud** - how communities can recognise the signs and protect vulnerable residents;
- Learn about the **Implications of the Austerity Years for Service Delivery** from Professor Alastair Jones, Department of Politics and Public Policy, DMU;
- Share good practice with colleagues and learn from their experiences;
- Meet exhibitors;
- Gain 2.5 CPD points.

COST:

- SLCC member price: £75.00 + VAT
- SLCC non-member price: £95.00 + VAT

Click here to secure yourself a place on this popular, NEW event - <http://www.slcc.co.uk/conference/the-next-level-event/33/>



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