



ASSOCIATION OF COUNCIL SECRETARIES AND SOLICITORS

ANNUAL REPORTS

Presented to the AGM on Thursday 15 November 2007
Guoman Tower Hotel, London

Contents

Table of members of Council and officers 2006-07
President's Annual Report
Annual Reports of the Executive Officer and Policy and Development Officer
Annual Report of the Treasurer
Annual Reports of the Lead Officers
Annual Reports of the Branch Secretaries
Annual Reports of representatives on external bodies

Table of Members of Council and Officers 2006/07

Post	Nomination	Authority	Branch	Contact Details	Address
President	Meic Sullivan-Gould	London Borough of Hackney	London Boroughs	Meic.Sullivan-Gould@hackney.gov.uk * 020 8356 6184	Borough Solicitor and Monitoring Officer, London Borough of Hackney, Second Floor, Hackney Town Hall, Mare Street, Hackney London, E8 IEA
First Vice President	David Carter	Warwickshire County Council	West Midlands	davidcarter@warwickshire.gov.uk 01926 412564	County Solicitor and Assistant Chief Executive, Warwickshire County Council, P O Box 9, Shire Hall, Warwick CV34 4RR
Second Vice President	Andrew Frosdick	Barnsley Metropolitan Borough Council	North Eastern	andrewfrosdick@barnsley.gov.uk 01226 773004	Deputy Borough Secretary, Barnsley Metropolitan Borough Council, Town Hall, Barnsley, South Yorkshire S70 2TA
Third Vice President	Mirza Ahmad	Birmingham City Council	West Midlands	mirza_ahmad@birmingham.gov.uk 0121 3039991	Chief Legal Officer, Birmingham City Council, Ingleby House, 11-14 Cannon Street, Birmingham B2 5EN
Treasurer	Mark Hynes	London Borough of Lambeth	London Boroughs	mhynes@lambeth.gov.uk 0207 9262433	Director of Legal and Democratic Services, London Borough of Lambeth, Town Hall, Brixton Hill, London SW2 1RW
Solicitor	Michael Blamire-Brown	Solihull Metropolitan Borough Council	West Midlands	mblamirebrown@solihull.gov.uk 0121 7046721	Solicitor to the Council, Solihull Metropolitan Borough Council, P O Box 18, Council House, Solihull, West Midlands, B91 3QS
Communications Officer	David Carter	Warwickshire County Council	West Midlands	davidcarter@warwickshire.gov.uk 01926 412564	County Solicitor and Assistant Chief Executive, Warwickshire County Council, P O Box 9, Shire Hall, Warwick CV34 4RR

Portfolio holders 2006/07

Nominati on	Authority	Branch	Contact Details	Functions	Address
Mirza Ahmad	Birmingham City Council	West Midlands	mirza_ahmad@birmingham.gov.uk 0121 3039991	Ethical Governance	Chief Legal Officer, Birmingham City Council, Ingleby House, 11-14 Cannon Street, Birmingham, B2 5EN
Maria Memoli	Kennet District Council	Southern	maria.memoli@kennet.gov.uk 01380 724911 extn 605	Management and Personal Development for Members	Legal and Democratic Services Manager, Kennet District Council, Browfort, Bath Road, Devizes, Wiltshire, SN10 2AT
Philip McCourt	Milton Keynes Council	Southern	Philip.Mccourt@Milton-Keynes.gov.uk 01908 252962	Local Authority Powers	Head of Legal Services and Monitoring Officer, Milton Keynes Council, 1 Saxon Gate East, Central Milton Keynes, MK9 3HQ
Susan Tovey	Test Valley Borough Council	Southern	stovey@testvalley.gov.uk	Corporate Governance including CPA, Risk Management, Procurement, ADR	Head of Legal Services, Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, SP10 3AJ
Stuart Turnock	Leeds City Council	North Eastern	stuart.turnock@leeds.gov.uk 0113 247466	Local Government Bills including Gambling and Licensing	Chief Legal Services Officer, Legal and Democratic Services, Leeds City Council, Civic Hall, Leeds, LS1 1UR
Andrew Frosdick	Barnsley Metropolitan Borough Council	North Eastern	andrewfrosdick@barnsley.gov.uk 01226 773004	Freedom of Information, Data Protection, Access to Information	Deputy Borough Secretary, Barnsley Metropolitan Borough Council, Town Hall, Barnsley, South Yorkshire S70 2TA

Ex-Officio Presidents	Name	Authority	Branch	Contact Details	Address
2005/06	Kirsty Cole	Newark and Sherwood District Council	East Midlands	kirsty.cole@nsdc.info * 01636 655210	Assistant Chief Executive, Newark and Sherwood District Council, Kelham Hall, Newark, Notts NG23 5QX
2004/05	Gifty Edila	London Borough of Kensington and Chelsea	London Boroughs	gifty.edila@rbkc.gov.uk ** 0207 3612257	Director of Law and Administration, Royal Borough of Kensington and Chelsea, The Town Hall, Hornton Street, London, W8 7NX
2003/04	John Polychronakis	Dudley Metropolitan Borough Council	West Midlands	director.lawproperty@dudley.gov.uk ** 01384 815300	Chief Legal and Property Officer, Dudley Metropolitan Borough Council, Council House, 3 St James Road, Dudley, West Midlands, DY1 1HZ
Representative nominated by Solicitors in Local Government	Maria Memoli	Kennet District Council	South West	maria.memoli@kennet.gov.uk 01380 724911 extn 605	Legal and Democratic Services Manager, Kennet District Council, Browfort, Bath Road, Devizes, Wiltshire, SN10 2AT
Auditors: 1)	Tim Mumford	Rotherham Metropolitan Borough Council	North Eastern	tim.mumford@rotherham.gov.uk 01709 823502	Rotherham Metropolitan Borough Council, Civic Building, Walker Place, Rotherham S65 1UF
2)	Bernadette Livesey	Calderdale Metropolitan Borough Council	North Eastern	bernadette.livesey@calderdale.gov.uk 01422 393063	Chief Law and Administration Officer, Calderdale Metropolitan Borough Council, Town Hall, Crossley Street, Halifax, HX1 1UJ

* Automatic Succession (Clauses 16(c) and 16(d) refer)

** Automatic Appointment Ex-Officio (Clause 17a (iii) of Constitution refers)

Branch Representatives on Council 2006/07

Eastern	Barbara Morris c/o Chris Hall	Mid Beds DC Suffolk CC	Barbara.morris@midbeds.gov.uk Chris.hall@legal.suffolkcc.gov.uk
East Midlands	Peter Nicholls Paul Cox	Leicester City Council Rushcliffe Borough Council	Peter.nicholls@leicester.gov.uk Pcox@rushcliffe.gov.uk
London Boroughs	Richard Mellor Julie Belvir	Richmond Upon Thames Croydon	r.mellor@richmond.gov.uk Julie.belvir@croydon.gov.uk
North Eastern	Andrew Frosdick Nicole Jackson	Barnsley MDC Leeds City Council	Andrewfrosdick@barnsley.gov.uk Nicole.jackson@leeds.gov.uk
North Western	Mark Lewis Mike Dudfield	Blackpool Past Service	Mark.lewis@blackpool.gov.uk Mikedudfield@btopenworld.com
Southern	Susan Tovey Stephen Taylor	Test Valley BC Swindon BC	stovey@testvalley.gov.uk STaylor@swindon.gov.uk
South East	Marie Kelly-Stone Mark Bowen	Dartford Medway	Marie.kelly-stone@dartford.gov.uk Mark.bowen@medway.gov.uk
South Western	Alan Webb Roger Gash	Gloucester City Council Devon County Council	AlanW@gloucester.gov.uk Roger.gash@devon.gov.uk
Wales	Duncan Forbes Trevor Coxon	Torfaen Wrexham	duncan.forbes@torfaen.gov.uk Trevor.coxon@wrexham.gov.uk
West Midlands	Philip Lloyd-Williams Ian Marshall	Tamworth Wychavon	Philip-lloyd-williams@tamworth.gov.uk Ian.marshall@wychavon.gov.uk

REPRESENTATION ON OUTSIDE BODIES 2006/07

Post	Nomination	Authority	Branch	Contact Details	Add
Training Unit	John Polychronakis	Dudley Metropolitan Borough Council	West Midlands	director.lawproperty@dudley.gov.uk 01384 815300	Chief Dudl Cour Jame
	Richard Mellor	London Borough of Richmond Upon Thames	London Boroughs	r.mellor@richmond.gov.uk	Lon upon York 3BZ
	Marie Kelly-Stone	Dartford Borough Council	South East	marie.kelly-stone@dartford.gov.uk	Dartf Civic Dartf

SLG	Stephen Taylor	Swindon Borough Council	Southern	staylor@swindon.gov.uk 01793 463012	Swindon Civic Swindon
	Maria Memoli	Kennet District Council	South West	maria.memoli@kennet.gov.uk 01380 724911 extn 605	Kennet Brow Wiltshire
LACORS: - Licensing	Philip McCourt	Milton Keynes	Southern	Philip.Mccourt@Milton-Keynes.gov.uk 01908 252962	Head Mon Keyn East, MK9
LACORS: - Gambling	Stuart Turnock	Leeds City Council	North Eastern	stuart.turnock@leeds.gov.uk 0113 247466	Chief Legal Leeds Leeds
CIPFA Comissioning Joint Committee	Tim Date	Greater Manchester Waste Disposal Authority	North West	Tim.Date@gmwda.gov.uk 0161 9115131	Great Dispo Chan Oldh
Liaison with Standards Board	Mirza Ahmad (Representing Unitary/Met Authorities)	Birmingham City Council	West Midlands	mirza_ahmad@birmingham.gov.uk 0121 3039991	Chief City 14 C B2 5
	Elizabeth Bennett (Substitute Perry Holmes) (Representing County Authorities)	Nottinghamshire County Council	East Midlands	Elizabeth.Bennett@nottscc.gov.uk 0115 9773967	Exec Legal Cour Cent Lane Notti
	Paul Cox (Representing Districts)	Rushcliffe Borough Council	East Midlands	pcox@rushcliffe.gov.uk 0115 9148215	Boro Boro Cent Bridg
	Mark Hynes (Representing London Boroughs)	London Borough of Lambeth	London Boroughs	mhynes@lambeth.gov.uk 0207 9262433	Direc Servi Lamb Hill,
	Meic Sullivan-Gould (Ex Officio President)	London Borough of Hackney	London Boroughs	Meic.Sullivan-Gould@hackney.gov.uk * 020 8356 6184	Boro Offic Hack Town Lond

SALARIED OFFICERS

Post	Name	Address	Contact Details
Executive Officer	Ian Locke	4 Sutton Court Lawns, Sutton Poyntz, Weymouth, Dorset DT3 6LH	acesny@cybase.co.uk 01305 836328 Mobile: 07971 679096
Policy and Development Officer	Anthony R Kilner	27 Westville Road, Ilkley, West Yorkshire LS29 9AQ	anthony@kilner.wanadoo.co.uk 01943 601706 Mobile: 07759 117061

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PRESIDENT'S ANNUAL REPORT

The Mayor and Corporation of High Wycombe are by tradition weighed in public at the beginning and end of their years of office. The macebearer dressed in traditional costume rings a bell and calls out the weight. When he adds the words "And no more!" the crowd cheers as a sign of their appreciation and gratitude for hard work done for the community. But if he shouts "And some more!", it means the mayor has been indulging in too much good living at ratepayers' expense and the crowd jeers and boos. In years gone by they would have also pelted the offending person with tomatoes and rotten fruit.

Happily, ACSeS does not have a macebearer so members of the Association do not have the opportunity to consider whether their President and Council members have been getting fat at their expense.

After almost a score of annual dinners, another dozen lunches and numerous hotel breakfasts have been borne bravely and with relish – often with aperitifs, copious wine and post-prandial libations too (not necessarily at breakfast) it would be a challenge for anyone to maintain their waist measurement. Future Presidents beware.

Instead of being weighed we are required to make a written report of our activities and risk some scathing and sarcastic questioning at the Annual Meeting. I'm not one for looking back too much but the tradition is that the President reflects on their year of office and gives a plausible account as to why their weight gain has been worthwhile.

I had set myself three objectives for my presidential year and, at the time of writing, will claim that two have been fully achieved and that progress has been made on the third. The first target was that the Association established a longer term strategy within which it can progress rather than reflecting the annual enthusiasms of the incoming President – this was agreed in June 2007. An action plan is now being agreed to take forward the identified themes.

The second target was to establish the Association as a company limited by guarantee. Members will know by the time that this report is published whether that objective is in line to be agreed at Conference.

Probably the most ambitious target was to continue working towards the establishment of an Academy for Local Government Law and Administration. Progress on that has not been as rapid as I had hoped to achieve – there is widespread recognition that we need to create qualification routes that supplement the existing Diploma in Local Government Law, that accredit Scrutiny Officers and enable Deputy Monitoring Officers to carry out the various tasks that will be required under the relocation of handling complaints about councillor behaviour. Regrettably there has been very limited response to the ACSeS survey which was distributed in the summer to discover the volumes and turnover of staff that would inform the business cases for developing and sustaining a qualification process. Looks like I'll have an on-going job as Past President to continue to pursue these objectives.

The unexpected is a constant part of the jobs that ACSeS members do and there were tasks and opportunities which could not be planned for. There was an unexpected amount of time spent in conclave with the DCLG, SBE and LGA considering the new Model Code for England – and still some substantial surprises when the final version was published! We were also surprised that the DCLG felt it appropriate to publish a study into "Councillor Involvement in Planning Decisions" which took no account of the public law constraints. DCLG has acknowledged that the study was flawed. It was a disappointment that so many of our members needed support in dealing with their Councils – it is regrettable that soccer team management practices are apparently increasing in local government and that increasingly we have to

provide assistance for isolated colleagues when they are facing challenging circumstances at their Councils.

It was good that ACSeS was regarded by DCLG as a Stakeholder in the consultation on Local Government Reorganisation but inappropriate for an officer organisation to express any view on what should be the local governance arrangements in any particular area – it should be for local people and communities to decide these matters. It is a regret that the Association's ideas for improving the position of Deputy Monitoring Officers were not taken up as part of the Local Government and Public Involvement in Health Act.

It was a pleasure and honour to attend the Annual Conference of the International Institute of Municipal Clerks in New Orleans. That city is still struggling to recover from the devastation which followed Hurricane Katrina in 2005 but it is impressive to see the steps which the local government there is undertaking to regenerate one of the most attractive and exciting cities in the world. It was also great to visit so many ACSeS Branches around the country – it was only the East Midlands branch which missed out on the jokes. Since that was where I started my local government legal career, this is a regret.

It was East Midlands members, led by Past President Kirsty Cole and supported by Tony Kilner, who produced and updated the ACSeS Parish Council's Toolkit which snaffled the Municipal Journal Legal Achievement of the Year Award for 2007. They edged out the London Borough of Hackney's achievement at holding NIKE to full account for unauthorized use of the Council's logo so I know how impressive they must have been.

I have to acknowledge the support of the London Borough of Hackney and the 2012 Five Boroughs Unit for enabling the first part of my presidential year and the LBH Pension Fund and Sullivan-Gould.Com for the period since 31 March. Ian Locke has been a steadfast support and has done excellent work in arranging this year's Conference. Tony Kilner's weekly bulletin has been applauded wherever I have met ACSeS members and he has been a constant source of clear thinking when we've needed it.

The Association is in robust financial health and is supported voluntarily by the leading thinkers and doers from across the countries. There is willing inter-authority and inter-branch support to members through the new website and excellent relations with the private sector providers of legal services and advice into local government. Long may that continue.

As this is the final presidential report to be made before the Association becomes a company limited by guarantee it falls to me to reflect on the progress made since 1996 when ADS and SOCS merged. I believe that the Association has been well served by leadership from Peter Keith-Lucas, Felix Hetherington, Richard Mellor, Catherine Parkinson, Colin Langley, Claer Lloyd-Jones, Mike Kendall, John Polychronakis, Gifty Edila and Kirsty Cole. The Association has been well supported by its employees; Norman Yates, Ramani Chelliah, Ian Locke and Tony Kilner. The Association is more influential, more well-regarded and more ambitious. There is no room for complacency but I believe that we have provided a launchpad from which the new company can continue to provide an essential resource for monitoring officers and managers of legal and administrative support.

Thank you for the opportunity to serve you all during 2006/07. I hope that you will think that your faith in me has been justified.

Meic Sullivan-Gould

ANNUAL REPORT OF THE EXECUTIVE OFFICER

As always, it has been a very busy year. There have been a number of major projects/changes.

The major elements of my work this year were:

- The development of the new ACSeS website.
 - This is continuing as we add additional facilities. The main ones this year were:
 - Booking online for the Conference. This was only introduced part way through the booking period so that most delegates used the traditional method booking via the Brochure. However more and more are now using the online method. Apart from being easier and faster for the delegates it significantly reduces the administration of the process.
 - On line questionnaires. This provides a simple and quick method of sampling Members' views on matters of importance to the Association and the Members.
 - The Forum is being increasingly used as a means to share knowledge and obtain advice.
 - We have included an increasing number of vacancies in the Careers Section. This is a service which Members could make greater use of. There is no charge.
 -
- Administration. LGG Ltd are now dealing on a contract basis with the basic administration involved in collecting subscriptions and taking Conference bookings. Thanks are due to Claire Griffiths and Ann Harlow of LGG for their excellent work in these areas and for their unfailingly positive approach which makes the tasks so much easier to complete. One of the issues to be considered in the coming year in the context of incorporation is to what extent any further services might be provided in this way. Just one example is the location of the registered office in the long term. As the Association grows in size and influence a registered office which is the home address of the current Executive Officer/Company Secretary from time to time may not be considered desirable.
- Membership Subscriptions. There are currently 500 names on the membership database and we are chasing the final slow payers. There are several applications for Membership going through at the moment.
- The Conference. By the time this report is officially received the Conference will be near its close. As ever the administration of Conferences is a learning experience and so much depends on getting the detail right. There is increasing interest in the Conference from Sponsors and from members. This reflects the quality of the speakers who have kindly shared their knowledge with us and the difficult role which our Members are required to perform day in day out at their respective authorities. The outlook for future conferences is bright.

- Contact with Members. The ongoing contact with members throughout the year has been very rewarding. The number of emails/telephone calls asking for information or just where to find something is considerable. This is not a problem. It is one of the reasons Members join.
- Incorporation. Tony Kilner has led on the Officer side on the incorporation process. My involvement will grow as we move into operating the company structure.
- Policy and Development Officer. Tony and I have again been able to work closely and successfully together during the year.

In the coming year the major tasks will be;

- Getting to grips with the Company Secretary role following incorporation.
- Further improvements in the website and in administration arrangements.
- Arranging the Annual Conference in Warwickshire.

I thank Members and Colleagues for their continued help and support and look forward to the coming year and the challenges ahead.

29/10/2007

Ian Locke
Executive Officer

ANNUAL REPORT OF THE POLICY AND DEVELOPMENT OFFICER

The adoption of a Vision and Strategy and a Business Plan by the Association in April this year was a key stage in the development of the Association, providing a structured approach to the activities of both myself and the Association's members. It is appropriate that I use the headings of the Strategy and Plan for this annual report.

Influence of the Association

The involvement of the Association in the 'Delivering Good Governance in Local Government Working Group' came to fruition in the publication of the 'Delivering Good Governance in Local Government; Framework and Guidance Note, earlier this year. These documents will influence the development of local authority governance during the next few years.

Working relationships have also improved and developed with the National Association of Local Councils and the Society of Local Council Clerks with ACSes involvement at several conferences and training events run by these bodies. A constructive relationship with the SBE has developed over the year with several liaison meetings taking place and much other practical liaison behind the scenes on SBE publications including Guidance and the Paper on Bias. Besides hosting a fringe event, ACSes members made a substantial contribution to the 6th Assembly of Standards Committees in October.

Liaison has continued with the LGA, LGIU and other parts of the local government family and a number of responses made to various consultation documents from Government departments and Agencies.
A number of issues have been taken up with respective Agencies, demonstrating the developing influence of the Association.

Role of the Association

Preparing for the incorporation of the Association has focussed minds on the objects of the Association and its role. Whilst the new Memorandum and Articles of Association involve the minimum of change to the structure of the Association, they provide for the flexibility of development that is now required in a rapidly changing environment.

Skills, knowledge and expertise of members

Discussion has moved ahead on the need for further qualifications for the Monitoring Officer role and all members invited to contribute to the debate through a website based questionnaire.

Communication between the Association and its members and relevant external parties

The weekly bulletin has contributed considerably to the lines of communication with members and both the bulletin and the website Forum provide a basis and mechanism for rapid communication of information and feedback. The introduction of the electronic questionnaire however, did not produce the fullest anticipated response. Judging from the extent of email communications from members and a variety of other bodies, the Association is developing both its networking and influence.

Organisation of the Association

The main thrust of activity has been directed towards the incorporation of the Association and the involvement of all members in the process. The use of the company structure and the format for Articles has enabled a number of improvements to be made which should be evidenced in the next year.

I am grateful to the Association for extending my period of service and appreciate the support I have received from the President and Council and the Executive Officer. The contact with members has been both stimulating and enjoyable.

Tony Kilner
Policy and Development Officer

ANNUAL REPORT OF THE TREASURER

Attached for formal adoption by the Association are the Annual Accounts consisting of:

- Income & Expenditure Account for the year to 31 March 2007
- Balance Sheet for the year to 31 March 2007
- Cash Flow Statement for the year to 31 March 2007

The Accounts have been audited by the Association's auditors and a copy of the letter from the Auditors is enclosed.

It is worth noting that for the year the Council's net position improved by £5,269.65 on last year's position.

The two key areas for income generation were both subscriptions and conference income totalling just over £166,000. The main expenditure unsurprisingly relates to the employee costs of just over £62,000 and the costs associated with the conference which amounted to £54,000.

Overall, the position of the accounts remains a healthy one and we remain relatively cash rich.

Mark Hynes
Treasurer
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ASSOCIATION OF COUNCIL SECRETARIES & SOLICITORS **INCOME & EXPENDITURE ACCOUNT Y/E 31 MARCH 2007**

	<u>£</u>	<u>£</u>
INCOME		
Subscriptions	77,428.80	
Conference Income	85,108.00	
Interest	<u>3,776.57</u>	
		166,313.37
Total Income		<u>166,313.37</u>
EXPENDITURE		
Employee Expenses:		
Salaries	62,579.28	
Other Employee Costs	<u>0.00</u>	

		62,579.28
Other Expenses:		
Conference Expenditure	54,803.09	
Management & Development	15,451.18	
President's expenses	4,584.30	
Insurance	1,021.99	
Other Expenditure	<u>22,603.88</u>	
		98,464.44
Total Expenditure		<u>161,043.72</u>
Net Surplus/(Deficit) for Financial Year		<u>5,269.65</u>

ASSOCIATION OF COUNCIL SECRETARIES & SOLICITORS
BALANCE SHEET Y/E 31 MARCH 2007

	2006/07	2005/06
	£	£
<u>Fixed Assets</u>		
Regalia	<u>3,100.00</u>	<u>3,100.00</u>
	3,100.00	3,100.00
<u>Current Assets</u>		
Bank - Co-operative Current Account	35,611.63	54,640.71
Bank - Community Account	32,134.65	8,025.94
Bank - Business Tracker Account	62,923.65	61,219.31
Bank - Business Reserve Account	0.01	0.01
Debtors and pre-payments	<u>0.00</u>	<u>6,713.80</u>
	130,669.94	130,599.77
<u>less: Current Liabilities</u>		
Creditors	5,058.90	10,258.38
Net Current Assets	125,611.04	120,341.39
Total Assets less Current Liabilities	<u>128,711.04</u>	<u>123,441.39</u>
<u>Financed By:</u>		
Net surplus/(deficit) for year	5,269.65	696.18
Balance b/f	123,441.39	122,745.21
Balance c/f	<u>128,711.04</u>	<u>123,441.39</u>

Notes to the Balance Sheet

1. Regalia valued at current replacement cost

2. Eastern Branch Levy £1,261.00
Kyanmedia £987.00
Tony Kilner Expenses £218.80
LGG £1,142.10
Welsh Branch Subs £1,450

ACSeS CASH FLOW STATEMENT Y/E 31 MARCH 2007

Net Cash Inflow from Operating Activities **	3,007.40
Returns on Investment & Servicing of Finance	3,776.57
Net Cash Inflow	<u>6,783.97</u>

**** Net Cash Inflow from Operating Activities**

Net incoming resources / surplus for year	5,269.65
Investment Income	-3,776.57
Depreciation	0.00
(Increase)/decrease in Debtors	6,713.80
Increase/(decrease) in Creditors	-5,199.48
	<u>3,007.40</u>

Bank account balance b/f	123,885.97
Bank account balance c/f	<u>130,669.94</u>
Increase in Cash	<u>6,783.97</u>

Your Ref:

Our Ref: LBL/IA&AF/GB

Mr M. Hynes

Hon. Treasurer
Association of Council Secretaries and Solicitors
Town Hall
Brixton Hill
LONDON SW2 1RW

26th October 2007

Dear Mr Hynes,

RE AUDIT OF ACSES ACCOUNTS – 1ST APRIL 2006 TO 31ST MARCH 2007

The London Borough of Lambeth has audited the annual accounts of the Association of Council Secretaries and Solicitors (ACSeS), which have been prepared by the group secretariat.

In our opinion, the Statement of Accounts and Balance Sheet is a fair representation of the financial position of ACSeS as at 31st March 2007 and its income and expenditure for that period.

Yours sincerely

Graham Brown, C.P.F.A., F.M.A.A.T.
Group Manager – Internal Audit & Corporate Anti Fraud
Internal Audit & Corporate Anti Fraud Services
London Borough of Lambeth
Tel: 020 7926 9892

Email: gbrown@lambeth.gov.uk

ASSOCIATION OF COUNCIL SECRETARIES AND SOLICITORS

Audit of Annual Accounts for 2006/07

Annual Report

The London Borough of Lambeth has undertaken an audit of the ACSeS annual statement of accounts for the year ended 31st March 2007. These are set out in the attached pages.

We have also considered the procedures in place to manage the process for incurring and authorising expenditure and we are satisfied that they provide sufficient evidence to provide reasonable assurance that the statements of account are free from material mis-statement.

Graham Brown, C.P.F.A., F.M.A.A.T.
Group Manager – Internal Audit and Corporate Anti-Fraud
London Borough of Lambeth
4th September 2007

ANNUAL REPORTS OF THE LEAD OFFICERS

Mirza Ahmad Ethical Governance

The brief to date:

As per previous years, I am delighted to confirm that I had another enjoyable and successful year representing ACSeS and helping it to raise its profile amongst other local government / professional associations, government departments, the Audit Commission, the Local Government Association and the Standards Board for England.

Notable highlights of the year include being proactively involved in the multi-disciplinary Working Group helping local government to continue to improve itself through, for example, the CIPFA / SOLACE Good Governance Framework - which was launched at the CIPFA Conference during Summer of this year. I strongly commend colleagues to read the same and would encourage all Monitoring Officers and their Deputies to use the same as a way to getting / sustaining a strong position of influence and power at the corporate heart of local government. The opportunity should be seized to, for example, integrate and to take the high moral ground, with the active support of Leaders of their Councils, on corporate and ethical governance issues and to ensure the same lead to improved partnership working / public services.

As Birmingham was also a National Pilot on the Good Governance Framework, I have worked with the Audit Commission to ensure their Diagnostic Audit will be fit for purpose for other local authorities as and when it is integrated into post-CPA requirements. In addition to the annual ACSeS Conference, I have also continued to share my experiences with Monitoring Officer and other local government colleagues at, for example, the Annual Monitoring Officers, Audit Commission, Standards Board for England and CIPFA Conferences.

In an effort to further enhance communication within the Association on ethical governance matters, I have continued to operate my "Debrief" e-mail distribution system; although, the numbers were reduced, this year, because of the more frequent Bulletins issued by our Policy & Development Officer, Tony Kilner. I will, for the time being, continue to operate the same, on a needs basis, but I am now beginning to use Tony's Bulletins to communicate on such issues. During next year, therefore, I will consider stopping my Debrieves and see if anyone develops any withdrawal symptoms!

This year saw the implementation of the Revised Code of Conduct for Members and we are still waiting for Government to issue the Code of Conduct for Employees. I have stopped holding my breath on the same! Helping colleagues to come to grips with the new Local Filtering arrangements will, therefore, continue to be a priority for next year and, before long, I will also give further thought to succession planning in terms of my engagement on ethical governance issues.

The brief for the future:

The future for local government and these Portfolios continue to be promising, with the current Local Government and Involvement in Public Health Act passed by Parliament In November. How local government changes to meet all the challenges, in particular, around partnership working within the tight financial and other constraints around Executive / Scrutiny governance arrangements will be a testing one, as Ministerial rhetoric is not, currently, being backed up with legislative change around such matters!

The net effect is a potential recipe for governance meltdown at the local level as local government is heated to work more and more through and with/in partnerships; with the net effect that the boundaries become even more blurred. Combine this with muddled thinking from some Policy / Finance colleagues - who may be eager to progress their careers and make an impact with leading politicians - failing to recognize or even appreciate the governance danger zones! Such individuals may place Members into difficult legal and constitutional territories if they drift into allowing partnerships to take executive decisions when they clearly have no legal basis to do the same.

This could become an acute situation for local government and the important role of Scrutiny - and local government as opposed to local governance - could be undermined, if Monitoring Officers are not sufficiently on top of the ethical and corporate governance agendas. An essential role, therefore, for more proactive Monitoring Officers, who see the big picture and able to thrive on success.

I look forward to continuing to serve the Association, and its membership, as the Lead Officer on Ethical Governance Issues and as Second Vice-President during the remainder of 2007 and into 2008.

Mirza Ahmad

(Birmingham City Council)

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Andrew Frosdick

Freedom of Information

ACSeS has continued to engage with other stakeholders as the practical impact of the 2000 Act and the EIR regulations become more ever more established in the day to day work of our members. I have represented the Association at periodic meetings of a working group established by DCLG and which brings together various interested parties such as the ICO's Office, the MOJ and DEFRA. This is a valuable forum to discuss the working of the legislation through which ACSeS can express a direct view to those responsible for overseeing and regulating the statutory provisions in respect of issues of concern to our members.

There has been lengthy consultation on proposals for revised fee charging arrangements but the no regulations have yet been forthcoming. The broad response to the consultation appears to show little enthusiasm for changing the fees regime and the wider concern of most authorities is more whether the legislation is being used for purposes for which it not intended; in particular requests which are aimed at gathering information to assist with marketing and related commercial purposes and journalists looking for easy access to information fo research purposes. Earlier indications from the Lord Chancellor that the Government may be considering a more fundamental review of the legisaltion have not materialised.

Dialogue is ongoing with the Audit Commission on the sensitive issue of the disclosure of the electoral register as part of the national fraud intitiae. This has been a matter of widespread concern from amongst our members. There is also ongoing correspondence with the ICO's office about the extent of the requiement for elected members to register personally under the Data Protection Act in relation to surgery and related case work undertaken by them and whether this could properly be covered by the authority's own registration.

Andrew Frosdick

Susan Tovey

Corporate Governance including CPA, Risk management, Procurement and ADR

I took this portfolio over at the last AGM and it took me some while to appreciate its breadth.

Two matters have occupied my attention this year, one only recently.

Local Government and Public Involvement in Health Bill

At the time of writing this has just received Royal Assent. Most of the Parts of the Act come within the remit of the portfolio but it has been hard to keep up with the amendments made during its passage through Parliament.

At last year's conference Peter Housden had informed us that comments on the Bill would be welcome from ACSeS and some suggestions were forwarded.

Once the Act becomes available the intention is to provide some briefing notes on its provisions or draw members' attention to briefing notes available elsewhere.

National Fraud Initiative

This is being run by the Audit Commission and proposed changes to the information required were only recently drawn to the attention of local authority lawyers.

Concerns have been expressed that the Audit Commission is now requiring full Council Tax data and also the full Electoral Register for its data matching exercise. Most concern has focussed on the provision of the full Electoral Register as the view expressed by local authority lawyers is that its provision is unlawful.

The Audit Commission has agreed with the request from ACSeS to obtain leading counsel's opinion on this issue and the result will be made known to all ACSeS members.

Susan Tovey
Test Valley Borough Council
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ANNUAL REPORTS OF THE BRANCHES 2006/07

EASTERN BRANCH

The Chairman for the past has been Jonathan Reed who has been ably supported by the Vice-Chairman Sue Lyons. Between them they have attended meetings of the full Council and reported back on progress made on the various initiatives of the Association.

The Eastern branch held four meetings during the year – The Annual Meeting was held at the offices of Forest Heath District Council at Mildenhall in October with Christine Greenhalgh, a Good Practice Manager from the Information Commission giving a presentation on the Development and Maintenance issues relating to Publication Schemes. In addition Christine provided members with a general update on the Freedom of Information Act and the Information Commissioner's Office.

In February the Branch meeting took place at the Suffolk Coastal District Council Offices of our Chairman in Needham Market when members were joined by President Meic who renewed some old acquaintances and outlined his three priorities for his year of office, the new Local Government Bill, the modernisation of the Association and his preparatory work for the 2012 Olympics. In addition, Eric Whitfield, Assistant Director, Scrutiny and Monitoring at Suffolk County Council made a presentation on the development of a new web based system that had been developed for dealing with comments, compliments and complaints on a corporate basis.

The May meeting was held at the offices of Cambridgeshire County Council when a representative from Microsoft attended and informed members of new product developments and advised on how to make the most of their existing Microsoft office software.

In July the meeting was hosted by our Chairman elect, Sue Lyons at the new offices of Mid Beds District Council at Chicksands near Ampthill. Mark Jones, a former local

government solicitor now working for the Standards Board attended and gave a very interesting presentation on the development of the new Code of Conduct.

All the meetings were interesting and the attendances had again been variable although the average number attending had risen to 15 per meeting. Whilst all meetings had been opened to SLG members, there had been little takeup of the invitation."

Chris Hall
Branch Secretary
Chris.Hall@legal.suffolkcc.gov.uk

NORTH WEST BRANCH

The Branch has continued with the principle of arranging morning training sessions prior to the Branch meetings being held after lunch. This arrangement appears to be serving the Branch well and a number of important topics have been covered in the training sessions. As a result, attendance at Branch meetings remains reasonably healthy.

The diversity of the training sessions shows the wide range of subjects that are of interest to Members. In March we received a very detailed, and, for those who are Returning Officers or have full responsibility for elections, somewhat worrying resume of the changes in election law and procedures that would be applicable at the elections in May from John Turner, Chairman of the Association of Electoral Administrators. This was followed in June by an update on the various cases involved in equal pay related claims from Cobbetts.

Finally our September, 'home' Members Denis Cooper, Eversheds, and Graeme Creer, Weightmans, led an interactive session on various sections of the Local Government and Public Involvement in Health Bill at which we had the pleasure of the attendance (and participation) of the Association President, Meic Sullivan-Gould.

Following an approach from the North West & North Wales Branch of SLG we have agreed to experiment with joint meetings and training sessions starting in December with separate meetings being held at the end for any business not appropriate for joint discussion. The experiment will be monitored to see whether it will become a permanent feature in the North West.

As usual, we have met at various venues and we thank Sefton, Bury, Blackpool and Bolton for their hospitality. We also thank Fiona Crane for chairing the meetings and representing the Branch at Council and look forward to incorporation.

Mike Dudfield
Branch Secretary

SOUTHERN BRANCH

Throughout the year, the branch has been monitoring use of the call-off contract for legal services, which was entered into last year by 18 of its member authorities, with 9 law firms. The contract will run for 3 years with an option to extend for a further year.

Other issues addressed included the Revised Member Code of Conduct, benchmarking issues and the impact of Home Information Packs, as well as the effect of increased competition on Local Land Charges fees.

We have had the benefit of a number of interesting talks and presentations.

In March, Claer Lloyd-Jones from Rockpools presented on the subject of Recent Developments within the Ethics and Governance Regime.

In June, we had talks from Nathalie Leven, QC, (“Issues surrounding Joint Arrangements”) and David Blundell (“The Law of Consultation”), both from Landmark Chambers.

In September, David Hansom from Eversheds spoke to us about recent developments in procurement with the emphasis being on the Competitive Dialogue procedure.

Attendances throughout the year averaged 20 Members per meeting, so the Branch continues to be well supported.

David Dongray

Chairman

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SOUTH WESTERN BRANCH

The Branch covers a large geographical area of England from Cornwall to Gloucestershire. It continues to meet on a regular basis in some of the most attractive locations in South West England.

This year branch meetings were organised at the following venues:

Taunton Deane Borough Council, Taunton in February 2007.

The National Lobster Hatchery, Padstow in June 2007 and

The Guildhall, Bath in November 2007.

The February branch meeting was arranged jointly with the South West Branch of SLG and was followed by a joint training session organised by Dudley Lewis from the LGG Training Unit. Despite the snowy weather the event attracted a larger than normal turn out and discussion are in hand with SLG to hold a similar event in February 2008.

The President, Meic Sullivan-Gould, attended our June branch meeting in Padstow. All those present were treated to Meic’s vision for the future of ACSeS and the work currently being undertaken by the Association. Many thanks go to our colleagues at Cornwall County and North Cornwall District Council’s for arranging such a superb venue.

Our final meeting of the year is to be held at the Guildhall, Bath on 30 November 2007. Our guest speaker will be from Grant Thornton UK to discuss local investigations issues. Hopefully our November meeting next year will not clash with the Council meeting.

Attendance at branch meetings continues to fluctuate despite the inclusion of more training based events. The branch representatives also attend Council meetings on a regular basis.

Alan Webb
Hon. Branch Secretary, South Western Branch
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WEST MIDLANDS BRANCH

I took up the role of Branch Secretary in December 06 and I must thank the former Branch Secretary, Philip Lloyd-Williams, for all his help and assistance over the past year.

The branch has continued to thrive in terms of membership which has increased slightly over the past year and I would like to extend a warm welcome to those new members who have joined us during the year. The branch has also seen the retirement of some longstanding members whose commitment to the branch has been much appreciated. In particular I would like to thank Kevin Douglas for his support to the branch over many years, latterly as treasurer.

The branch has continued to field some interesting speakers for its quarterly branch meetings and over the past year we have enjoyed a comprehensive presentation on changes in employment law from Caroline Lee of Needham & James; an update on licensing from Sarah Clover of No.5 chambers; topical issues around the ethical framework from Nick Marcar and Bethan Evans told us about the new code of conduct. In addition our president Meic Sullivan-Gould visited the branch in June and briefed us on the exciting developments happening within ACSeS.

In addition to the interesting presentation the branch has had some stimulating and useful debates where members have benefited from the exchange of information. The willingness of members to share best practice is one of the great strengths of ACSeS and it is encouraging to see this happening through the forum of the branch meetings as well as via the website.

Perhaps as important as the speakers, are the venues for our meetings and the hospitality of the hosts which this year have included Sandra Stephens (Wolverhampton); Alistair Welch (Stafford BC); Ian Marshall (Wychavon DC).

At our last meeting Philip Lloyd-Williams was appointed as our new branch chairman picking up the baton from Ian Marshall who has done a great job over the last few years. We also have a new treasurer, Nigel Snape, and vice chair Alistair Welch.

Finally, I would like to acknowledge the contribution made by my PA Sheila without whose assistance, the process of organising the programme would not have progressed so smoothly.

Quentin Baker
Branch Secretary, West Midlands Branch
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WALES BRANCH

2006/07 has been a busy year for the Branch with a number of changes to membership and in the great branch offices of state. On a very sad note in February this year we learned of the sudden death of Carole John, the Head of Legal Services and Monitoring Officer with Neath Port Talbot County Borough Council. Carole was a consistent attender at Branch meetings and an active participant in Branch business. Her presence is sorely missed.

Again on the theme of changes, Duncan Forbes has stepped down as Branch Secretary after many years service to the Branch. He has taken up a new appointment as Chief Executive of Bron Afon Community Housing following a positive housing transfer ballot by his old authority in Torfaen. A definitive case of gamekeeper turned poacher! The Branch wishes him well and is indebted to him for his service.

It has been a busy year of emerging secondary legislation from the Welsh Assembly Government both before and after the Assembly Elections in May. There have been functions and responsibility changes which colleagues have had to tussle with and implement at their authorities. We have been working with WAG to try and develop a workable amended Member Code of Conduct. Unlike in England it has yet to be adopted and implemented in Wales and the Wales Branch is pushing strongly that any changes should now co-ordinate with our local elections in 2008.

The Branch has recently set up special interest sub-groups in the following topic areas:

Training
Freedom of Information
Collaboration and Partnership
and Scrutiny of legislation

The last of these is particularly important as Welsh public legislation continues to diverge from the English agenda at an alarming rate.

At the Branch AGM in September we had our presidential visit from Meic Sullivan-Gould and he was most welcome particularly as he advised us of his Welsh family roots. The Member attendance as ever was a health twenty in number and the following Officers were appointed.

Chair – Ian Hearle, Denbighshire
Secretary/Treasurer - Trevor Coxon, Wrexham

The Vice Chair remains temporarily vacant

The Branch goes from strength to strength and we have every confidence this will continue into 2008.

Trevor Coxon
Branch Secretary
trevor.coxon@wrexham.gov.uk

REPORTS OF REPRESENTATIVES ON OUTSIDE BODIES

LGG TRAINING

LGG Training is joint run by Solicitors in Local Government and ACSeS. In order to have oversight of LGG Training we set up a new company, Local Government Training Unit Ltd, in 2003. The ACSeS directors of this company are Marie Kelly-Stone, Richard Mellor and myself and Solicitors in Local Government are represented by Maria Memoli, Peter Rhodes and George Curran. Board meetings are quarterly when we consider future training programmes in consultation with Dudley Lewis, Director of Training, together with financial performance.

During 2007 a new programme of management and skills modules has been successfully introduced and has proved to be very popular. We have also expanded the number of courses that are available outside London and we hope that these events will be supported by colleagues to ensure that they are financially viable.

Dudley Lewis and his team continue to excel at providing courses which are value for money and relevant, and we welcome any suggestions about new topics for training seminars.

Finally we are continuing our dialogue with Solicitors and Local Government regarding the structure and ownership of Local Government Training Unit Ltd and its relationship with LGG Ltd which is currently a wholly-owned subsidiary of SLG Ltd.

John Polychronakis
October 2007

COMPETITION JOINT COMMITTEE

In 2006/2007 the Competition Joint Committee has continued to consider a wide range of procurement and procurement-related issues. For example, work has been undertaken in relation to Partnership Vehicles for Schools, Police Authorities and the Police, Charities and Care Trusts. The CJC has made representations to DCLG on issues such as the Third Sector and Community Assets.

As in previous years, much of the work of the CJC appears in the Guide published by CIPFA.

Tim Date,
Solicitor to the G. M. Waste Disposal Authority.

CIPFA BETTER GOVERNANCE FORUM ADVISORY PANEL

The Advisory Panel meets twice a year, providing both a useful network of bodies involved in governance issues and informing the development of the Better Governance Forum. The BGF comprises five streams of activity, internal audit, counter fraud, risk management, information governance and conduct, behaviour and ethical standards. The meetings cover current developments in these governance streams and involve useful discussion of the wider governance picture and the development of the governance agenda.

Tony Kilner
Policy and Development Officer