

Milly Southworth

From: Julie Calleya <Julie.Calleya@cornwall.gov.uk>
Sent: 27 May 2026 11:30
To: CornwallALC Enquiries
Cc: Mary Gosling; Training Cornwall ALC
Subject: NALC LEGAL BULLETIN 26/05/2026 AND ADVICE NOTES

Information Classification: CONTROLLED

Dear Members,

We have recently received the following Legal Update Notes from the NAC Legal Team which contains items of interest:

The Subsidy Control Act 2022

We recently received requests about the implications of the Subsidy Control Act 2022. In 2023, we provided general guidance that we'd like to share again. The Subsidy Control Act 2022 came into force on 4 January 2023 and creates a regime covering any financial assistance by a public authority to an outside commercial enterprise. The controls apply to any situation where a local council has provided more than "minimal financial assistance". Minimal financial assistance is defined as not exceeding £315,000 in total over the current financial year and the two immediately preceding financial years. A subsidy is where a public authority provides support to an enterprise that gives it an economic advantage. The Subsidy Control Act 2022 does not apply to local authorities giving financial support to other local authorities.

Useful links:

[Department for Science, Innovation and Technology - The new UK Subsidy Control Regime induction video](#)

[GOV.UK - Statutory guidance for the United Kingdom Subsidy Control Regime](#)

[GOV.UK - Subsidy control rules: quick guide to key requirements for public authorities](#)

[GOV.UK - Subsidy control principles assessment guides](#)

Can a parish or town council hold two annual meetings — one for mayor-making and a subsequent meeting for business?

We were asked about a town council custom of holding two annual meetings in May. The first meeting focused on electing the chair and the associated civic ceremony, before being deferred to a second meeting a few days later for the council to conduct its formal business. In short, our view is that this was not permitted. Section 15 (2) of the Local Government Act 1972 says that the election of a chair shall be the first business transacted at the annual meeting of the parish council. The law requires an annual meeting, not two separate meetings. Our view is also that the practice of deferring the business in this manner did not comply with Section 15 (2) as the second meeting appeared to be held without the appropriate public notification. We also emphasise that there is no requirement for a separate civic and ceremonial meeting to be held or for a separate ceremonial role for a mayor, as there is with the mayor-making or the mayor role at the principal authority level.

Can a parish or town council have standing orders that only permit certain candidates to become chair of the council?

We were asked if parish or town councils could set criteria for eligibility to stand as chair. Our answer was no. The election of the chair of a parish council is provided for in Section 15 (1) of the Local Government Act 1972, which says that the chair of a parish council shall be elected annually by the council from among the councillors. The fundamental point is that a council's standing orders cannot remove statutory

rights. Legislation takes precedence over standing orders or custom. Any councillor can be elected chair under Section 15. Councils should not have policies or procedures that prevent a councillor from standing. The law does not provide a procedure for how a chair is selected. We understand that some councils make provision for certain councillors' standing, for example, the succession of the vice-chair or long-standing councillors. Our advice in such cases has been that councils must still consider councillors wishing to put themselves forward other than in accordance with council policies or standing orders.

Publishing councillor addresses on the register of interests

The Ministry of Housing, Communities and Local Government recently wrote to us to confirm that from 29 June 2026, local authorities must not publish an elected or co-opted member's home address in local authority registers of interest. A new Section 32A of the Localism Act 2011 (the 2011 Act) makes clear that a member's home address must not be disclosed on the authority's public register of interest unless the member has requested otherwise. The requirement not to publish a member's home address extends to parish and town councils that publish registers of interest on their own website in line with Section 29 (7) of the 2011 Act. To aid transparency, public registers of interest will still state that a member has an interest, the address of which is withheld. The exact address details are still declared to the monitoring officer, remain available internally to authorities and will continue to prevent conflicts of interest.

Assets of community value changes

The English Devolution and Community Empowerment Act 2026 (the 2026 Act) received Royal Assent at the end of last month. We understand that the 2026 Act makes changes to the Localism Act 2011 with respect to assets of community value. The changes are not in force. We will update any guidance as required when the law comes into effect, possibly next year.

Finding a solicitor

We are often asked whether we can recommend local solicitors' firms to parish and town councils seeking legal advice or representation. However, we are unable to recommend individual solicitors or firms. Instead, we direct councils to the Law Society's [Find a Solicitor](#) service.

Recent team activity

We have updated our advice note on local council documents and records. We have also published four HR policy templates, which include updated policy templates on [paternity leave and pay](#), [sickness absence](#) and [whistleblowing](#), and a new policy template on [bereavement](#). These updates are because of provisions of the Employment Rights Act 2025 coming into force. Additionally, our legal manager and senior solicitor, Jane Moore, delivered a legal update for the Cleveland Local Councils Association on 26 March 2026.

Disclaimer: Information and commentary on the law contained in this bulletin are provided free of charge for information purposes only. Whilst every reasonable effort is made to make the information and commentary accurate and up to date, no responsibility for its accuracy and correctness, or for any consequences of relying on it, is assumed by any member of NALC's legal team. The information and commentary do not, and are not intended to, amount to legal advice to any person on a specific case or matter. You are strongly advised to obtain specific advice about your case or matter and not to rely on the information or comments in this email.

Kind regards,

Julie Calleya
Administration Officer
Cornwall Association of Local Councils
Unit 2, 1 Riverside House
Heron Way

Newham
TRURO
Cornwall TR1 2XN

Tel : 01872 326969

Email : training@cornwallalc.org.uk or enquiries@cornwallalc.org.uk

URL: www.cornwallalc.org.uk

The content of this email is intended for the named Council in membership of the Association and is based on the information provided at the time of the enquiry. The Association is neutral and unbiased and the advice given is for the benefit of the named council as a whole and the information provided is in line with current best practice. Details of the CALC Privacy Statement can be accessed from our website www.cornwallalc.org.uk.

This e-mail and attachments are intended for above named only and may be confidential. If they have come to you in error you must take no action based on them, nor must you copy or show them to anyone; please e-mail us immediately at enquiries@cornwall.gov.uk. Please note that this e-mail may be subject to recording and/or monitoring in accordance with the relevant legislation and may need to be disclosed under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004. Security Warning: It is the responsibility of the recipient to ensure that this e-mail and any attachments are virus free. The Authority will not accept liability for any damage caused by a virus.

