

North East Derbyshire District Council

Cabinet

8 July 2015

Parish and Town Councils Scrutiny Review

Report No GBXR/04/15-16/MK of Councillor G Baxter MBE, Leader of the Council

This report is public

Purpose of the Report

- To set out the action plan in response to the recent scrutiny review into parish and town councils.

1 Report Details

1.1 On 15 April Cabinet considered a report of a scrutiny review by the Economic Regeneration, Skills and Environment Scrutiny Committee into working with parish and town councils. A copy of that report is attached at **Appendix 1**. Cabinet approved all seven recommendations from the review which were as follows:

- (1) That consideration be given when providing training as to:
 - whether any District Council events could be opened up to parish / town councils;
 - whether more training could be provided in partnership with the Derbyshire Association of Local Councils (DALC).
- (2) That a contact list of the services available to parish / town councils at the District Council be circulated to all parish clerks within North East Derbyshire and this list should also be provided to the Contact Centre and be available on the Council's intranet/Internet for use by all Council officers and elected members.
- (3) That a calendar of meetings for the District Council be circulated to all parish councils for information.
- (4) That any consultations involving parish councils be undertaken in a timely manner to help parish councils schedule in the item at parish council meetings.
- (5) That consideration is given to how parish councils can best be involved in any consultation on how Section 106 monies were to be allocated in their parish.

- (6) That a review of the District and Parish Liaison Forum be undertaken to identify ways in which its agenda could be more equally balanced between the District and parishes and be reformatted to encourage attendance by parish/town councils.
- (7) That the Council welcomes any support the Derbyshire Association of Local Councils could provide to encourage and assist parish/town councils in building their capacity through mechanisms such as the Local Award Scheme and the Certificate in Local Council Administration

1.2 The lead officer's response is set out at **Appendix 2** to this report in the form of an action plan. This will be taken forward by the Governance Manager who has been designated as lead officer for this review.

2 Conclusions and Reasons for Recommendation

2.1 To comply with the requirement to address scrutiny recommendations that have been approved by Cabinet within two months of their approval.

3 Consultation and Equality Impact

3.1 The Planning Manager, Strategic Partnerships Manager and Improvement Officer have been consulted in the formulation of this report.

4 Alternative Options and Reasons for Rejection

4.1 N/A

5 Implications

The implications of each recommendation are set out in the attached action plan.

6 Recommendations

6.1 That Cabinet endorses the proposed actions set out in the action plan attached to this report at Appendix A to address the recommendations arising from the Working with Parish and Town Councils Scrutiny Review.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	None.
Links to Corporate Plan priorities or Policy Framework	None.

8 Document Information

Appendix No	Title
1 2	Report of Scrutiny Review Action Plan
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None	
Report Author	Contact Number
M Kane	7753

AGIN 5(a) (CAB 0708) Parish & TC Scrutiny Review/AJD

Appendix 1

Agenda Item No 6

North East Derbyshire District Council

Cabinet

15 April 2015

Working with Parish and Town Councils Scrutiny Review

Report No JW/02/15/SRB of the Councillor J Windle, Chair of the Economic Regeneration, Skills and Environment Scrutiny Committee

This report is public

Purpose of the Report

- To ask Cabinet to approve the recommendations of the Economic Regeneration, Skills and Environment Scrutiny Committee's Review of Working with Parish and Town Councils.

1 Report Details

- 1.1 North East Derbyshire District Council agreed to undertake a review of Working with Parish and Town Councils as part of its work programme for 2014/15. It was felt timely to review this area as the relationship with Parish and Town councils is important and members wished to review how it was working.
- 1.2 The aims and objectives of the review were to:
- Identify and establish what communication takes place with our parishes
 - Look at training provided for parish councils in areas such as Planning and Code of Conduct
 - Understand how the parishes work and what issues concern them
 - Look at potential of where we could work together better in delivering mutually-agreed objectives, for example through partnership working and procurement of services
 - Look at the effectiveness of the District/Parish Liaison Group
 - Identify any best practice
- 1.3 The Review Panel met on four occasions and considered a variety of information to gain an understanding of the subject area. The Review Panel also interviewed a range of officers at North East Derbyshire District Council and also Parish Clerks. The full report attached at **Appendix A** sets out in more detail the evidence gathered and synopsis of the views expressed.

1.4 The recommendations are:

- (1) That consideration be given when providing training as to:
 - whether any District Council Events could be opened up to Parish/Town Councils.
 - Whether more training could be provided in partnership with the Derbyshire Association of Local Councils.
- (2) That a contact list of the services available to Parish/Town Councils at the District Council be circulated to all Parish Clerks within North East Derbyshire and this list should also be provided to the contact centre and be available on the Councils intranet/internet for use by all Council officers and elected members
- (3) That a calendar of meetings for the District Council be circulated to all Parish Councils for information
- (4) That any consultations involving Parish Councils be undertaken in a timely manner to help Parish Councils schedule in the item at Parish Council meetings.
- (5) That consideration is given to how Parish Councils can best be involved in any consultation on how Section 106 monies were to be allocated in their Parish.
- (6) That a review of the District/Parish Liaison Group be undertaken to identify ways in which its agenda could be more equally balanced between the District and Parishes and be reformatted to encourage attendance by Parish/Town Councils
- (7) That the Council welcomes any support the Derbyshire Association of Local Councils could provide to encourage and assist Parish/Town Councils in building their capacity through mechanisms such as the Local Award Scheme and the Certificate in Local Council Administration

2 Conclusions and Reasons for Recommendation

- 2.1 To ensure the Council is maintaining a good working relationship with its Parish and Town Councils.

3 Consultation and Equality Impact

- 3.1 As detailed in the full report.

4 Alternative Options and Reasons for Rejection

- 4.1 Not applicable

5 Implications

5.1 Finance and Risk Implications

5.1.1 This will be determined if Cabinet decide to accept the Scrutiny Review recommendations as part of the Lead Officer response.

5.2 Legal Implications including Data Protection

5.2.1 This will be determined if Cabinet decide to accept the Scrutiny Review recommendations as part of the Lead Officer response.

5.3 Human Resources Implications

5.3.1 This will be determined if Cabinet decide to accept the Scrutiny Review recommendations as part of the Lead Officer response.

6 Recommendations

6.1 As detailed in paragraph 1.4 of this report.

7 Decision Information

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	This is not a key decision at this stage prior to the decision of this matter by Cabinet
District Wards Affected	
Links to Corporate Plan priorities or Policy Framework	

8 Document Information

Appendix No	Title
A	Working with Parish and Town Councils
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Sue Broadhead Overview and Scrutiny Manager	(01246) 217060

**NORTH EAST DERBYSHIRE
DISTRICT COUNCIL**

OVERVIEW AND SCRUTINY

**WORKING WITH PARISH AND
TOWN COUNCILS**

APRIL 2015

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Chairs Foreword

I am pleased to present this report on behalf of the Economic Regeneration, Skills and Environment Scrutiny Committee. It details the findings, conclusions and recommendations of the Committee from its review of Working with Parish and Town Councils.

I would like to take this opportunity to thank all stakeholders involved in the review for their advice, support and co-operation throughout the review process and in particular, the officers who took the time to speak to Members of the Committee. I would also like to acknowledge the Parish Clerks and Parish Councils who contributed to the review by attending a focus group or completing a questionnaire. Their time and input into the review was greatly appreciated.

The review panel found that the relationship between the District and Parish/Town Councils was well established and working well. However, there were some ideas for how this could be improved and I hope that the recommendations contained within this report, if accepted, will strengthen the relationship further.

In conclusion I would like to thank members of the Committee and Sue Broadhead our Scrutiny Manager for the work they undertook in gathering evidence and co-ordinating the review.

Review Panel

The review panel comprised the following members:

Councillor J Windle	(Labour) – Review Panel Chair
Councillor J Allsop	(Conservative)
Councillor G Butler	(Labour)
Councillor A Cooper	(Independent)
Councillor W Lilleyman	(Labour)
Councillor B Rice	(Labour)
Councillor P Riggott	(Labour)

1. Recommendations

- 1.1 That consideration be given when providing training as to:
- whether any District Council Events could be opened up to Parish/Town Councils
 - Whether more training could be provided in partnership with the Derbyshire Association of Local Councils
- 1.2 That a contact list of the services available to Parish/Town Councils at the District Council be circulated to all Parish Clerks within North East Derbyshire and this list should also be provided to the contact centre and be available on the Councils intranet/internet for use by all Council officers and elected members
- 1.3 That a calendar of meetings for the District Council be circulated to all Parish Councils for information
- 1.4 That any consultations involving Parish Councils be undertaken in a timely manner to help Parish Councils schedule in the item at Parish Council meetings.
- 1.5 That consideration is given to how Parish Councils can best be involved in any consultation on how Section 106 monies were to be allocated in their Parish.
- 1.6 That a review of the District/Parish Liaison Group be undertaken to identify ways in which its agenda could be more equally balanced between the District and Parishes and be reformatted to encourage attendance by Parish/Town Councils
- 1.7 That the Council welcomes any support the Derbyshire Association of Local Councils could provide to encourage and assist Parish/Town Councils in building their capacity through mechanisms such as the Local Award Scheme and the Certificate in Local Council Administration

2. Introduction

- 2.1 At its meeting on 31 July the Economic Regeneration, Skills and Environment Scrutiny Committee agreed to undertake a review of Working with Parish and Town Councils.
- 2.2 The relationship between the District and Parish/Town Councils was considered important and members felt it was timely to review how it was working.

3. Scope of Review

- 3.1 The review aimed to:
- Identify and establish what communication takes place with our Parishes
 - Look at training provided for Parish Councils in areas such as Planning and Code of Conduct
 - Understand how the parishes work and what issues concern them
 - Look at potential of where we could work together better in delivering mutually agreed objectives, for example through partnership working and procurement of services

- Look at the effectiveness of the District/Parish Liaison Group
- Identify any best practice and areas for improvement

4. Method of Review

- 4.1 The review panel met on four occasions to consider the scope of the review, key issues they wanted to discuss and key people they wished to interview.
- 4.2 Evidence was gathered in a variety of ways including written sources and interviews with a range of officers, the Chair of the Standards Committee and the Chief Officer of the Derbyshire Association of Local Councils. A focus group was also held with Parish Clerks and all Parish Councils were sent a Questionnaire. A meeting of the District/Parish Liaison Committee was also observed.

5. Evidence and Research

- 5.1 The following documents were considered as part of the review:
- Scene setting presentation by the Strategic Partnership Co-ordinator and the Overview and Scrutiny Manager.
 - Details of the Local Council Award Scheme.
 - Examples of agendas for North East Derbyshire District/Parish Liaison Group and Bolsover Partnership and Parish Councils Liaison Meeting.

6. Key Findings

6.1 Strengths

- 6.1.1 The Review Panel was advised by the Chair of Standards Committee that there was a very good record of high standards within the District and Parish Sectors and this was supported by the few complaints received. Parish Councils had the opportunity to sit on the Standards Committee as two co-opted members were appointed, which she welcomed. However, she advised the Panel that more recently there has been a lack of consistency with turnover and recruitment difficulties. The Co-opted members could also use the District/Parish Liaison Group to feedback to other parishes on their work.
- 6.1.2 Several stakeholders commented on the training provided by the District Council and said it had been well received. Examples provided included:
- Planning Officers had attended several Parish Council meetings to talk about Planning responsibilities of both the District and Parishes so each had a clear understanding of their respective roles. Other Planning issues had been discussed including the Local Plan.
 - Housing Advice was raised during the Parish Clerks Focus Group as a key area of support that was needed from the District Council particularly in relation to housing developments within parishes.
 - Governance provided advice on issues such as the Code of Conduct and assistance with Declarations of Interest. The Governance team had also

attended a number of Parish Council meetings to provide advice especially since the Localism Act.

- Environmental Health had also visited a number of Parish Councils to provide information and presentations on enforcement, dog fouling, litter and some more specific concerns. They had participated in other Parish events to undertake activities such as micro chipping of pets, education and sale of dog bags to Parish Councils and supported estate patrols as part of a PDSA event.

6.1.3 The Review Panel gathered evidence from Parish Councils regarding their experience of using services provided by the District Council. Services highlighted included Human Resources and Payroll which was highly regarded by the majority of users commenting on the service. Grounds Maintenance was similarly regarded with several commenting on the good service. Although all respondents commented on the cost of the Grounds Maintenance Service compared to private companies which it was stated had led to some Parish Councils going elsewhere for its provision. One comment made was that the Parish Council would prefer to remain with the District Council but having done a Value for Money check with a company the difference was significant.

6.1.4 The Parish Clerks who commented on whether the District Council listens to the views of their Parish Council felt that they did listen. However, they also stated that listening did not always produce the results they wanted. It was generally acknowledged that if the Parish Council asked a question they would receive a satisfactory answer. One example given was on Planning where they would get disclosure which was appreciated. Whilst better co-ordination would be welcomed it was largely stated that officers were helpful and supportive.

6.1.5 Several officers stated that they had a well established working relationship with Parish Councils which they thought worked well. Examples were provided by a variety of officers from different service areas such as Streetscene who commented that this relationship in practice included providing assistance on issues such as proposed change to facilities including signposting, design and build.

6.2 Areas for Improvement

6.2.1 The Chair of Standards Committee advised the review panel that the Ethical Standards Survey results had showed some gaps in the knowledge of some clerks and parish councillors. The majority of stakeholders interviewed thought training that had been provided was of a good standard. The Chief Officer of the Derbyshire Association of Local Councils (DALC) said she would welcome the opportunity of working closer with the District to provide more training in partnership. Other stakeholders suggested it would be very beneficial if the District could open up the training it provides to District Councillors and Officers to Parish Councils where appropriate. It was also recognised that it was not just about the offer as even when quality training was provided take up could be low.

6.2.2 Discussions on communication suggested that whilst this was working reasonably satisfactory a number of easy to resolve measures would improve this area. Comments were made from a number of parish clerks and councillors, that some clerks act as gatekeepers to what they pass on to their Chairs and Councillors. Whilst it was recognised this may be a positive action to prevent the Chair and

Councillors being inundated with documents, it was also stated that occasionally clerks may be over selective. It was suggested that officers needed to consider where it was appropriate to also send the information to the Chair of the Council as well as the Parish Clerk.

- 6.2.3 Several Parish Clerks told us that they found it was easier to contact the Council when they had a named contact. Without this some had found it difficult to get to speak to the person needed. Examples of some other difficulties provided included where officers were off sick or had left the authority and queries were not passed on so remained not dealt with. Another example highlighted involved a call to main switchboard by a Parish Clerk on a long standing issue she had been liaising with an officer on. Before she was put through to the officer she was asked to provide much of the information again which increased significantly the time she was on the phone.
- 6.2.4 Several Parish Clerks raised the issue of the provision of a contact list for key officers, main service areas and portfolio holders of the District Council. This also needed to be available on the Councils website and kept up to date. A copy of the Councils diary would also be useful for Parish Councils to co-ordinate with meetings of the District, particularly on planning consultations. This information was felt particularly important this year with the impending move to Mill Lane. DALC also stated they would like to be more involved in communication with the District Council and would welcome information on newly elected members after the election so they could communicate directly with Councillors.
- 6.2.5 The Review Panel received a suggestion that a designated District/Parish Liaison Officer as a first point of contact for a parish clerk would be helpful. However, others thought that this was not feasible in the current climate and would be a difficult role for one person to have sufficient service knowledge across the Council. Several Parish Clerks commented that Parish Councillors who were also District Councillors were very supportive in raising issues for them or directing them to the appropriate officer. Others felt that Councillors role was the broader governance role rather than raising individual issues which was the role of the Parish Clerk
- 6.2.6. One key area of discussion was the role and effectiveness of the District/Parish Liaison Group. Most stakeholders felt that it had a role to play and some district officers regarded it as useful for sharing information with Parishes. Opinions varied amongst all stakeholders on how useful it was, ranging between good, satisfactory to not always relevant. On the whole stakeholders from parishes agreed with this but felt it needed to be reviewed to ensure it was made more relevant to Parish Councils. All parties acknowledged that attendance was variable. Several highlighted the wide diversity of the local council sector in terms of size, resources and commitment which it was felt played a part in this. Several commented that there were useful items on the agenda but the general feeling was it was a District led forum. Often there were lengthy consultation items where it was felt the District was wishing to cover their agenda. It was accepted that the Governance Team made efforts to get items from Parishes but Parishes did not always respond proactively. This may be because there was so many ways for Clerks to get information such as from DALC and the Derbyshire Town and Parish Forum that the agenda had to be something useful for Clerks to attend as for many time was at a premium. DALC was still keen to be involved in the Group as thought it is useful but agreed with other stakeholders that it needed to have Parishes bringing forward

items more equally with the District. The Chief Officer stated she would also like to be invited to include items on the agendas for every meeting. Upcoming items she would like to see are financial regulations, elections and Code of Conduct

- 6.2.7 There were several suggestions for how the Group may be revitalised. It was thought that it could have a role in training new parish members following elections. The format of quarterly meetings could be refreshed with one off events such as 'meet the officers' at informal small workshops. Less PowerPoint presentations were raised by many stakeholders. Parish Councils could also be invited to appoint a designated Councillor to attend, not to exclude any other Councillor who wishes to attend but to have a named representative.
- 6.2.8 Capacity within some Parishes was also raised as an issue due to the variety of the parish sector which could result in Parishes looking to the District Council to drive this process. A few stakeholders commented that the District had a role to play but the Parish sector also has to look to their own sector to improve liaison methods. This was supported by a discussion the review panel had with the Chief Officer of DALC. She was very keen to equip Parish Councils with the support and skills they needed to perform their role. She provided evidence on the Quality Parish Scheme set up in 2003 originally to demonstrate the increasing professionalism of Local Councils. The Scheme existed to celebrate the successes of the very best local Councils and to provide a framework to support all local councils to improve and develop to meet their full potential. The Scheme had been revised into The Local Council Award Scheme. The Chief Officer provided details on Parish Councils within North East Derbyshire who had or were signing up to the Scheme and also Clerks who had taken the Certificate in Local Council Administration.
- 6.2.9 One final area mentioned was consultation with Parish Councils on how Section 106 monies should be spent within their parishes. There was a feeling that Parish Councils were well placed to identify projects within their villages that would benefit from this type of funding. They stated they would like to be involved in discussions on where the money would be spent. It was suggested that a question could be included on the planning consultation sheet to gather these views.

7. Conclusions

- 7.1 The review panel heard views from a wide selection of stakeholders during this review. On the whole they concluded that the relationship between the District Council and Parish/Town Councils was working well. The majority of stakeholders felt that the support they received from the District Council was good and acknowledged the changing environment in which both organisations were working.
- 7.2 However, there were some areas for further improvement. These were mainly concerned with reviewing how the District/Parish Liaison Group worked to encourage participation, improving communication on both sides and sharing training.

Stakeholder Engaged During Review

Councillor Jane Austen	Chair of Standards
Steve Brunt	Assistant Director – Streetscene
Sharon Gillott	Environmental Health Manager
Faye Green	Community Safety Manager
Mathew Kane	Governance Manager
Steve Lee	Strategic Partnerships Co-ordinator
Kelly Massey	Active and Healthy Lifestyle Team
Frazer Powell	Senior Governance Officer
Sarita Presland	Chief Officer - Derbyshire Association of Clerks
Debbie Whitehead	Community Engagement Officer
Focus Group	Parish Clerks

Appendix 2 – Working With Parish and Town Councils Action Plan

Recommendation	Action proposed	Resources needed	Timescale	Comment
<p>That consideration be given when providing training as to:</p> <ul style="list-style-type: none"> - whether any District Council events could be opened up to parish / town councils; - whether more training could be provided in partnership with the Derbyshire Association of Local Councils. 	<p>Following consultation with the relevant Chair, to invite each parish council to send one member free of charge to any future planning or ethical standards training hosted by the District Council.</p> <p>Work with DALC to provide training as part of the revitalised District and Parish Liaison Forum.</p>	<p>None, other than officer time.</p>	<p>By May 2016.</p>	<p>There is scope to open up more of the District Council's training to parish and town councils. District Council run training that is most likely to be relevant to parish and town councils is based around planning (including planning policy and neighbourhood planning) and governance (including the ethical framework). This recommendation is already being taken forward as the Governance Team recently supported DALC through provision of the Mill Lane offices and a presentation on ethical standards for their post-election Councillor Induction programme on 17 June.</p>

Recommendation	Action proposed	Resources needed	Timescale	Comment
<p>That a contact list of the services available to parish / town councils at the District Council be circulated to all parish clerks within North East Derbyshire and this list should also be provided to the Contact Centre and be available on the Council's intranet/ Internet for use by all Council officers and elected members.</p>	<p>Send a copy of the Annual Council Diary to all parish and town councils in the District.</p> <p>Place an e-copy of the Diary on NEDi and on the website for officers and the public.</p>	<p>Now the Print Unit is no longer a commercial enterprise the cost of in-house printing has significantly decreased. The cost of printing and sending a diary to each parish and town council would be approximately £1 per copy.</p>	<p>By July 2015</p>	<p>The Council Diary contains a full up-to-date contacts list for services, members and senior officers of the Council. Copies of this are currently distributed to members and the Contact Centre.</p>
<p>That a calendar of meetings for the District Council be circulated to all parish councils for information.</p>	<p>Send a copy of the Annual Council Diary to all parish and town councils in the District.</p>	<p>As above.</p>	<p>By July 2015.</p>	<p>The Council Diary contains a full list of dates for meetings of the District Council.</p>
<p>That any consultations involving parish councils be undertaken in a timely manner to help parish councils schedule in the item at parish council meetings.</p>	<p>Communications Officer to post an item on NEDi reminding officers to consult with parish or town councils at the earliest stage on local matters.</p>	<p>None.</p>	<p>July 2015</p>	<p>N/A</p>

Recommendation	Action proposed	Resources needed	Timescale	Comment
	Officers to ask parishes whether there are key places to which consultation documents (e.g. letters, flyers and questionnaires) can be sent.			
That consideration is given to how parish councils can best be involved in any consultation on how Section 106 monies were to be allocated in their parish.	A session on how to engage with Section 106s be delivered as part of the refreshed District and Parish Council Liaison Forum.	None.	December 2015	N/A
That a review of the District and Parish Liaison Forum be undertaken to identify ways in which its agenda could be more equally balanced between the District and parishes and be reformatted to encourage attendance by parish/town councils.	<p>Outcome of the review and options for moving forward to be raised at Forum meeting on 15 July 2015.</p> <p>Initial proposal to be based around the following:</p> <ul style="list-style-type: none"> - Rebrand group as the District and Parish Council Summit. 	Officer time.	<p>July 2015</p> <p>July 2015</p>	The proposal recognises that parish and town councils already have a number of sources of support including DALC, SLCC and NALC. Two rather than four events per year is more proportionate and less of a demand on clerks and parish councillors' time. Parish councils will hold greater 'ownership' of the forum

Recommendation	Action proposed	Resources needed	Timescale	Comment
	<ul style="list-style-type: none"> - Agree with members a terms of reference for the District and Parish Council Summit. - Hold two events (rather than four) per year – one in November/December to coincide with budget setting consultation and another in May with a training theme. - Each parish and town council to nominate one councillor (and one substitute) to attend but this would not debar others who wanted to from attending. <p>Consult with all parishes and wider Council membership on proposal.</p> <p>Firm up arrangements.</p> <p>Introduce new arrangements from December 2015.</p>		<p>August - September 2015</p> <p>October 2015</p> <p>December 2015</p>	<p>with designated representatives. Topics for training already discussed with DALC include crematoria and funding streams.</p>

Recommendation	Action proposed	Resources needed	Timescale	Comment
<p>That the Council welcomes any support DALC could provide to encourage and assist parish/town councils in building their capacity through mechanisms such as the Local Award Scheme and the Certificate in Local Council Administration.</p>	<p>Request that DALC provide an update on the progress of their Scheme and CiLCA to a future parish and town council event.</p>	<p>None.</p>	<p>May 2016</p>	<p>DALC have covered the new Local Award Scheme as part of previous sessions at the District Council and as part of their Councillor Induction sessions.</p>