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Northumberland Association of Local Councils

NALC Enews 26 March 2020

Coronavirus

The following are key sources of information. Please use these rather than rely on media reports, especially some of those on social media sites. It is a fast-moving situation and legislation and national guidance is constantly evolving.

National Govt.

<https://www.gov.uk/coronavirus>

Newcastle City Council

<https://www.newcastle.gov.uk/services/public-health-wellbeing-and-leisure/public-health-services/coronavirus-covid-19>

Northumberland County Council

<https://www.northumberland.gov.uk/coronavirus.aspx>

The County Council are also seeking to assist community groups - details are at

We aim to distribute further editions as and when substantive information becomes available.

Parish, Town and Community Council Meetings

The Coronavirus Act has now received Royal Assent and is available at

<http://www.legislation.gov.uk/ukpga/2020/7/contents/enacted>

Section 78 allows regulations to be made to allow electronic meetings. As at noon yesterday (Wed 25 March) the national NALC had not seen any draft regulations but both they and the LGA are pressing the MHCLG.

In any event the national NALC have strengthened their view on meetings. We set it out below but in essence a physical meeting should only be held in the most extreme circumstances, if at all.

Following the prime minister's announcement, we wanted to reiterate the importance of following the new rules on **staying at home and away from others**. This guidance impacts on all of us and there are the **additional need to self-isolate or shield from contact** depending on your situation. It essential that we all follow these rules to slow the pandemic and to support our NHS. Both NALC and the Society of Local Council Clerks (SLCC) are asking local councils to stop holding any physical meetings or gatherings during this time. This includes full council, committee meetings, annual parish or council meetings. These are extraordinary times, and they call for extraordinary measures. The health and safety of your staff, councillors and local communities should be your first concern.

As soon as the rules are available, we will let Councils know. In the interim, if a meeting is needed, please hold it electronically. Whilst the current legislation does not specifically refer to electronic meetings, nor does it specifically forbid them. In the current National Emergency, the view across Local Govt. is that the prospects of a successful challenge to electronic decisions is increasingly unlikely.

If your Council has the General Power of Competence, then you will have freedom to use your resources in ways which the Councils considers appropriate, unless they are specifically forbidden.

We are aware that most Councils in Northumberland do not currently meet the necessary conditions.

The national NALC is pressing MHCLG to extend the power to all Parish, Town and Community Councils.

There are still a range of powers and please see the summary at this link.

https://mcusercontent.com/5060a2022e1081d67bbdd9b3a/files/d5d1423f-a80f-4b65-90d4-3557f4f52d11/Powers_March_2020.pdf

Audit

All clerks will have received an email from PKF Littlejohn opening as shown below - this is a matter which the national NALC, PKF Littlejohn and this association want cleared as soon as possible so that efforts are concentrated on assisting communities. We are in direct contact with PKF Littlejohn.

2019/20 AGAR - PKF Littlejohn instructions delayed pending clarity over coronavirus implications

Dear Clerk/RFO

We are appointed by Smaller Authorities' Audit Appointments Ltd (SAAA) as the external auditor of your smaller authority for the 5 financial years from 2017/18 to 2021/22. We would normally write to you as the 2019/20 financial year ends to provide instructions for the completion of the Annual Governance and Accountability Return (AGAR) for 2019/20.

In light of the government's announcement on 23 March 2020 to introduce stringent lockdown measures in response to the coronavirus pandemic, our instructions for the completion of the 2019/20 AGAR will not be issued until such time as there is more clarity over the implications for smaller authorities.

Communities and Local Government (MHCLG). MHCLG announced changes to the reporting timetable for the principal authorities on 16 March 2020 and we await any news of any changes for smaller authorities.

As an appointed external auditor, we have no power to amend the existing reporting timetable, as it is governed by existing legislation. We recognise the situation is rapidly changing and have agreed with SAAA that it would be inappropriate for us to do anything else at this time but await further guidance from the government as to the approach to be taken for this year.

Employees and the Self-Employed

This is a rapidly evolving area and many questions are not able to be answered. Please use the Govt.'s website as this has increasing amounts of information and is being constantly updated.

Casual Vacancies, the Six-month Rule and By-Elections

It is becoming very clear that there will be no by-elections for the foreseeable future. NALC and the LGA are pressing for clarity on the question of current vacancies and the six-month rule.

Circulation

Could we please request that Chairmen and Clerks circulate this to all their Councillors and staff where possible.

Conclusion

Please take this as our best wishes for you, your family and friends during this crisis.



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or

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