

SMALLER COUNCILS COMMITTEE | AGENDA

Date: 16 April 2024

Time: 11:00-15:00 (at 11:50 there will be a short coffee break for 10 minutes and lunch will be served at 13:00)

Location: Meeting Room 10, The Bloomsbury Building, 10 Bloomsbury Way, Holborn, London, WC1A 2SL

To submit an apology for this meeting please email NALCcommittees@nalc.gov.uk or call 020 7637 1865.

DECISION ITEMS

1. Apologies and welcome (11:00-11:05)

1.1. To note any apologies.

Verbally at
the meeting

2. Minutes of previous meeting (11:05-11:10)

2.1. To approve the minutes of the meeting held on 13 February 2024 and to note any matters arising and other items not covered elsewhere on the agenda.

Appendix
2.1

3. Reuse of burial spaces (11:10-11:20)

3.1. To consider whether to refer the request for local councils to be permitted to reuse burial space to Policy Committee.

Appendix
3.1

DISCUSSION ITEMS

4. Icebreaker (11:20-11:50)

4.1. The committee to split into pairs and spend time getting to know each other.

Verbally at
at the
meeting

BREAK (11:50-12:00)

5. Financial resilience (12:00-12:30)

Appendix
5.1

5.1. Annie Child, chief executive of the Smaller Authorities' Audits Appointments (SAAA), to attend to talk about the SAAA, the Report

on the results of auditors work 2022-23 and the recent consultation on addressing the local audit backstop in England.

6. Micro councils network (12:30-13:00)

Appendix
6.1

- 6.1. To consider the proposed programme for the new Micro Councils Network.

LUNCH (13:00-13:40)

7. Climate Change (13:40-14:20)

- 7.1. Committee members to discuss what their council has done to tackle climate change.

Verbally at
the meeting

- 7.2. To check whether NALC's climate change webpage contains appropriate advice and guidance for smaller councils.

Appendix
7.2

- 7.3. Cllr Ed Gemmell to attend to talk about Hazelmere Parish Council's climate change journey and the benefits of membership of NALC's Climate Emergency Network.

Verbally at
the meeting

8. Gas and electricity standing charges (14:20-14:40)

- 8.1. To discuss the impact of rising gas and electricity standing charges on local councils that provide leisure facilities and warm spaces.

Verbally at
the meeting

INFORMATION ITEMS

9. Chairs and vice chairs development session (14:40-14:50)

Appendix
9.1

- 9.1. To note the report of the NALC and committee chairs and vice chairs development session.

10. Department for Environment, Food and Rural Affairs (DEFRA) Rural Proofing report (14:50-15:00)

Appendix
10.1

- 10.1. To note the third DEFRA Rural Proofing Report.

11. Date and time of next meeting

- 11.1. 30 July 2024, on Zoom, starting at 10:00am.

Appendix 2.1

SMALLER COUNCILS COMMITTEE | DRAFT MINUTES

Meeting of the Smaller Councils Committee held on Zoom on 13 February 2024.

Attendees:

National Assembly members – Councillors Alan Neal, Allan Blakemore, Marcus Allen (committee chair) Mick Baker, David Francis (NALC vice-chair, member services), Directly elected members: Cllr John Cowan, Stephen Ashfield, Vanessa Lowe (committee vice-chair).

Also in attendance:

Charlotte Eisenhart (head of member services), Chris Borg (policy manager), Jessica Lancod-Frost (policy officer), Justin Griggs (head of policy and communications) Jonathan Owen (chief executive).

1. Minutes of previous meetings

Resolved: That the draft minutes of the meetings held on 10 October 2023 and 18 December 2023 be approved.

2. Member services update

The head of member services gave an overview of the work of NALC's member services team. A review of the Local Council Award Scheme (LCAS) criteria was currently underway, committee members could input by filling in the [online form](#) by Friday 29 March. Further information was available from Anders Hanson, member services manager, at Anders.Hanson@nalc.gov.uk.

Resolved (1): That the update be noted and committee members input to the review of the LCAS criteria via the [online form](#).

3. Financial resilience

Mark Mullberry of Mulberry and Co and the Internal Audit Forum (IAF) set out changes to section four of the Joint Panel on Accountability and Governance (JPAG) Practitioners Guide that would see local (parish and town) councils

encouraged to publish their full internal audit report on their websites, although it would not be made mandatory at this stage. Mark advised that the need to improve audit quality at the smallest local councils could be communicated through incremental changes and forums, that internal auditors should talk to councils, finance chairs, clerks and responsible financial officers and that internal audit reports should start with engagement letters and plans.

The committee was also informed that JPAG documents were designed to be used by councils of all sizes and that councils could find an internal auditor through the IAF (which NALC was in partnership with and had helped establish) and their county association.

Resolved (1): That the update from Mark Mullbery on changes to the Practitioners Guide be noted.

Resolved (2): That the JPAG project manager be invited to attend a future meeting.

Resolved (3): The committee to consider whether it wants the new financial regulations on a future agenda.

4. Co-options

The chief executive outlined the co-options process. Up to four members could optionally be co-opted and the committee was advised to consider diversity and skills when doing so. The committee considered benefits of co-opting a county officer, including the regular contact they would have with other county officers and their good grasp of smaller councils.

Resolved (1): That the committee asks the County Officers Forum to put forward a county officer to be co-opted onto the Smaller Councils Committee.

Resolved (2): That the Smaller Councils Committee conducts a skills audit and decides whether to make additional co-options at its next meeting.

5. Committee workplan 2024 and 2025

The policy officer spoke to the draft committee workplan for 2024 and 2025 which included opportunities for smaller councils to input to work NALC was currently undertaking.

Resolved (1): That setting up a micro council network be added to the draft workplan for 2024-25 and the workplan be recommended to Management Board.

Resolved (2): That setting up a micro council network, young people, health and wellbeing, climate change, community safety and financial resilience be priorities for the committee to focus on in 2024-25.

6. Martyn's Law Steering Group

The policy manager invited expressions of interest in the role of committee representative on the Martyn's Law Steering Group. The representative would attend Zoom calls every 6-8 weeks, comment on drafts of documents and update the committee as needed.

Resolved (1): That Vanessa Lowe and Cllr Allan Blakemore be elected Smaller Councils Committee representatives on the Martyn's Law Steering Group.

7. Rural Services Network

The policy officer invited expressions of interest in the role of NALC representative at the Rural Services Network (RSN). The representative would attend monthly online seminars and the RSN's annual conference, as well as engaging with NALC before and after each meeting.

Resolved (1): That Cllr Marcus Allen be elected NALC representative on the RSN, with Cllr Alan Neal deputising when Cllr Allen is unable to attend meetings.

8. Local Council Award Scheme Criteria Review

The head of member services added that an increase in the number of local councils taking part meant there was more need for the criteria to be updated.

Resolved: That members of the Smaller Councils Committee promote the LCAS criteria review to smaller councils in their networks.

9. Date and time of next meeting

16 April at 11:00am (ending at 15:00pm) in Meeting Room 9, The Bloomsbury Building, 10 Bloomsbury Way, Holborn, London. WC1A 2SL.

SMALLER COUNCILS COMMITTEE | APPENDIX 3.1

Addressing the need for local (parish and town) councils to be permitted to reuse grave spaces, as permitted in London.

Introduction

Cemeteries play a significant role in preserving cultural heritage and providing spaces for commemoration and remembrance. However, with populations increasing and available land diminishing, the issue of cemetery space scarcity has become increasingly prevalent.

Local councils, as burial authorities, face the challenge of balancing the need for respectful burial practices with the practical constraints of limited space.

This paper addresses the imperative for local councils to be permitted to reuse grave space as a sustainable solution, drawing insights from the permissive framework established in London.

Legal Framework

In England and Wales, buried human remains may not be disturbed without specific authority. Section 25 of the Burial Act 1957 makes it an offence to remove buried human remains without a licence from the secretary of state or, in relation to consecrated ground, a faculty (permission from the Church).

The exception to this is in London. London burial authorities have the power to disturb remains in graves older than 75 years for the purpose of deepening the grave to allow further burials to take place by virtue of section 74 of the London Local Authorities Act 2007.

Outside of London, where the 2007 Act does not apply, the Ministry of Justice will refuse any request to lift and deepen a grave unless it is a request on an individual basis where perhaps an error in connection with that grave needs to be rectified.

Possible solutions

The eighth report of the Select Committee on Environment, Transport and Regional Affairs, published in 2001 argued for legislation to enable reuse of graves with safeguards: "It is the almost universal view of those in the burial industry that reuse is the only long-term solution not only to the lack of burial space, but also to the long-term financial viability of cemeteries. If the public are to continue to have access to affordable, accessible burial in cemeteries fit for the needs of the

bereaved, there appears to be no alternative to grave reuse. ... For the reasons stated above, and assuming that the necessary safeguards are included, we are ourselves of the opinion that legislation should be introduced allowing burial to take place in reused graves.”

Equally the Labour Government’s 2004 consultation paper came to the same conclusion.

“Although various models might have been considered, the method of re-use recommended by London Planning Advisory Committee (LPAC) was the so-called ‘lift and deepen’ practice. This involves the exhumation of remains in an existing grave, digging the grave to a greater depth, re-interring the remains (in a fresh coffin, if necessary), and using the rest of the grave for fresh burials. Since old remains would occupy less room, and the grave itself would be dug, wherever possible, deeper than has commonly been the practice (perhaps to 3.1 metres, allowing a further three burials above), it was said that, in practice, the grave could be used indefinitely if the cycle were repeated.”

Successive governments have advised that they would keep this under review. Most recently in March 2022, Sir John Hayes tabled a written parliamentary question asking the Secretary of State for Justice:

“...what recent assessment he has made of the availability of burial space in England and Wales; and whether the Government has plans to bring forward legislative proposals on the re-use of graves, similar to the regulations that apply in London.”

Tom Pursglove, who was then a junior justice minister, replied:

“the reuse of burial space is a sensitive issue and we are carefully considering what action could be taken. We have not made a recent assessment of the availability of burial space in England and Wales, but we continue to work closely with stakeholders to build a national picture and welcome any information from burial providers about the circumstances in their area.”

In December 2022, the Law Commission began a project “Burial, Cremation and new Funerary Methods” – the terms of reference include consideration of the law governing grave reuse. The project is however not due to be completed until the end of 2025.

Bishop’s Stortford Town Council is currently pursuing a private members bill “Bishop’s Stortford Cemetery Bill” through Parliament to attempt to solve their

shortage of burial space. They are to be congratulated on taking this step with the support of East Hertfordshire District Council at a reported cost of £100,000.

Their Bill, if successful, would authorise the local council, as the burial authority to extinguish rights of burial in grave spaces and to disturb and reinter human remains which have been in situ for over 75 years in order to increase the space for further interments in such graves.

Ethical Considerations

Ethical considerations surrounding grave reuse encompass respect for the deceased, the wishes of bereaved families, and the preservation of cultural heritage. While initially met with apprehension, London's experience shows that public education and stakeholder engagement are pivotal in addressing ethical concerns.

Conclusion

The need for local councils to be permitted to reuse graves as a pragmatic solution to cemetery overcrowding is evident.

It is simply unfair that reuse of graves is only permitted in London.

It is impractical and unaffordable for most parish and town councils to seek a private members' bill to obtain additional grave space as had been done by Bishop's Stortford – a national solution is required.

This paper requests the committee to refer this issue to NALC's Policy Committee.

In addition, it requests a survey of member councils to establish the extent of the lack of burial space to provide an evidence base for future action.

Vanessa Lowe, town clerk, Alcester Town Council and vice-chair, NALC Smaller Councils Committee

SMALLER COUNCILS COMMITTEE | APPENDIX 5.1

Report on the results of auditors' work at Smaller Authorities

Smaller Authorities' Audit Appointments Ltd (SAAA) is an independent, not for profit, limited company established to procure external audit services and appoint external auditors for smaller authorities.

A smaller authority is defined as an authority where the higher of gross annual income or expenditure does not exceed £6.5 million.

The principal legislation governing the statutory functions of SAAA is the Local Audit and Accountability Act 2014.

SAAA is a 'sector-led' body with a governing board comprising three member directors representing the sector membership organisations, including NALC and five independent directors.

SAAA has recently published its sixth report on the results of auditors' work at smaller authorities in relation to the year that began on 1 April 2022 and ended on 31 March 2023. The report can be found [here](#).

Contact officer: Charlotte Eisenhart, head of member services, T: 020 7290 0318
e: Charlotte.Eisenhart@nalc.gov.uk.

SMALLER COUNCILS COMMITTEE | APPENDIX 6.1

NALC Micro Councils Network

Introduction

The Smaller Councils Committee previously agreed to set up a network for the very smallest local (parish and town) councils.

The network would be consistent with NALC's other networks (Coastal Communities, Super Councils, Climate Emergency). NALC's officers would provide support to manage membership, draw up agendas and take notes of meetings.

Terms of reference

The network would make use of digital communications and the more recent shift to remote meetings and events to:

- Meet twice yearly
- Provide mutual support for councillors from the smallest councils across the country
- Engage around NALC's work and campaigns
- To learn from each other and share good practice

Eligibility for membership

The network would be open to all councillors from councils with a precept or income/expenditure not exceeding £10,000. There would be no lower limit. This would widen the opportunity for more of the smallest councils to get involved in NALC's work.

Proposed programme for the next two years

NALC is proposing that the network covers the following over the next two years:

- Managing council websites and email addresses. From practical tips to keeping organised and responsive, to input from the parish online helper service (.gov.uk) and understanding GDPR requirements
- Financial resilience - what does forward planning and strong financial resilience mean for a micro-council?
- How do councillors and staff work as a team? What does a good employment relationship look like in a micro council? How do you share tasks/responsibilities? How do you resolve situations when things go wrong?

- The Local Council Award Scheme is designed for all sizes of council. Have you heard of it? Taken part? Was it positive?
- Communication/outreach - how to establish a social media presence, newsletters etc.

Contact officer: Jessica Lancod-Frost, policy officer T: 020 7290 0319 e: Jessica.Lancod-frost@nalc.gov.uk

SMALLER COUNCILS COMMITTEE | APPENDIX 7.2

Climate Change webpage

Introduction

Following the declaration of a climate emergency at its 2019 Annual Conference, NALC developed a [climate change webpage](#). The webpage contains several resources to help local (parish and town) councils combat the effects of climate change in their communities, including:

- A report on what local councils can do to tackle climate change.
- A case study publication setting out what local councils are already doing in areas including biodiversity, carbon off setting and reduction, electric charging points, green travel and plastic reduction.
- A ten point list of actions local councils can take.
- Useful information and links arranged by theme, including biodiversity, carbon and plastic reduction, energy, green travel, how to declare a climate emergency, trees and tree management, the Carbon Literacy Project and trusted companies and funding.

Committee members are encouraged to look at the above resources on the climate change webpage ([available here](#)) and raise under this item at the meeting any other organisations, web-links or materials they know of which NALC can add to the web page to help smaller councils respond to the climate emergency.

SMALLER COUNCILS COMMITTEE | APPENDIX 9.1

Notes of NALC chairs, vice chairs and committee chairs and vice chairs development session

Introduction

NALC chairs, vice chairs, and committee chairs and vice chairs met for a development session on February 15, 2024.

The note of this session was previously presented to Management Board on 26 March 2024.

Training and support

- Earlier induction for committee members after committee elections
- Contact details of committee members shared
- Ensuring remote/Zoom meetings work effectively
- Committee inductions should explain pre-existing work eg. Policy Committee role as the selector under the Sustainable Communities Act

Chairs aspirations for committees and their work programme

Larger Councils Committee

- Getting to know everyone
- Making use of skills and experience
- Listening!
- Making effective use of online and physical meetings (networking/social aspect)
- Focus on delivery not just a talking shop

Smaller Councils Committee

- First meeting of year in person in future to help gel as a unit
- Climate change
- Chair and vice chair both new
- Ensuring continuity eg delivering new micro councils network

Finance and Scrutiny Committee

- Range experiences/backgrounds

- Ways of working to ensure transparency should be collective not individual communication to chair
- Induction sessions with for new members with head of finance and administration worked well
- Task of separating finance role from scrutiny role
- Ensure NALC is in the most robust financial position

Management Board

- Good group, some new members, collective vision and purpose
- Informal meetings working well
- Introducing special responsibilities/portfolios/champions
- Modernising NALC

Policy Committee

- Balancing proactive and reactive role
- Delivering outcomes
- Demonstrating activity and impact eg on policy register of motions from county associations
- Championing success and the work of the sector

Group discussions on emerging work programmes

- Workplans are ambitious
- Need to identify resources/timescales
- Financial resilience of sector is a weakness
- Martyn's Law is a single issue but needs resourcing and flexibility to respond and do properly
- Outsource/commission for things
- Skill set in staff team eg data, using AI, will help save time
- Deliver low bearing fruit/outcomes, be able to quantify outcomes
- Devolution not National Assembly theme but is on Larger Councils Committee workplan
- Need county associations to share more up and across eg on themes like health and well being
- Ensuring join-up between county associations work and NALC work
- Using county association expertise and learning
- Officers job to prioritise workplan not councillors.
- Allocation of sharing good practice across committees.

- Diverse work plan, weakness on priorities/what gives
- Builds on previous work
- Member survey big thing
- Draw on networks/expertise more but comes with risks
- Policy Committee workplan picks up most themes
- Planning a weakness area, will be a major issue over next few years, need to improve our capability/capacity with more expertise
- Data is challenging area, challenge of local election project includes county association resources, existing data, gaps and new data
- Engaging with county associations given variability of staff resources and demands, number of councils
- Need more resources/funding for above to deliver step change
- Good to have all down on paper, needs timelines
- Process of putting workplans together by officers not committee, is that right way round?
- Committee needs prioritise and link with other committees to avoid duplication
- General Election and could be a change of government, expectation engagement with new government will be a priority
- Contingency for what crops up/can't plan for
- Attract more young people, need definition of young people and young councillors
- Find more funding
- New projects need a prioritisation process through Management Board
- Should we have a contingency fund for one-off projects/priorities eg engaging with new government, Martyn's Law
- Some long-term commitments will need resource and time eg membership survey
- Need to invest in growth eg creation of new councils
- Committees should identify 3-5 key priorities.
- Once priorities are set can only make a change with a good reason and what drops out to make space
- We are not going to deliver on all these priorities with the current resources with have!

SMALLER COUNCILS COMMITTEE | APPENDIX 10.1

Department for Environment, Food and Rural Affairs third Rural Proofing Report

Introduction

The Department for Environment, Food and Rural Affairs (DEFRA) recently released its third Rural Proofing Report. The report provides an overview of the Government's efforts to address the specific needs and challenges of rural areas and is structured around four themes: growing the rural economy, enhancing connectivity, improving homes and energy, and strengthening communities. The full report can be found [here](#).

Summary

Key points from the report of relevance to local (parish and town) councils include:

- Local councils can now make their own applications to the £150 million Community Ownership Fund, which supports community ownership of pubs and shops.
- The Platinum Jubilee Village Halls Fund, a £3 million award to support improvements to village hall facilities across the country, has reduced the minimum bid to £2,000, allowing for smaller projects to be funded.
- The On-Street Residential ChargePoint Scheme was open for applications in the 2023-2024 financial year. The scheme made funding available to UK local authorities, including local (parish and town) councils, to install public charge points for those without access to private parking.
- The government has made £4.8 billion available through the UK Shared Prosperity Fund and £110 million through the Rural England Prosperity Fund to support rural businesses and community infrastructure.
- The government has made strides in improving rural broadband and mobile coverage, including the Wireless Infrastructure Strategy, The Shared Rural Network and Project Gigabit, with a goal of achieving at least 85% gigabit-capable coverage by 2025.
- The report highlights investments of £300 million to protect bus services into 2025, including £140 million as a grant to bus operators and £160 million to local transport authorities to maintain or enhance existing services or provide new ones, with the expectation that local transport authorities consider whether Demand Responsive Transport (DRT) could play a part in improving access to bus services in rural areas.