



ASSOCIATION OF COUNCIL SECRETARIES AND SOLICITORS

ANNUAL REPORTS

Presented to the AGM on Thursday 27 November 2008
The Holiday Inn, Bridgefoot, Stratford upon Avon

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(Comprising the reports of the Executive Officer and Policy and Development Officer, Portfolio Holders,
Branch Secretaries and representatives on external bodies)

Table of Members of Council (Directors of the Company) for 2007/08

Post	Holder	Authority	Branch	Contact Details
President	David Carter	Warwickshire County Council	West Midlands	davidcarter@warwickshire.gov.uk County Solicitor and Assistant Chief Executive, Warwickshire County Council, P O Box 9, Shire Hall, Warwick CV34 4RR 01926 412564
First Vice President	Andrew Frosdick	Barnsley Metropolitan Borough Council	North Eastern	andrewfrosdick@barnsley.gov.uk Deputy Borough Secretary, Barnsley Metropolitan Borough Council, Town Hall, Barnsley, South Yorkshire S70 2TA 01226 773004
Second Vice President	Mirza Ahmad	Birmingham City Council	West Midlands	mirza_ahmad@birmingham.gov.uk Chief Legal Officer, Birmingham City Council, Ingleby House, 11-14 Cannon Street, Birmingham, B2 5EN 0121 3039991
Third Vice President	Susan Tovey	Test Valley Borough Council	Southern	stovey@testvalley.gov.uk Head of Legal Services, Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, SP10 3AJ
Treasurer	Mark Hynes	London Borough of Lambeth	London Boroughs	mhynes@lambeth.gov.uk Director of Legal and Democratic Services, London Borough of Lambeth, Town Hall, Brixton Hill, London SW2 1RW 0207 9262433
Solicitor	Michael Blamire-Brown	Solihull Metropolitan Borough Council	West Midlands	mblamirebrown@solihull.gov.uk Solicitor to the Council, Solihull Metropolitan Borough Council, P O Box 18, Council House, Solihull, West Midlands, B91 3QS 0121 7046721
Communications Officer	Caroline Elwood	Sefton Council	North Western	caroline.elwood@legal.sefton.gov.uk Director of Legal Services Sefton Council Town Hall, Lord Street, Southport PR8 1DA

Portfolio Holders 2007/08

Nomination	Authority	Branch	Contact Details	Functions
Mirza Ahmad	Birmingham	West	mirza_ahmad@birmingham.gov.uk	Ethical Governance

	City Council	Midlands	uk Chief Legal Officer, Birmingham City Council, Ingleby House, 11-14 Cannon Street, Birmingham, B2 5EN 0121 3039991	
Andrew Frosdick	Barnsley Metropolitan Borough Council	North Eastern	andrewfrosdick@barnsley.gov.uk Deputy Borough Secretary, Barnsley Metropolitan Borough Council, Town Hall, Barnsley, South Yorkshire S70 2TA 01226 773004	Freedom of Information, Data Protection, Access to Information
Philip McCourt	Milton Keynes Council	Southern	Philip.McCourt@Milton-Keynes.gov.uk Head of Legal Services and Monitoring Officer Milton Keynes Council 1 Saxon Gate East, Milton Keynes, MK9 3EJ	Local Authority Powers
Deborah Upton	Medway Council	South Eastern	Deborah.upton@medway.gov.uk Solicitor to the Council Kennet District Council Browfort, Bath Road, Devizes SN10 2AT	Management and Personal Development for Members
Susan Tovey	Test Valley District Council	Southern	stovey@testvalley.gov.uk Head of Legal Services, Test Valley Borough Council, Beech Hurst, Weyhill Road, Andover, SP10 3AJ	Corporate Governance including CPA, Risk Management, Procurement and ADR
				Local Government Bills including Gambling and Licensing

Branch Representatives 2007/08

(Branch Representative Director named first and Alternate Director named second)

Branch	Name	Authority	Contact Details
Eastern	Sue Lyons	Mid Beds	Sue.Lyons@midbeds.gov.uk
East Midlands	Robert Swinfield	Leicestershire PA	police.authority@leicestershire.pnn.police.uk
	Simon Aley	Corby	Simon.Aley@corby.gov.uk
London Boroughs	Richard Mellor	LB of Richmond	r.mellor@richmond.gov.uk
	Mark Bowen	LB of Bromley	mark.bowen@bromley.gov.uk
North Eastern	Rachel Dooris	Redcar & Cleveland BC	rachel_dooris@redcar-cleveland.gov.uk
	Nicholas Dobson	Past Service	nicholas.dobson@pinsentmasons.com

North Western	Alan Eastwood Mike Dudfield	Bolton MDC Past service	alan.eastwood@bolton.gov.uk Mikedudfield@btopenworld.com
Southern	Stephen Taylor David Dongray	Swindon Wycombe	staylor@swindon.gov.uk david_dongray@wycombe.gov.uk
South Eastern	Marie Kelly-Stone	Dartford BC	marie.kelly-stone@dartford.gov.uk
South Western	Alan Webb Roger Gash	Gloucester Devon CC	alanw@gloucester.gov.uk roger.gash@devon.gov.uk
Wales	Ian Hearle Trevor Coxon	Denbighshire CC Wrexham CBC	ian.hearie@denbighshire.gov.uk trevor.coxon@wrexham.gov.uk
West Midlands	Ian Marshall Quentin Baker	Wychavon Cheltenham	ian.marshall@wychavon.gov.uk quentin.baker@cheltenham.gov.uk

Ex Officio Past Presidents

Nomination	Authority	Branch	Contact Details
Meic Sullivan-Gould 2006/07	Past Service.	Southern	meicsg@aol.com
Kirsty Cole 2005/06	Newark and Sherwood District Council	East Midlands	kirsty.cole@nsdc.info Assistant Chief Executive, Newark and Sherwood District Council, Kelham Hall, Newark, Notts NG23 5QX 01636 655210
Gifty Edila 2004/05	London Borough of Kensington and Chelsea	London Boroughs	gifty.edila@rbkc.gov.uk Director of Law and Administration, Royal Borough of Kensington and Chelsea, The Town Hall, Hornton Street, London, W8 7NX 0207 3612257
John Polychronakis 2003/04	Dudley Metropolitan Borough Council	West Midlands	director.lawproperty@dudley.gov.uk Director of Law and Property, Dudley Metropolitan Borough Council, Council House, 3 St James Road, Dudley, West Midlands, DY1 1HZ 01384 815300

LGG

John Polychronakis	Dudley Metropolitan Borough Council	West Midlands
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Richard Mellor	London Borough of Richmond Upon Thames	London Boroughs
Marie Kelly-Stone	Dartford Borough Council	Dartford Borough Council

SLG

Stephen Taylor	Swindon Borough Council	Southern
Maria Memoli	Past Service	Southern

LACORS

Philip McCourt	Milton Keynes	Southern
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SBE Liaison

Mirza Ahmad (Representing Unitary/Met Authorities)	Birmingham City Council	West Midlands
Perry Holmes (Representing County Authorities)	Nottinghamshire County Council	East Midlands
Paul Cox (Representing Districts)	Rushcliffe Borough Council	East Midlands
Mark Hynes (Representing London Boroughs)	London Borough of Lambeth	London Boroughs
Kirsty Cole	Newark and Sherwood District Council	East Midlands
Tony Kilner	Policy and Development Officer	

Competition Joint Committee

Tim Date	Greater Manchester Waste Disposal Authority	North West
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CIPFA Better Governance Forum Advisory Panel

Tony Kilner	Policy and Development Officer	
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LGO Liaison

David Carter	President
Tony Kilner	Policy and Development Officer

PRESIDENT'S ANNUAL REPORT

As the pace of change in Local Government continues to accelerate ACSeS has been busy responding to these changes so that we can maintain our position of influence within the Local Government family. We have achieved all those things which we set out to achieve at the start of the year and many more things besides.

Amongst the key activities this year we have:-

- Reached an agreement with Solicitors in Local Government on the future management and development of LGG Limited which will allow us to actively shape the training offer for our members and their staff.
- Put in place a support scheme for members who are facing difficulty with their employers. Mark Hynes and Caroline Elwood deserve our thanks for bringing this to a successful conclusion.
- Maintained our strong relationship with the Standards Board for England and with the Local Government Ombudsman and Society of Local Council Clerks.
- Strengthened our relationships with the Information Commissioner's office, CIPFA, Solicitors in Local Government and the Adjudication Panel for England.
- Continued to respond to DCLG consultations and to influence the legislative process.
- Agreed to transfer our support arrangements when Ian Locke retires to LGG Limited so we have a permanent base. The arrangements will include strengthening our communications capacity including our e-communications.
- Successfully sought nominations of new Portfolio Holders to undertake key tasks on the Council.
- Introduced the President's Group which has been able to progress the business of the Association between meetings of the National Council and has given a base for a fuller use of the skills of the Vice Presidents.
- Identified ways in which Past Presidents can continue to help ACSeS through using their expertise in areas like mentoring.
- Widened our membership criteria following consultation with branches.
- Continued Tony Kilner's weekly bulletin which is a great success and valued by us all.

I have been able to visit most but not all branches. I have very much enjoyed my visits and I have seen at first hand the excellent work which is continuing in the branches.

At a national level the Council has been very enthusiastic and energetic in taking forward the work of the Association. I am optimistic that there is a commitment to take us forward strongly over the coming years.

I would like to thank everyone who has supported me during my year as President. In particular I would like to thank Tony Kilner and Ian Locke for their unstinting support and all the members of the ACSeS Council for the constructive way in which they have engaged with all our agenda.

It has been an honour to be the President of the Association and I look forward to its continued success.

David Carter

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 2008
- Balance Sheet for the year to 31 March 2008
- Cash Flow Statement for the year to 31 March 2008
- Summary of Bank Deposits held as at 31st March 2008

The Accounts have been audited by the Association's auditor Graham Brown and a copy of the letter from the Auditor dated 10th November 2008 is enclosed.

The two key areas for income generation were both subscriptions and conference income totalling just over £179,000 for the year as compared to £166,000 in the previous accounting year. Nevertheless despite this increase in income I am proposing that the subscription rates for membership be increased with immediate effect to cushion the potential expenditure we may have to meet as part of the new indemnity arrangements that membership brings in terms of legal protection for our members who may get involved in legal or contractual disputes with their authorities.

I have also included the rates for the two new categories of members approved by Council on 3 October which come into effect immediately after the AGM

The current rates are as follows:

£170 for full and associates (past service in full time employment)

£47 for past service (not employed).

The suggested rates are as follows:

Full membership £220

Associateship (past service in full employment) £170

Associateship (Other) £120 (this is one of the new types of membership)

International membership £150 (Again this is a new category of membership)

It should be noted that these rates compare favourably with membership rates for SOLACE as set out below:

Chief Executive £370 to £546 depending on size of Authority

Senior Manager £199

International £146

Past service Chief Executives (working) £312

Past service Senior Managers (working) £166
Past service retired £75

The main expenditure relates to the employee costs of just over £64,000 as compared to £62,000 last year and the costs associated with the conference which amounted to £91,000 this year compared to £54,000 last year. The conference made a loss overall last year and this was in part due to the significantly higher costs associated with holding the event in London.

Overall, the position over the year on the profit and loss account shows a deficit on activity of almost £39,000.

In relation to the Balance Sheet position we have seen a slight fall in assets from almost £129,000 as at the end of 2007 as compared almost £90,000 as at the end of 2008. We still remain relatively cash rich with approximately £132,000 held in bank accounts as set out in the attached bank account summary attached to the audited accounts.

Mark Hynes
Treasurer
19th November 2008

ASSOCIATION OF COUNCIL SECRETARIES & SOLICITORS
INCOME & EXPENDITURE ACCOUNT Y/E 31 MARCH 2008

	£	£
INCOME		
Subscriptions	77,415.16	
Conference Income	101,360.00	
Other Income	26,866.09	
Interest	4,237.06	
	209,878.31	209,878.31
Total Income		209,878.31
 EXPENDITURE		
Employee Expenses:		
Salaries	64,114.50	
Other Employee Costs	0.00	
	64,114.50	64,114.50
Other Expenses:		
Conference Expenditure	91,531.94	
Management & Development	28,607.74	
President's Expenses	7,556.29	
Corporation Tax	1,680.55	
LGG Courses	23,587.85	
Other Expenditure	31,604.43	
	184,568.80	184,568.80
Total Expenditure		248,683.30
 Net Surplus/(Deficit) for Financial Year		 -38,804.99

ASSOCIATION OF COUNCIL SECRETARIES & SOLICITORS
BALANCE SHEET Y/E 31 MARCH 2008

	2007/08	2006/07	
	£	£	<u>Notes</u>
<u>Fixed Assets</u>			
Regalia	3,100.00	3,100.00	1
	<u>3,100.00</u>	<u>3,100.00</u>	
<u>Current Assets</u>			
Bank - Co-operative Current Account	18,341.01	35,611.63	
Bank - Community Account	37,785.65	32,134.65	
Bank - Business Tracker Account	65,176.71	62,923.65	
Bank - Business Reserve Account	0.01	0.01	
Debtors and pre-payments	0.00	0.00	
	<u>121,303.38</u>	<u>130,669.94</u>	
<u>less: Current Liabilities</u>			
Creditors	34,497.33	5,058.90	2
Net Current Assets	86,806.05	125,611.04	
	<u>89,906.05</u>	<u>128,711.04</u>	
<u>Total Assets less Current Liabilities</u>			
	<u>89,906.05</u>	<u>128,711.04</u>	
<u>Financed By:</u>			
Net surplus/(deficit) for year	-38,804.99	5,269.65	
Balance b/f	128,711.04	123,441.39	
	<u>89,906.05</u>	<u>128,711.04</u>	
Balance c/f	<u>89,906.05</u>	<u>128,711.04</u>	

Notes to the Balance Sheet

1. Regalia valued at current replacement cost

2.

LGG - Courses	12,014.14
LGG - Administration	11,427.45
Oury Clark	6,418.43
HM Revenue & Customs	1,680.55
Treasurers Expenses	1,039.00
Ian Locke Expenses	659.15
London Branch Levy	500.00
Chelmsford BC	400.00
Tony Kilner Expenses	271.61
Kynamedia	40.00
Companies House	30.00
Warwickshire CC	17.00
	<u>34,497.33</u>

ACSeS CASH FLOW STATEMENT Y/E 31 MARCH 2008

Net Cash Inflow from Operating Activities **	-13,603.62
Returns on Investment & Servicing of Finance	4,237.06
Net Cash Inflow	<u>-9,366.56</u>

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

Net incoming resources / deficit for year	-38,804.99
Investment Income	-4,237.06
Depreciation	0.00
(Increase)/decrease in Debtors	0.00
Increase/(decrease) in Creditors	<u>29,438.43</u>
	<u>-13,603.62</u>

Bank account balance b/f	130,669.94
Bank account balance c/f	<u>121,303.38</u>
Decrease in Cash	<u>-9,366.56</u>

ACSeS BANK ACCOUNTS SUMMARY Y/E 31 MARCH 2008

<i>Business Reserve Account</i>			
	£		£
Balance c/f	0.01	Balance b/f	0.01
	0.01		0.01

<i>Community Account</i>			
	£		£
Balance c/f	37,785.65	Balance b/f	32,134.65
	37,785.65	Income to March 2007	5,651.00
			37,785.65

<i>Business Tracker Account</i>			
	£		£
Balance c/f	65,176.71	Balance b/f	62,923.65
	65,176.71	Interest	2,253.06
			65,176.71

<i>Co-op Bank (Nottinghamshire County Council)</i>			
	£		£
Expenditure to March 2007	207,257.57	Balance b/f	35,611.63
Balance c/f	18,341.01	Income to March 2007	188,002.95
	225,598.58	Interest	1,984.00
			225,598.58

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

10th November 2008

Dear Mr Hynes,

RE AUDIT OF ACSES ACCOUNTS – 1ST APRIL 2007 TO 31ST MARCH 2008

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 2008 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 2007/08

Annual Report

The London Borough of Lambeth has undertaken an audit of the ACSeS annual statement of accounts for the year ended 31st March 2008. 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
10th November 2008

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. Work is currently in progress on an online Legal Service benchmarking system.
 - Booking online for the Conference has worked very well. Bookings now feed through direct to the supporting administrative systems eliminating the need for 1 stage of the administrative process. The online system has also prevented half completed applications which further reduces the time and work involved. .
 - The Forum is being increasingly used as a means to share knowledge and obtain advice.

- 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.

- Council have agreed in principle to employ LGG Ltd to provide all of the administrative back up for ACSes from February 2009.

- Membership Subscriptions. There are currently 494 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 just past its mid point. Interest in the Conference is growing both from Members and from sponsors. Gross income from sponsorship this year has reached over £46000, almost doubling in the last 4 years. These trends should ensure the future success of the Conference in future years. The excellent location for the 2009 Conference in Leeds will allow plenty of space for further expansion if needed. The main point of the Conference is, however, that it provides training, networking and so much more for Members at a very reasonable cost. The sponsorship helps to support that.

- 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. The first year of incorporation has gone smoothly and has not resulted in huge changes in workloads.

- 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;

- Transferring the administrative work seamlessly to LGG Ltd.
- Further improvements in the website and in administration arrangements.
- Arranging the Annual Conference in Leeds.

This will be my last Conference and AGM as Executive Officer. I have enjoyed working with colleagues at ACSeS over the past 4 years. Colleagues have been unfailingly courteous and helpful and I thank Members and Colleagues for their continued help and support. I wish you all well for the future.

Ian Locke
Executive Officer

ANNUAL REPORT OF THE POLICY AND DEVELOPMENT OFFICER

The revised Vision and Strategy 2008 -13 and Business Plan 2008-11 adopted earlier this year continue to provide clear objectives to enable the Association to meet its purpose and direct my programme of work as Policy and Development Officer. This annual report adopts the Strategy and Business Plan themes as the headings for summarising my activity during the year.

Influence of the Association

Quarterly meetings with the Standards Board for England have continued this year providing a valuable two way process for exchanging information and views on the development of the ethical framework. The annual meeting with the Local Government Ombudsmen produced a constructive and candid discussion on the issues and changes taking place in the Ombudsman service and their impact on local authorities.

For the first time liaison meetings took place this year with the Information Commissioner's Office and the Adjudication Panel for England, and it was agreed that future liaison take place on a regular basis.

Meetings and less formal contact with the regulatory agencies for local authorities clearly do provide a means for improving understanding of the objectives, pressures and practical issues involved on both sides.

Liaison has developed with both the National Association of Local Councils and the Society of Local Council Clerks, both of which are now involved in updating the ACSeS Parish Council Toolkit.

Earlier in the year, much effort was concentrated on the detail of the new Code of Conduct Regulations in liaison with The Department for Communities and Local Government. Responses were made also to other consultations.

One particular success involved representations made to the Ministry of Justice and the Crown Prosecution Service resulting in the Legal Guidance for Prosecutors on election offences being re-written.

Role of the Association

Consultation has taken place within the Association resulting in a number of changes to the membership structure being formulated and established. Continued membership has been enabled for those affected by restructure and membership extended to officers in Regional Development Agencies responsible for governance. Classes for Associate Members and International Members have been created.

Skills Knowledge and Expertise of Members

The groundwork undertaken this year in constructing agreement with Solicitors in Local Government and servicing arrangements with LGG will enable positive progress to be made in the development of qualifications in the future and consensus on training and development strategies.

Communication between the Association and its members and relevant external parties

The production of the weekly bulletin for members has continued. The purpose is to keep members up to speed with relevant information provided by the government departments and agencies, but also to save members time in individually sourcing this information. The bulletin also provides a means of contact with other bodies involved in the local government family. New contacts have been made and developed during the year.

Organisation of the Association

The President's Group has provided an effective vehicle, during the year, for leading the Association and ensuring the resources of the Association are directed towards meeting the objectives set in the Strategy and Business Plan. Meetings of the Group (comprising the President, Immediate Past, and Vice Presidents) focus on the Business Plan and guide the priorities for Council agendas. Adjustment has been made to the portfolios to reflect changes in local government and the Association's priorities.

The pace of change in local government has continued during the year and I am grateful to members for their support throughout the year in challenging times for both members and the Association.

Tony Kilner
Policy and Development Officer

ANNUAL REPORTS OF THE PORTFOLIO HOLDERS

Ethical Governance

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 national profile amongst 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 preparatory work of the necessary Regulations – with the Government / SBE / APE regarding the Local Assessment Regime and the changes to the Revised Code of Conduct for Members. In addition, I was able to produce standard templates for ACSeS Members for Local Assessment. The work continues on making all of this happen at the local level and on the latest consultation on Member / Officer Codes of Conduct.

Efforts also continue, therefore, to integrate and to take the high moral ground, by using the CIPFA / SOLACE Good Governance Framework, 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. A Local Code of Governance has also been shared with ACSeS Members.

Birmingham was a National Pilot on the Good Governance Framework and, as such, I have continued to work with the Audit Commission to ensure their Diagnostic Audit will be fit for purpose for other local authorities. 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 and Standards Board for England Conferences.

In an effort to further raise the profile of ACSeS, I have endeavoured to encourage colleagues to write short articles on topical issues and I hope to produce a publication on this during 2008/9. I also continued to send my Ethical Governance Debriefs, on a needs basis, but I am now using Tony Kilner's Bulletins to communicate on such issues.

Helping colleagues to come to grips with the new Local Assessment arrangements will, therefore, continue to be a priority for next year and I am continuing to give further thought to succession planning in terms of my engagement on ethical governance issues. Volunteers are welcome to approach me!

(Birmingham's Department of Governance includes, for example, the following main functions: Legal, Democratic, Regulatory, Elections and Information Management Services).

Dr Mirza Ahmad

Regulatory Governance

The highest profile involvement over the year has been as part of the group of four organisations attending the LGA to support the revision of the planning guidance for councillors, these being ACSeS, the Standards Board for England (SBE), Planning Officers Society (POS) and the Planning Advisory Service of the Improvement & Development Agency (PAS/IDeA). This has led to the production of *'Positive Engagement – A Guide for Planning Councillors'* in June '08 and current re-drafting of the LGA probity in planning document, to be followed by the model planning code.

Involvement in LACoRS has continued through attendance at the Licensing and Gambling Policy Forums and responding to e-mail questions and issues.

The development of the Parish Council Toolkit has taken us into development of a third edition, involving the group of monitoring officers of Kirsty Cole, Paul Cox, Barbara Ding and Geoff Pook plus Tony Kilner of ACSeS, now together with the

legal officers of Society of Local Council Clerks and National Association of Parish Councils and administered through the Community Liaison Team of Milton Keynes Council.

The development of a revised model constitution has attracted support from colleagues within local government and amongst firms supporting local government, but is yet to fully get off the ground.

Philip McCourt

Information Management

Since the last annual General Meeting the information portfolio has been renamed the Information Management Portfolio (rather than the Freedom of Information, Data Protection, Access to Information Portfolio) although it still covers all the same territory and possibly more! At the same time there has been a change in the portfolio holder. Andrew Frosdick has stepped down to concentrate on his forthcoming role as the ACSeS President, and the portfolio has been taken on by John Tradewell of Staffordshire County Council supported by Quentin Baker of York City Council.

One of the key developments during the year was the establishment of regular liaison meetings with the Information Commissioners Office. The first such meeting was held in September 2008 and the opportunity was taken to raise a number of issues that have been of concern to ACSeS members for some time such as delays on Freedom of Information Appeals, and the separate registration of Councilors for Freedom of Information and Data Protection purposes. But the meeting was largely used to talk about the “big picture” and establish the basis for an ongoing conversation with the Information Commissioner’s Office. It was pleasing to note that:

- o The Information Commissioner’s Office wants to engage with ACSeS and local government generally
- o They understand the differences between the issues faced by local authorities and other organisations within their remit
- o They see us as a potentially useful source of expertise that they may be able to use as a sounding board for proposals.

Subsequent to the meeting, the Information Commissioner’s Office has now invited ACSeS to comment on a paper on the interaction of S15 Audit Commission Act 1998 and FOI 2000. We are also continuing to press ICO for legal certainty on the question of councillors being required to register separately as data controllers.

John Tradewell

Management Development

Management Development comprises all personal development aspects relevant to legal and democratic services management, including the Monitoring Officer role, practice management, management development, performance development, management skills and practice standards.

- (a) Agreement in principle secured from ACSeS to fund an e-learning induction package for Councillors and Officers on ethical standards, role of the council etc. Agreement in principle secured from LGG Ltd to assist with the work. Development work to commence in the New Year.
- (b) Discussing with LGG Ltd a more specialised approach to the delivery of courses/training for Members and Officers.
- (c) Assisting fledgling Association of Democratic Services Officers
- (d) To draw out and communicate any emerging themes in response to the Councillors' Commission (previously titled Barker Commission) report.

Marie Kelly-Stone

Partnership and procurement

Having only just taken up this portfolio, I have not as yet, been able to identify the full remit.

However, Partnerships are playing an increasingly important role in the future of Policy Development and Service Delivery for the public sector. My view is that partnership working presents a number of challenges and it is important to recognise the support some partnerships need for delivering shared outcomes. The promotion of affective partnerships with other organisations is the key to achieving a shared vision for many Local Authorities and is to be demonstrated through good leadership and governance.

In the context of Local Government, a partnership is a joint working arrangement and usually where the partners;

- are otherwise independent bodies;
- agree to co-operate to achieve common goals and outcomes for the community and;
- share accountability, risks and resources

However, partnership relationships are relatively a new way of working for Local Government and their development are critical to their success.

It is important that procedures are in place to ensure careful selection of partners, the adoption of appropriate governance standards and the effective monitoring and evaluation if a partnership is to be effective. It is important to understand that involvement in partnerships, however small or seemingly insignificant, usually carry, legal, procurement, financial, personnel, service delivery and reputational risk and implications for a Local Authority.

It is some of these areas under the partnership part of this portfolio that I wish to explore during the coming year.

Procurement

Corporate procurement has become a central resource and a centre of expertise for dealing with a range of procurement activities in most Local Authorities. Many Authorities have identified the advantages of establishing corporate contracts for use across the whole Council and schools. Also, many Authorities are charged with co-ordinating, managing and monitoring all procurement activity in their Authority including in some Authorities highly developed IT procurement systems.

National Procurement Strategy

The National Procurement Strategy for local government offers support for Local Authorities to find more effective, prudent and innovative ways of procuring services, highlighting many key issues which have come to the forefront of case law, taking account of statutory requirements including EU procurement directives. Whilst acknowledging this cautionary note it is important that in times of ever decreasing resources, Local Authorities maximise their purchasing potential. Therefore, procurement becomes critical in meeting these challenges. The role of the lawyer within procurement is key to its success and it is important that as ACSes members we rise to this challenge, with a degree of optimism, and working our way through initial barriers.

Under the portfolio, it affords me the opportunity of looking at this in more detail.

Alan Eastwood

ANNUAL REPORTS OF THE BRANCHES 2007/08

EASTERN BRANCH

I have enjoyed my year as Chairman of the Eastern Branch and I would like to thank all the Members for their support.

My year in office started with a meeting at Basildon District Council on 9 November and at which Claire Lloyd-Jones attended and gave a presentation on career development opportunities for ACSes Members' and Developments in ethics and governance. Unfortunately, I was unable to attend that meeting but I understand that the presentation was well received.

The next meeting took place at Norfolk County Council offices where the Branch had presentations from James Shakleton and Noel Doran of Eversheds who gave very interesting and informative presentations on Corporate Manslaughter and its implications for Local Government and its Officers. This was followed by an all day training event at the Mid Bedfordshire District Council Offices on 16 May. Solicitors from Mills & Reeve gave presentations on current planning issues, including the Law Society's Model Planning Agreement and the implementation of the Planning Charge. There was also a presentation on the Local Government and Public Involvement in

Health Act 2007. This meeting was also attended by Members of the East Midlands Branch of ACSes and SLG Members. I believe this format worked well and may be useful for future meetings both to encourage attendance and increase networking with the other branches.

The July meeting was unfortunately cancelled. Due to the re-scheduling of today's meeting I am unable to attend, but I am sure that it will be both useful and interesting.

As the Chairman of the Branch, I have also attended the ACSes Council meetings, which has been both interesting and informative. This year has seen the incorporation of ACSes as a Company Limited by Guarantee and as the Chairman I am a Director of that Company. I am assured that all the appropriate insurances against any Company liabilities are in place.

The Council has been concentrating this year on important issues, such as:-

- Developing the relationship between branches and the Council
- Between branches themselves
- Raising the profile of ACSes.

It has also been reviewing the membership in an attempt to increase the numbers eligible to join. These issues were discussed by the Branch at a meeting on 16 May and as is reported in the Council Minutes decisions have been taken to extend the membership.

Another issue that has been ongoing during my year, is the relationship between ACSes and SLG with regard to the ownership and management of LGGLtd. This has been quite a contentious issue but at the last meeting of the Council on 3 October a settlement was finally agreed.

Again I thank you for all your support and, in particular, those who have hosted the meetings and to Peter Heard for his assistance as Vice Chairman A special thanks to Chris Hall for all his hard work as Secretary in arranging the meetings and ensuring that everything ran smoothly. I wish my successor well for the coming year.

Sue Lyons
Chairman

EAST MIDLANDS BRANCH

From a very low base in 2007 in terms of attendance we have started to see a marked increase in attendance at our Branch meetings and we have ensured attendance at National Executive meetings where the branch has played its part.

We have travelled around the Branch region and included a visit to Derby City and had a very interesting presentation from Claire Lefort on Standards issues as well as a visit from our National President David Carter. This was encouraging as our attendance in 2007 was so poor it was a relief that we did not manage to invite last year's president to any of our branch meetings.

We also had a successful meeting hosted by our Chairman at Leicestershire Police Authority at Police Headquarters in Enderby where our guest speaker was the Chief Constable of Leicestershire, Matt Baggott CBE, QPM. This provoked considerable discussion. Thanks should go to our Chairman who has valiantly combined his role as Chief Executive of the Leicestershire Police Authority with Branch Chairman effectively for the last 2 years as his predecessor as chairman was unavailable all the year he was vice chairman.

We have started to improve feedback to our branch from county associations and are continuing to develop this into the future.

There continues to be quite a staff turnover and we have welcomed a number of new members as well as said goodbye to some who have moved on or retired and some have remained active as past service members. This has included our branch vice chairman who is moving out of Branch to Telford.

At our AGM, which was held at Rutland County Council's offices on the 10th November 2008 we had a very interesting presentation from one of our members, Eleanor Hoggart, Assistant Director with Lincolnshire Joint Legal Services on this new, unique joint in house legal service for 6 of the 8 principal councils in Lincolnshire. We also congratulated Corby Borough Council on get the Highly Commended Award for Practice Standards at the national Law Society Awards in London in October. The first local authority ever to have won anything at these awards and up against stiff competition across the profession! The following Branch officers were elected:

Chairman: Geoff Pook, Rutland County Council
Vice Chair: Simon Aley, Corby Borough Council
Secretary: Robert Swinfield, Leicestershire Police Authority
Treasurer: Stuart Sugarman, Berryman Solicitors, Nottingham

Simon Aley
Branch Secretary

LONDON BRANCH

ACSeS London Branch held 5 successful meetings in various venues around the capital.

The December meeting was hosted by Clerkslegal LLP in Covent Garden, where Julie James and Malcolm Downey presented the topic of "Climate Change and Local Authorities." Adaptation is now what is required. The City of London have their Adaptation Strategy in place and the GLA has a duty to put one in place across London. We also debated a recommended Top 10 P.I.s, to be taken forward nationally.

The February meeting was at Pinsent Masons in the City, where Nick Dobson gave an interesting talk on "Public Law and Local Authorities." He went on to open up a wide-ranging discussion of the Local Government and Public Involvement in Health

Act 2007, and its implementation. The President was warmly welcomed and also addressed the meeting

Due to a late cancellation, Pinsent Masons was the venue again in May. This time Alan Aisbett spoke about the “Housing Green Paper and other Delivery Vehicles.” Clear Lloyd-Jones gave a presentation about the Local Assessment of Standards.

In July Simon Randall gave a thought-provoking talk on “Local Government in 2020” at Lawrence Graham LLP.

The September meeting took place at the Greater London Authority at City Hall and was particularly well attended. Dan Ritterband, Director of Marketing, and previously the Mayor’s Campaign Director, stepped in when the Deputy Mayor had to pull out. He spoke about the changes that had taken place at the GLA since the election of the new Mayor, and the challenges and goals for the future, in a newly collegiate London.

Also the London Branch had asked Rockpools to conduct a salary survey of staff in legal departments of 26 local authorities who volunteered to participate, and a confidential report with the results was produced. This led to a lively and informative discussion.

In addition to the above, the branch meetings provided a useful forum for members to discuss shared service initiatives, standards, hot topics, new legislation, to exchange best practice, and to obtain updates on all points of interest.

Richard Mellor
Hon Secretary

NORTH EASTERN BRANCH

Once again the Branch has covered a wide range of subjects in its discussions throughout the year, and has enjoyed hearing from a number of interesting speakers.

Guest speakers included Mike Chambers, Deputy Chief Executive of Oldham Council who is currently seconded to the Government Office of the North West as their Head of Partnerships. Mike attended our December meeting at the offices of Pinsent Masons in Leeds, where he gave a presentation on Local Area Agreements and the Local Government & Public Involvement in Health Act 2007, but also a very interesting insight into the central/local government relationships.

At the March meeting at Redcar & Cleveland we were joined by Andrew Scallan, Director of Electoral Administration & Boundaries for the Electoral Commission, who gave the Branch a presentation on the issues and challenges facing electoral administration in the UK and the priorities for the Commission; and in June the Branch met in Gateshead, where we were joined by Sara Goodwin, Head of Legal at the Standards Board for England, who gave a presentation on the “past, present and future” of the Standards Board.

As well as the Branch benefiting from these varied and interesting presentations, it was very pleasing to note that speakers of this quality also led to higher attendance at Branch meetings over the year, which I hope we can sustain well into the future. We also saw a number of new members of the Branch (and a number of existing members who were new attendees) joining us which was also encouraging.

The Branch benefited throughout the year from the very able chairmanship of Paddy Gascoigne (Blyth Valley DC) who, it is important to note, should be given due credit for securing attendance of the majority of the speakers. On behalf of the Branch I should like to thank Paddy for his contribution and commitment during what has been a very challenging year for colleagues in some of our district authorities.

Turning to the Branch finances, these have been managed ably by our Honorary Treasurer Garry Pointer (Tynedale DC) and continue to show a very healthy surplus. The Branch agreed to utilise funds in supporting training activity in the region during the year. This proved successful and will be considered again for the coming year. Again, on behalf of the Branch I should like to thank Garry for his support to the Branch in carrying out this important role.

While I have not been able to give the Branch my personal attention over the last year to the degree I would have wished, I should like to thank Ros White for the support she has provided me since taking over from Gillian Warnes. Gillian left Gateshead Council last October to take up a new post at Sunderland Council, but Ros has made sure the transfer of responsibilities for Branch administration was a seamless one.

On behalf of the Branch, I should also like to thank Calderdale, Pinsents, Redcar & Cleveland and Gateshead for the hospitality they have extended to us over the last year. Invitations from other authorities to hold future meetings in their offices would be most welcome.

Mike Barker
Honorary Branch Secretary

NORTH WESTERN BRANCH

This year has been a difficult one for the North West Branch. Attendance at meetings has been affected by the absence of Cheshire members as they were required to attend weekly meetings in connection with the establishment of the new Unitary Authorities and the overall difficulty that many members are having in scheduling diaries. The experiment of joint meetings with the North West and North Wales Branch of SLG was not a success although that will not put us off other joint working with SLG.

The Branch meetings were very ably chaired by Alan Eastwood and the training sessions continued to be well received, presentations being on Building Schools for the Future, Corporate Governance, Companies Act 2006, Members' Conduct and Local Assessment, Corporate Manslaughter & the Local Government & Public Involvement

in Health Act 2007. The Association President joined us at the last session, which he assures me he found very informative.

Despite the difficulties being faced by some members, the Branch has made nominations for portfolios and I anticipate the Branch continuing to be well represented at National level.

As usual, we have met at various venues and we thank Macclesfield, Cobbetts (Manchester), Weightmans (Liverpool) and Fylde for their hospitality.

Mike Dudfield
Branch Secretary

SOUTHERN BRANCH

Throughout the year, the Southern Branch has used the excellent networking opportunity of Branch meetings to discuss a wealth of topical issues of considerable relevance to members.

The very successful call-off contract involving a panel of 9 law firms, has been kept under review, and discussion has taken place on benchmarking initiatives and in particular the PI's for Legal Services produced by the London Authorities Group.

Branch meetings took place at Basingstoke, Marlow, Bournemouth and Newbury and members received presentations as follows:

*Alison Kelly from the Audit Commission on Good Ethical Governance

*Alex Goodman, barrister from 4-5 Grays Inn Square, who updated us on Freedom of Information

*Claire Lefort from Weightmans on the new ethical framework, local assessment and review, investigation reports and hearings

*Shivaji Shiva from Michelmores on Charity Law, Governance and Local Government

*Sally Rice and Karen Trickey from Michelmores, on Top Tips on Regeneration and Redevelopment, and "Planning Ahead" covering the new Planning Bill

Branch attendance has remained good with an average attendance of around 20 per meeting.

David Dongray (Wycombe) has ably chaired the branch with enthusiasm for the last 2 years, and has been succeeded by Gina Bailey (Fareham).

Stephen P Taylor
Branch Secretary

SOUTH EASTERN BRANCH

The appointment of Branch Representatives for the 12 months from September 2007 was as follows:

Chair/Director	Marie Kelly-Stone (Dartford)
Secretary/alternative Director	Ann-Maria Brown (Crawley)
Treasurer	Trevor Elliott (Rother) (retired June 2008)
Auditor	Duncan Milne (Swale)

There have been four meetings between September 2007 and September 2008. The first meeting in September 2007 was cancelled due to poor attendance.

- 14 December 2007 at Dartford Borough Council hosted by Marie Kelly-Stone
Claer Lloyd Jones Partner in Rockpools spoke on “Ethics and Governance and Career Development Opportunities”
13 attended
- 14 March 2008 at Reigate and Banstead Borough Council – hosted by Ann Coronel
Nick Marcar Service Manager in the Forensic and Investigation Services
Department of Grant Thornton spoke on standards issues
11 attended
- 13 June 2008 at Swale District Council – hosted by Duncan Milne
No speaker. The group discussed consultation matters produced from ACSeS
A) Review of membership
B) Status of branches
7 attended
- 12 September 2008 Dartford Borough Council, hosted by Marie Kelly-Stone
David Carter, President of ACSeS briefed the group on ACSeS initiatives
Nick Dobson of Pinsent Masons Solicitors spoke on “Bias, Fairness and other stories.”
6 attended

The presentations this year from our speakers were well prepared and on topical subjects, opening up the subjects for further discussion.

Shared Services and Joint Working, topics of interest, Ethics and the New Assessment of Complaints have been at the forefront of lively discussions.

Ann-Maria Brown
Branch Secretary

SOUTH WESTERN BRANCH

During the past year there has been considerable upheaval within the South Western Region arising from local government reorganisation and shared services. This has seen the move to establish a unitary authority for Cornwall and the merger, or work towards, of a number of authority's legal teams.

The Branch has also seen a higher turnover of members in the last 12 months compared with recent years.

Attendances at branch meetings have remained fairly constant despite these changes and members have valued the exchange of information from colleagues who are involved in these changes. Further work is planned to ensure the lessons learnt are documented and available on the ACSes web site.

Discussions have also taken place with Dudley Lewis from LGG to see how training events could be organised in the region.

Branch meetings continue to be held in some of the most picturesque venues in the country – the National Lobster Hatchery in Padstow, Taunton and this year we visit the recently refurbished Roman Baths in Bath.

Alan Webb

Hon. Branch Secretary

WEST MIDLANDS BRANCH

The West Midlands Branch met on four occasions in 2007/08. We have been privileged to have had some excellent speakers at our meetings during the year.

In December 2007 at Cheltenham, Stephen Cirrell of Eversheds gave a thought provoking talk on shared services in the public sector the central thrust of which was that the central government agenda was pushing LA's down the road to shared services in order to deliver ever greater efficiencies. He outlined the three models for shared services and mentioned some of the key considerations including EU procurement rules, corporation tax and cultural blockers.

In June 2008 at Stratford, Jennifer Jones of Everett & Company gave a very interesting talk on life after single status. Jennifer outlined the different species of equal pay claim that authorities are likely to face in the aftermath of single status, as well as considering what the solutions might be and how those solutions might be resourced.

In September 2008 at Cannock a joint team led by Eleanor Deady from Cobbetts and Deloitte spoke about the transition from more traditional contractual models to more innovative partnering arrangements for projects. These may help authorities move from the traditional win/lose relationship inherent in the employer/contractor model, to a win/win relationship where the Council and its "contractors" are partners in a joint venture.

Also at the meeting in September we had a very interesting training session delivered by Ian Blair looking at cultures within organisations and, in particular, at the various types of organisational sicknesses that can afflict organisations. Ian touched on issues such as "chest puffing", "relationship soup", "victim mentality" and the "OK Coral"!

The highlight of the year for the Branch was probably the March meeting. This was devoted to a training session on the local assessment of complaints under the ethical standards regime. The event was hosted by Bevan Brittan at their Birmingham Offices and delivered by Peter Keith-Lucas from Bevans and Sara Goodwin from the Standards Board for England. The event was open to branch members and Chairs of Standards Committees and was extremely well attended.

Philip Lloyd-Williams
Branch Secretary

WALES BRANCH

2007/08 has been another busy year for the Branch. Attendance at Branch meetings held in Llandrindod Wells is very healthy. Average attendance at meetings is 25. The Branch benefits from its close ties with the offices of the Ombudsman for Wales and Welsh Assembly Government. Officers from the Ombudsman's Service regularly attend our Branch meetings and during the past year in relation to WAG, we have both participated in and been consulted directly upon, emerging legislation, guidance and policy impacting upon the public services in Wales. It is gratifying that the Branch is now directly consulted on matters by Welsh Assembly Government without our having to ask directly. Their Senior Officers also regularly attend our meetings.

We have this year appointed a past member of the Branch as our Policy Officer and he is getting into the swing of issuing regular information bulletins to members of the Branch and raising our awareness of emerging issues from the Assembly which are likely to impact upon our work as well as being a point of contact for the Branch with WAG. In addition, he has now started to upload information onto the Branch page of the ACSeS website in order that any interested ACSeS members can inform themselves about current issues in the Principality. A useful resource for the ex-pat Welsh now plying their professional expertise across the border!

Following adoption of New Codes of Member Conduct in early summer, Ceredigion County Council on behalf of the Branch hosted an all Wales Standards Committee Conference at Aberystwyth University in September. We were hugely fortunate to have an impressive array of speakers ranging from Sir Christopher Kelly KCB, Chair of the Committee on Standards in Public Life to Anthony Porten, QC who addressed us on the Neath Port Talbot County Borough Council v Ware Monitoring Officer case and gave us some very useful comparative advice on the English/Welsh Code experiences. The Conference was very well received by all who attended and was very interactive and practical in its delivery. A huge success and definitely to be repeated.

The forthcoming year promises to be equally challenging and busy. Councils in Wales are heavily involved in the collaboration agenda and broad strategic partnership is the name of the game. The Legal and Corporate Governance issues these activities bring in their wake mean that the role of corporate solicitor and monitoring officer has never been more relevant. This is particularly so when the detailed delivery arrangements are expressly left to be developed as collaboration/partnership progresses.

At the AGM in September the following Officers were appointed:

Chair – Ian Hearle, Denbighshire County Council
Secretary/Treasurer - Trevor Coxon, Wrexham County Borough Council
Vice Chair - Kate Berry, City and County of Cardiff
Minute Secretary - Lynda Willis, Torfaen County Borough Council

**Trevor Coxon,
Branch Secretary**

REPORTS OF REPRESENTATIVES ON OUTSIDE BODIES

LGG TRAINING

LGG Training goes from strength to strength and continues to provide a range of value for money courses on a diverse range of subjects. Courses are of practical use to attendees who provide very positive feedback.

As you will have noticed from the programme for this year, Dudley Lewis and his team have made greater use of venues outside London in order to reduce travelling times. We are evaluating the take up of these events but, if they are supported, the aim will be to continue to provide them outside London.

We have made substantial progress with colleagues in Solicitors In Local Government on ACSes taking shares in, and appointing Directors to, LGG Limited, the company which owns LGG Training. A meeting has been arranged for December 2008 to try to finalise an agreed proposal to be put before both organisations.

John Polychronakis

CIPFA BETTER GOVERNANCE FORUM ADVISORY PANEL

The CIPFA Better Governance Forum Advisory Panel meets twice a year and comprises representatives from CIPFA and other bodies. Its purpose is to provide a steer to the work of the Better Governance Forum within the Institute of Public Finance, being the management support services of CIPFA. The Panel provides a useful means of contact with CIPFA officers as well as enabling ACSes to both contribute and benefit from the valuable exchange of governance information and development at the meetings.

**Tony Kilner
Policy and Development Officer**