



Creating a Local Council: a guidance manual



REGIONAL LOCAL COUNCILS ASSOCIATIONS

Yorkshire Local Councils Associations (YLCA)

York House

Outgang Lane

Osbaldwick

York

YO19 5UP

Telephone: 01904 436622

Email: admin@yorkshirelca.gov.uk

(Note: three joint associations cover each of North Yorkshire, South Yorkshire and West Yorkshire)

East Riding and Northern Lincolnshire Local Councils Association (ERNLLCA)

Haven House

Waterside Road

Barton upon Humber

North Lincolnshire

DN18 5BD

Telephone 01652 661617

Email: enquiries@ernllca.org.uk

(Note: covers East Riding of Yorkshire, Hull, North East Lincolnshire, North Lincolnshire)

Acknowledgement

This guidance manual has been produced as an outcome of the Yorkshire and the Humber Parish Creation Support Project which was funded by the National Association of Local Councils (NALC) with grant aid from the Department of Communities and Local Government.

© Yorkshire Local Councils Associations and East Riding and Northern Lincolnshire Local Councils Association, 2011.

ABOUT THIS GUIDANCE MANUAL

Local councils associations are frequently asked to give support to communities interested in setting up a local council, and the Yorkshire and Humber region is no exception. What had become increasingly evident was that there was no single document which would be of practical use to community groups to help guide them through the complexities of the process of setting up a new local council.

Even the term 'local council' can be confusing. We often refer to 'local authorities' or 'our local council' when we mean the council which provides services such as emptying our bins, providing schools, social services or libraries. In the context of this guidance manual the term 'local council' is used to mean what is commonly referred to as a 'parish council'. The word 'parish' however has a distinctively rural feel to it and other styles such as 'community council' or 'neighbourhood council' are far more appropriate in an urban setting.

The term 'local' council is the generic word used for the first tier of local government in England and includes parish, village, town, community and neighbourhood councils.

This manual is particularly targeted at community groups interested in exploring the benefits to their local community of having a local council. It is however also intended to be of value to local councils associations and principal authorities throughout England.

As local councils are statutory bodies there is inevitable reference to the legislative framework within which councils have to operate and which guide the setting up of new councils. The manual helps navigate through the legislative process following a structured approach from concept through to the first meeting of a new council.

When it is enacted the Localism Bill published in December 2010 is likely to have a fundamental influence on the powers available to local councils and their relationships with principal councils. This manual will be regularly reviewed to reflect legislative change. Updates will be published on both the Yorkshire Local Councils Associations' (YLCA) and East Riding and Northern Lincolnshire Local Councils Association's (ERNLLCA) websites.

It has been jointly published by the Yorkshire Local Councils Associations and the East Riding and Northern Lincolnshire Local Councils Association, funded through the National Association of Local Council's regional development and support fund. The local councils association for your area can offer practical support and assistance to any group wishing to pursue the creation of a new council.

Remember you are not alone...the local councils associations have a wealth of experience and expertise...you only need to ask!



Sheena Spence
Chief Officer
YLCA



Alan Barker
Executive Officer
ERNLLCA

CONTENTS

About this guidance manual	3
Introduction	6
Background to local (parish) councils	7
• Historical context	7
• Creating new councils	7
• Powers and responsibilities of local councils	8
• Localism Bill 2010	8
• How local councils are funded	9
The process for creating local councils	10
• How is a new local council created?	10
• Deciding on the area	11
• Community Governance Reviews	11
• Community Governance Petitions	12
• Community Support	13
• Steering Committee	13
• Getting the signatures	13
• Model Community Governance Petitions	13
Effective consultation	14
• Getting started	14
• How can we consult?	15
• Methods of consultation	16
• Frequently asked questions	18
• Get the best out of Public Meetings	19
• Role of the Principal Council	20
Decision time	21
• What happens next?	21
- Unsuccessful?	21
- Congratulations – you have a new council!	21
• Electoral arrangements	21
• Setting the precept	22
• Elections	22
• The local councils associations	23
• Membership benefits	23

CONTENTS

Your first meeting	24
Calling the first meeting	24
Declarations of acceptance of office	24
Election of Chairman	25
Election of Vice Chairman	25
Proceedings	25
Standing Orders	25
Committees	26
Code of Conduct	26
Financial management	27
Annual parish meeting	27
<i>The Good Councillors Guide</i>	27
Managing the council day to day	28
Appointing staff	28
Training	29
Quality Council Status	29
For your notes. . .	30

Case Studies

Case Study 1 Great Coates Village Council

Case Study 2 Keighley Town Council

Appendices

Appendix 1 Powers and legislation

Appendix 2 Community governance petitions

Appendix 3 Frequently asked questions (FAQs)

Appendix 4 Getting the best out of public meetings

Appendix 5 Model Summons and Agenda for the first meeting

Appendix 6 Community Presentation (Powerpoint)

Appendix 7 Additional information

Appendix 8 Local Councils Associations

INTRODUCTION

Increasingly communities want a voice in deciding what local services are provided, when and where. Parish and town councils, often referred to as local councils, are well positioned to both deliver local services and be accountable to the local community. They truly are local with councillors being the trustees of public opinion, land and property. Throughout this guidance the term 'local council' will mean parish and town councils as well as the newer styles of community, neighbourhood or village councils.

Local councils are the grass roots of local community democracy. They are also the first tier of local government with duties and powers given to them by Parliament. When we hear talk of devolving decision making to local communities these are increasingly seen as key players. They do not only provide local services but by serving as the voice of the local community and by working together with principal councils and community groups, can ensure the views of local people are heard by other service providers.

Over 150 new parish and town councils have been created since 1997. Many of these are in urban areas which were previously unparished, allowing communities to take greater control over their local affairs and decisions that affect their lives.

This manual is intended to assist those interested in creating local councils. It works through the mechanics of setting up a council and gives pointers as to how to engage positively with the local community and respond to the traditional view of local councils being another layer of bureaucracy and a drain on the council tax. It covers:

- The background to local councils, including powers and responsibilities and how local councils are funded
- The process for creating local councils
- Practical advice on how to manage consultation and getting your message across
- What happens once the decision is made
- Your first meeting
- Managing the council day to day

Where there is no existing council the drive for change comes from the local community. The manual is intended to be of assistance not only to community groups who are seeking the creation of a local council in their area but also to those key individuals who will necessarily need to take the lead.

Support does not end with this manual – your local councils association is able to offer practical advice and support throughout the process of establishing a new council.

BACKGROUND TO LOCAL (PARISH) COUNCILS

- Historical context
- Creating new councils
- Powers and responsibilities of local councils
- Localism Bill 2010
- How local councils are funded

Historical context

Local (parish) councils are the first tier of Local Government and were created by statute in 1894. Before then for many years, the affairs of the parishes had been administered by local churches, or meeting of the village inhabitants. Usually the squire, the parson and the principal ratepayers dominated these meetings. Some became 'select vestries', and were only open to those people deemed 'suitable' to serve. In most parishes, especially the more rural ones this system worked well but in others it was virtually non-existent or very inefficient.

Due to a general movement towards greater 'democracy', a Parliamentary Bill was promoted to create parish councils. After a difficult passage through parliament and many amendments, this Bill became an Act in 1894. Its effect was to transfer all non-ecclesiastical functions from the church to the elected parish councils. Some other functions were added, such as those relating to the burial of the dead, which had, many years before, been vested in Burial Boards.

In the early days the chairman would usually be the parson; in fact in order to take up the role he would at times be co-opted on to the local council if he had not been elected.

The Local Government Act 1972 ironed out many anomalies and difficulties that had arisen over the years since the 1894 Act. The activities of local councils are now much more open with the lines of responsibility and accountability being more clearly laid down so that those people the local councils were formed to serve can be fully aware of what is being done on their behalf; in fact they are positively encouraged to participate.

Local councils are statutory bodies and elected councillors, whilst they give their time freely, have statutory responsibilities. Councillors are accountable to the electorate through the ballot box and it is by the holding of elections every four years that the public can decide who they want to act on their behalf.

Creating new councils

The position of local councils has been strengthened by the Local Government and Public Involvement in Health Act 2007 which introduced the concept of community governance reviews. Principal councils (district councils, metropolitan district councils or unitary councils) now have the power to carry out community governance reviews and put in place changes to local community governance arrangements.

A review can consider a number of issues, including:

- Whether to create a new parish
- Whether to alter the boundary of an existing parish
- Whether to group a number of parishes together in a grouped local council.

Local people can petition a principal council to undertake a community governance review and the principal council must undertake a review if the conditions in relation to the petition are met. Community governance reviews are so important to the creation of a new parish that there is a separate section about them in this manual.

Powers and responsibilities of local councils

Local councils may only act within the powers given to them by Parliament and contrary to the view of many they cannot just do as they wish. Powers given to local councils come from many Acts of Parliament but the most significant is *The Local Government Act, 1972*, which describes the modern powers and responsibilities. For example local councils may only spend public money on functions or actions for which they have a statutory power. Similarly they also need to be aware of the things they must do.

There is a distinction between a 'power' and a 'duty'. A 'power' is where a council has the discretion to either do something or not. A 'duty' is where the council has to do something.

Since 2009 local councils have been able to adopt a *Power of Well Being*. This provides them with a general power to spend on any activity which adds to the wellbeing of the community. There are however criteria which each council has to meet and require the council to have:

- a minimum of two-thirds of vacancies on the council filled at the last ordinary elections;
- a qualified clerk trained in the use of the power of well-being;
- a minimum of 80% of councillors trained in the use of the power of well-being; and
- a published statement of community engagement;

Most recently the Government has signalled its intention to shift power back into the hands of individuals, communities and councils by publication of the Localism Bill in December 2010. It will take some time for the Bill to pass through Parliament and become law and there may be many changes as the Bill proceeds. Nevertheless its progress should be closely monitored as it will have significant implications for existing and new councils.

Details of some of the powers available to parish and town councils are listed in Appendix 1.

Localism Bill 2010

Key points of the Bill affecting local councils include:

- a power for local people to approve or veto excessive council tax rises through a local referendum – although spending by many local councils will be below a set limit;
- a right for local councils – as well as voluntary and community groups, social enterprises and local authority employees delivering a service – to express an interest in running any service for which they are responsible;
- the chance for communities to develop a bid and raise the capital to buy a local community asset when it comes on the open market;
- the power for the electorate, councillors and councils to instigate a local referendum on any local issue;
- a new general power of competence which will allow councils, including certain local councils to do anything apart from that which is specifically prohibited;

- councillors will be free to campaign, express views on issues and vote on those matters, without fear of being unjustly accused of having a closed mind in contrast to the provisions of the current Code of Conduct;
- abolition of the Standards Board for England and a new duty on councils to promote and maintain high standards of conduct, including the adoption of a voluntary code of conduct;
- changes to the Community Infrastructure Levy including provisions requiring some of these funds to be passed to neighbourhoods where the development has taken place;
- a new right for local councils to shape their areas through neighbourhood plans. This will enable communities to permit development without a need for planning applications;
- the power for communities to take forward development in their area without the need to apply for planning permission, subject to meeting certain safeguards and securing 50 per cent support of the community through a referendum.

How local councils are funded

Local councils are able to raise money for their activities through a tax, called the 'precept', on the residents of the parish. This is collected on their behalf by either the district or unitary council in addition to the normal council tax collected. It is then usually paid to the local council in two equal instalments.

It is up to the local council how much it demands by way of 'precept' but when setting the annual budget it must take into account how much it intends to spend and on what. It must have a clearly defined budget that will stand up to scrutiny.

A local council can 'borrow' money (i.e. arrange a loan) within set parameters, but permission must be sought first. It has to be for a defined purpose and proof has to be given that the loan can be repaid, with interest. Grants can also be obtained from various sources but these are usually for specific projects and are therefore not suitable for general administration and maintenance purposes.

THE PROCESS FOR CREATING LOCAL COUNCILS

- How is a new local council created?
- Deciding on the area
- Community Governance Reviews
- Community Governance Petitions
- Community Support
- Steering Committee
- Getting the signatures
- Model Community Governance Petitions

How is a new local council created?

A new local council is created through a community governance review. This is a review undertaken by a principal council making changes to community governance for the whole or part of its area. This includes the creation of new local councils or the alteration of existing local councils. It is important to note that a new council is only likely to be created if there is strong community support, i.e. where people have expressly indicated they want a new council.

Since February 2008 principal councils have had responsibility for creating parished areas. Government guidance says that in areas where there are 150 or fewer electors then principal councils can only create a parish meeting. There is more discretion where the electorate is between 151 and 999 – in these circumstances either a parish council or a parish meeting can be created. If the parish has 1,000 or more local government electors, the review must recommend that the parish should have a council.

Principal councils can choose to undertake a community governance review. Alternatively, a community can prompt a review by securing enough signatures and making recommendations to the principal council – this is called a community governance petition. It is the responsibility of principal councils to undertake reviews and take decisions on them although they must follow guidance published by the Government.

It should be noted that a principal council does not have to follow the recommendations made in a community governance petition but it would have to demonstrate sound reasons for not doing so.

There are two important documents that relate to setting up a new local council:

The Local Government & Public Involvement in Health Act 2007

Guidance on Community Governance Reviews – Published by the Department for Communities and Local Government and the Local Government Boundary Commission for England. This lays down guidelines on undertaking community governance reviews and implementing any decisions.

Deciding on the area

If people have an identity with an area this can be called a sense of place and they can usually say where their community starts and ends. It is relatively easy for small rural communities to identify their area but in urban areas it can be more difficult to identify these boundaries.

In choosing an area it is best to start by trying to decide which parts of the area are your neighbourhood and which parts are not. Even in urban areas people will feel a sense of identity with an area such as an estate or an area bounded by major roads or divided from other areas by natural boundaries such as rivers and streams.

Other man made boundaries may also help define an area as might existing administrative areas, such as polling districts or electoral wards. It is a good idea to get a map of the wider area, say a city, and stimulate discussion by drawing a line round the area your group feels best fits the boundary of your community. Quite often towns have a sense of history or historical boundaries and these can also help in defining the area for a new local council.

Whatever boundaries are decided upon they must be easily identifiable and must fall wholly within a single principal council.

An important point to remember is that the boundary will need to properly define your community. Whilst any change needs people to champion and drive the process it is important that the proposals for change have the support of local people. Consultation is the key – not just for you to communicate your thoughts but for the community to have a voice and feel that their voice will be listened to. It would be a huge mistake to feel that the proposals brought forward have to be defended.

Consultation however comes at a price and expectations will be raised. It is highly unlikely that all those that respond to consultation will have a common view and as the champions of change you must be prepared to facilitate discussion and debate so that the recommendation that goes forward in the community governance petition has wholehearted support of the community, even though there might be differences of opinion on the finer detail.

A public meeting is a useful way of putting forward your ideas and discussing them. Ensure that you are open-minded in your approach. Have maps and background information available to support the proposals and most important of all listen to views expressed – especially if these seem against your proposals. You will need to consider the strength of public opinion in favour of a new council before deciding whether or not to promote a community governance petition.

Community Governance Reviews

The Local Government and Public Involvement in Health Act 2007 devolves to principal councils the power to take decisions about matters such as the creation of parishes and their electoral arrangements. Principal councils are required under section 100 of the 2007 Act to have regard to guidance published by the Secretary of State. This provides assistance on:

- Undertaking community governance reviews;
- The making of recommendations for electoral arrangements for local councils;
- The making of consequential recommendations to the Electoral Commission for any necessary alteration to the boundaries of electoral areas of the principal authority;
- Implementing recommendations in a review.

It is important to note that a local council can resolve to call itself a parish, town, community, neighbourhood or village council. However a local council has to be established before that council can do this.

Whilst the process might at first sight appear daunting the 2007 Act was intended to streamline the decision making process, to simplify it and make it more local.

It should be noted that under the 2007 Act the decision of a principal council on a community governance review is final. This means that there is no appeal against such decisions, although the principal council should have sound reasons for refusing to create a new council.

Community Governance Petitions

Under the 2007 Act, local electors throughout England can petition their principal council for a community governance review to be undertaken. The petition must set out at least one recommendation that the petitioners want the review to consider making. These recommendations can be about a variety of matters including:

- the creation of a parish
- the name of a parish
- the establishment of a separate parish council for an existing parish
- the alteration of boundaries of existing parishes
- the abolition of a parish
- the dissolution of a parish council
- changes to the electoral arrangements of a parish council
- whether a parish should be grouped under a common parish council or de-grouped.

For a petition to be valid it must meet certain conditions. The first of these conditions is that a petition must be signed by a certain number of local electors (see below). The principal council will wish to validate the petition against the electoral roll (voters register). Consequently guidance recommends that petitioners aim to collect signatures based on the most recently published electoral register, available from the principal council.

The three thresholds are:

- a) for an area with less than 500 local electors, at least 50% must sign the petition;
- b) for an area with between 500 and 2,500 local electors, at least 250 must sign the petition;
- c) for an area with more than 2,500 local electors, the petition must be signed by at least 10% of the electorate.

These thresholds are intended to ensure that it is possible to collect the minimum number of signatures whilst at the same time preventing a very small minority of electors triggering a review. In areas with higher populations the threshold is set at a level which will not prevent a genuine desire for a review being realised. The lower threshold also ensures that in areas with smaller numbers of electors, a handful of electors cannot initiate a review against the wishes of the majority of the electorate.

Guidance says that the petition should define the area to which the review relates, whether on a map or otherwise, and refer to identifiable fixed boundaries. Where a petition recommends the establishment of a local council or parish meeting in an area which does not currently exist as a parish, the petition is to be treated as including a recommendation for a parish to be created even if it does not expressly say so.

Community Support

Once you are confident that there is strong community support for the creation of a parish and for a local council then you can start collecting signatures.

Remember – the petition should define the area to which the petition relates, whether on a map or otherwise. Guidance does not stipulate a map has to be included with the petition although this is strongly recommended. A map showing the proposed boundary ensures the extent of the proposed council area is clear.

You can find out how many electors there are in the defined area by asking the electoral registration officer for your principal council.

Steering Committee

Those leading the campaign for a new local council will wish to be open, transparent and inclusive in engaging with the community. The establishment of a steering committee and inviting people to express an interest in working for the campaign ensures the community feel involved and that they can have their say in planning for the future of the community they live in. It also provides a pool of willing volunteers.

It is important that the steering committee can claim to speak on behalf of the community but its members must remember that they are there to help guide the process up to election of councillors when their role comes to an end.

Getting the signatures

To be able to collect the required number of signatures you will need to convince people that a local council is right for your area and consider how you wish to get the message out. This can include:

- Getting out and talking to people to explain what a local council could do for the area;
- Working with other local organisations to get them on board;
- Holding a public meeting to create discussion and provide information;
- Holding an exhibition in a local hall or library;
- Making information available in libraries, local shops, community centres, etc;
- Speaking to the local press, issuing a media release, getting a slot on local radio;
- Setting up a stall in the local shopping centre. This is a great way of highlighting the issue with people who are unlikely to attend a public meeting. It also allows you to gauge public opinion and respond to questions raised;
- Developing a website – and as questions arise from other forms of consultation include these as frequently asked questions (FAQs).

Model Community Government Petitions

Examples of possible community governance petitions are included in Appendix 2 to this guidance.

Once the petition and map have been submitted to the principal council it will validate the signatures and determine a process for conducting the community governance review in accordance with Government guidance. This will involve community consultation and you will wish to participate in any public meetings that are arranged and initiate your own public relations exercise to promote the benefits of establishing a local council for the area you have defined.

EFFECTIVE CONSULTATION

- Getting started
- How can we consult?
- Methods of consultation
- Frequently asked questions
- Getting the best out of public meetings
- Role of the principal council

This is about getting your message across in the most effective way!

Getting started

“Every action has an equal and opposite reaction”

– Sir Isaac Newton’s third law of motion

It is important to know why you want to create a parish and to be able to communicate this effectively to the community and to the principal council. The drive might come from a desire to promote civic pride and a sense of place or to provide local services for local people – possibly in addition to or to enhance those provided by the principal council. Sometimes the drive can be prompted by dissatisfaction in local services and a feeling that in some instances a local council can better meet the needs of local people.

Much more can be achieved through a common understanding than a confrontational approach. Whilst communities can exercise their right to present a community governance petition, and principal councils have to respond in accordance with the 2007 Act, there is no better way of starting the ball rolling than by opening up a dialogue with your principal council.

Imagine a situation where the drive to establish a new parish comes from openly expressed criticism of the principal council, its policies, its councillors or its officers. Such antagonism will inevitably breed suspicion and contempt and raise questions about the true motives for wanting to develop a parish. This might also manifest itself in suggestions that the agenda is simply to provide a power base for those promoting the formation of a parish!

If the community organisation you are involved in has a high profile then the ward councillors will already know of its existence and what it stands for. These councillors are a good starting point especially as you will want to get them on board as soon as possible.

You will want to explain to them what you want to achieve and why. They will want to know what you expect of them, how it will affect their representative role and what benefits will be gained – for the community and potentially for the principal council itself. You will also be able to reassure them that the work of a local council will be complementary to, and not a challenge to, the work of the principal council or the important role they play as ward councillors.

Remember that principal councils are usually divided along political lines. Are you aware of the political balance of yours? Be aware of the political allegiance of your ward councillors and whether they are in power, in opposition or part of an alliance or coalition. Also be aware of the extent to which your approach might suit the ward councillors’ own agenda and whether or not they may seek to manipulate you for their own ends.

This may sound as if principal councils are full of intrigue but the reality is that you need to be alert to these sensitivities and that you will be dealing with politicians who may well be driven by political ideals, a desire to increase their own power base and influence as well as wishing to serve the community.

The point of mentioning this is not to question the integrity of politicians but to raise awareness of the political context within which they operate. Raising your aspirations with ward councillors will be a good barometer as to how the concept of parishing an area with the potential for a local council will be received by the council as a whole. After all, the council may well have committed itself to improving community governance and see the benefits of developing local councils, especially if it is considering some form of community management of services or community buildings.

So what can ward councillors do? First of all by simply contacting them it raises awareness of the desire to establish a parished area. It also allows you to put your case and for them to share knowledge and information about principal council policies and any other community governance initiatives being considered. They might also be able to signpost you to appropriate officers so that you can get a full briefing on the current localism agenda, if there is one, and the most appropriate way to progress.

It is difficult to predict what level of support you might get from your principal council. This will depend on a huge range of factors, such as the commitment of leading politicians to the idea, current policies relating to community governance, a desire to devolve services or even a desire to maintain tight control of services through centralisation. Some may support the idea of a new local council whilst others may not; some may be split on political lines.

Whatever stance is taken by the principal authority it has a responsibility to engage in meaningful community consultation.

How can we consult?

Increasingly there is an expectation that councils will consult with their communities and there is a lot of good practice across the country. Since April 2009 there has been a duty on principal councils to ensure people have greater opportunities to have their say. Guidance has been published which says that the aspiration is to embed a culture of engagement and empowerment. The duty means that principal councils, as a matter of course, consider the possibilities for provision of information to, consultation with and involvement of *representatives of local persons* across all authority functions.

It is against this backdrop that your consultation will take place – an expectation in the community that the community will be involved in taking decisions that affect their lives. To be effective, consultation requires planning and it is important to start the planning process as early as possible.

It is important to prepare fully and in particular:

- Set out what you want to achieve from consultation
- Plan consultation/engagement activities **and** identify stakeholders
- Prepare supporting documentation, e.g. description of the area to be parished and associated map
- Identify your audience
- Analyse responses to the exercise and consider the results
- Give feedback and how you will do this

Methods of consultation

There are many ways of undertaking public consultation but a few of the main ones are listed below together with some of the important considerations you will need to take into account when planning your consultation programme.

You will also need to recognise the financial cost of consultation and consider how funding can be sourced. It may be that the principal council is able to offer support by making facilities available at no cost or it may be that some funding might be available from some form of community chest or other source of financial support. You may also be able to enter into joint working with other community groups to achieve economies of scale.

Method	Considerations
Public meetings and exhibitions	<p>Exhibitions should be held locally and preferably over a number of days and at varying times of day to ensure that all sections of the community are appropriately represented. Exhibitions can be fairly expensive as they have to be designed, set up and staffed with people who are knowledgeable about the proposals and able to communicate effectively with those visiting the exhibition. The limitation is that it is up to individuals whether they attend or not so you might not reach a wider audience.</p> <p>Similarly those attending public meetings are self selecting.</p> <p>Public meetings and exhibitions provide a transparent opportunity for open discussions, provide an early opportunity for the community to comment on proposals, and can offer a high degree of success in keeping people informed.</p> <p>Some pointers for successful public meetings are outlined in the main text below.</p>
Surgeries (an opportunity for one-to-one discussion)	<p>These can be held when representatives of your group make themselves available for one-to-one discussion with members of the public on a ‘drop in’ basis. They allow open discussion and provide an opportunity to address individual enquiries.</p> <p>The advantage is that your campaign can be taken into the heart of the community by holding surgeries in a variety of places that are easily accessible. Venues need to be organised and they need to be widely advertised in advance. Again, they need to be staffed with people who are knowledgeable about the proposals.</p> <p>Surgeries can provide a greater focus on individuals and on any issues and concerns, take consultation out to the community, provide a personal opportunity to consult and allow an opportunity to explain the complexities of the process, and the benefit to the community of having of having a local council.</p>

Workshops	<p>Workshops are often used at an early stage to involve the community and local groups in the planning process. They take the form of open discussion and involve bringing interested parties together to discuss issues such as the services the community would like a council to provide and defining possible boundaries.</p> <p>Workshops can be held as often as is felt necessary, especially as proposals emerge. A huge advantage is that they may provide a strong support on eventual proposals.</p> <p>Workshops require significant preparation to allow a structured approach and to ensure the community is kept informed of progress. They are also helpful to stimulate community support by involving local people in identifying issues, focusing discussion and engaging the wider community in other consultation processes.</p>
Consultation Groups	<p>These are usually used in larger areas and can be made up of a wide cross section of the community, such as local residents, local schools and other community groups, e.g. community associations and youth groups. They can sometimes be used in partnership with a principal council if it is undertaking a community governance review.</p> <p>Consultation groups may take a while to put together to ensure that all community interests are represented and that no significant contributors are ignored. You run the risk of alienating those who have been excluded and potentially create antagonism towards the aspiration to develop a local council in the area.</p> <p>They can help to ensure that the views, opinions and concerns of local communities are taken into consideration, and are useful in feeding back to local communities.</p>
Newsletters and leaflets	<p>Your organisation might already publish and circulate a newsletter to residents in the area. This is a useful way of getting your message across in a concise and coherent way to everyone in the community.</p> <p>It is advisable to put forward a balanced view of your proposals stressing the benefits of a local council and the aspirations you have to improve services in the area. You can draw comparisons from other areas where a local council has made a difference to demonstrate how things can be changed in your community. It is also helpful to acknowledge the additional council tax liability but put this in a positive context, for instance if it is estimated the additional council tax burden is £25 per year it can be put across as only equivalent to the price of a packet of crisps or a chocolate bar a week!</p> <p>Similarly the community can be leafleted.</p>

<p>Websites</p>	<p>The development and use of a website offers greater access and involvement for all members of the community.</p> <p>A web address is known as a ‘domain name’. These can be purchased and activated reasonably cheaply. To check the availability of a domain name simply enter ‘domain name’ into your search engine of choice, e.g. Ask, Google, etc. This will produce a list of companies that can assist with your preferred web address.</p> <p>Websites are increasingly the first port of call by the public seeking detailed information. Having your own website allows individuals to access information about your campaign at their leisure whenever they wish.</p> <p>There will be a cost in setting up a website but it will give you a high profile and allow you to get your message across in an easily accessible and effective way.</p> <p>A website should be user-friendly and enable access to all relevant documents (e.g. in pdf and word format) including maps etc.</p>
<p>Media (local press, TV, radio, etc)</p>	<p>The use of local newspapers/radio station to carry articles and stories about your proposals would have the benefit of reaching and engaging the wider community.</p> <p>The media is useful for raising levels of awareness and the profile of the proposal for a local council – especially where this is seen as something different and innovative or where the issue is known to be controversial.</p> <p>Controversy sells papers!</p> <p>Any press coverage could also give details of how to contact those championing a local council to enable one-to-one discussions, details of any exhibitions, surgeries or public meetings being held.</p> <p>The local newspaper might also be encouraged to participate in a public consultation exercise but be aware that these can sometimes be hi-jacked by those against your plans by energising opposition through their own supporters!</p>

Frequently asked questions (FAQs)

Having said much more can be achieved through partnership and co-operation this may not always be possible. There are many sides to an argument and it takes skill to recognise the strengths and weaknesses of any arguments that are put forward and be able to eloquently counter these in a constructive and considered way.

In any form of public debate it is important to be prepared. In Appendix 3 we have produced some FAQs as prompts. These can be copied for use by others as an *aide-memoir* when being asked questions by the general public.

These FAQs cover such issues as the benefits of a local council, the process for setting up a council, funding, who councillors are, working with existing community groups, etc.

Getting the best out of public meetings

Very few of us have the confidence or experience to stand in front of an audience that may be hostile and command its attention. In reality if you are going to be effective in influencing public opinion then you must gain the confidence of your audience.

There are a number of key pointers to effective public meetings:

- Remember first impressions count!
- A strong chairman is essential if the meeting is to be orderly and representatives as well as the public have the opportunity to comment. A weak chairman may lose control of the meeting and those with the loudest voices will dominate and may adversely influence the audience's opinion. Lay down the ground rules for debate before the meeting starts
- If the meeting gets out of hand those in opposition will use the lack of discipline to undermine the credibility of any future local council and the way it might conduct its business
- It is also good practice to have an independent chairman. This will ensure that everyone is seen to have an equal opportunity to speak and minimise any allegations of gagging
- Your spokesperson should be confident and eloquent as well as understanding the issues.
- It will help your cause if your spokesperson is well known and respected in the community.
- Responses to questions should be informative and in language understood by the audience – beware of being patronising!
- Listen!! Be open to different suggestions and take these on board but beware change for changes sake!
- If you are promoting a community governance petition then gauge the likely level of community support. If there is very little then recognise and acknowledge this. If there is significant support then ask for ideas as to how the petition can be promoted and ask for volunteers!
- Ensure a copy of the petition is available for people to sign
- Recognise there will be opposition to your proposals. Always accept the alternative view but counter this in a constructive way
- Those opposing the formation of a council may well rally their support and crowd the meeting. Ensure you also have a strong body of support
- Remember that a local council can only act within the powers given to it by Parliament. Do not raise expectations that cannot be met
- Involve your local councils association's officer as an 'expert witness' as a voice of authority on matters of fact.
- Ask people to sign in to the meeting – this will help you keep in touch with them
- Give a commitment to keeping the community informed as to progress

These are so important they are repeated in Appendix 4 so that they can be easily photocopied and circulated amongst those representing your group at public meetings.

People attending a public meeting rarely have a full understanding of the issues and are looking to improve their knowledge and understanding of issues under discussion. A short presentation to explain the main drivers for the proposals, what the proposals are, how much they will cost, the benefits and possible timescales, etc. will go a long way to answering many of the questions you may get. This will allow more time to explore some of the more fundamental issues and matters of detail.

An outline presentation is included as Appendix 6 to this manual.

The role of the principal council

The *Guidance on Community Governance Reviews* published by Communities and Local Government in March 2010 makes it clear that there is an expectation that the views of the public will be taken into consideration when considering a community governance review. Whilst it is up to the council how it conducts the review it is worth making it clear that you would welcome the opportunity to be involved in any consultation events. Participation in public meetings is critical.

You are more likely to be able to engage with any consultation being considered by the principal council if you are able to maintain good working relationships with both officers and elected members.

In the fullness of time the principal council will be giving formal consideration to your proposals. It is worth keeping in touch with the council to find out when this is likely to be and to ask whether it is possible to address the meeting before the matter is discussed. Different councils have different practices and protocols so it is important to find out what the ground rules are early on.

Remember that reports considered by principal councils are published in advance of the meeting. By asking for a copy of the report you will have advance notice of what will be discussed at the meeting and what recommendations are attached to the report. Remember that the media also have access to reports in advance of meetings and you may be contacted for comment on a recommendation or conclusion. You will not wish to do anything to prejudice your case in advance of the meeting so be cautious in giving any comment, even if the proposals are against you or not wholly what you had been pressing for. Effectively you should not do or say anything that will adversely affect frank and open discussion in the council chamber.

DECISION TIME

- What happens next?
 - ◊ Unsuccessful?
 - ◊ Congratulations – you have a new council!
- Electoral arrangements
- Setting the precept
- Elections
- The local councils associations
- Membership benefits

So, a decision has been made. If it is to parish an area and establish a local council then you will wish to know more about what happens next.

The decision of a principal council is final – there is no right of appeal – and if the decision was not what you expected then you have to accept that. You alone can determine whether or not to make an issue about the decision but consider two questions:

- How successful can a new local council be if it does not have the wholehearted support of the community?
- Is the principal council likely to reverse its decision?

The window of opportunity for a further community governance petition opens two years after the decision is made (in accordance with paragraph 24[a] of the guidance) and it may be advantageous to use the intervening period to bolster your campaign.

CONGRATULATIONS – YOU HAVE A NEW PARISH - but what happens next?

The guidance lays down the actions a **principal council** must take following the conclusion of a community governance review.

Electoral Arrangements

Firstly it must put in place the necessary electoral arrangements. This means it needs to decide the year in which elections are to be held – both the first election and subsequent elections. It must also decide how many councillors there will be on the new council and whether the size of the area covered means the area should be divided into wards, including the number of wards, ward boundaries, the names of the wards and how many councillors should be elected for each ward. In deciding this, the principal council has to take into account any changes in the number or distribution of electors there are likely to be over the next five years.

To implement the recommendations it has made in the review a principal council must make an order (the legal decision to form a parish and establish a council), deposit a copy of the order at its main office, and deposit a map showing the effects of the order in detail. It must also make available a document setting out the reasons for the decisions it has taken and to publicise these reasons.

The principal council must also publicise how it will implement the review and it must inform the following organisations after it has made a reorganisation order:

- Secretary of State for Communities and Local Government
- Office for National Statistics
- Director General of the Ordnance Survey
- Any other principal council affected by the order, e.g. a county council
- The Audit Commission

Note: The Government has announced that the Audit Commission is to be abolished.

Setting the precept

The principal council sets the first precept for the new local council – this is because the council does not formally come into being until 1 April. Hopefully the principal council will liaise with the local councils association on setting a realistic budget for the first year of operation. This is also a good time to liaise with your local councils association about membership and membership fees.

If the new council is going to be effective then it is important that the precept is set at a realistic level. Setting it too low is likely to result in financial difficulties for the council in not only its first year but also in subsequent years. It is important for the principal council to work alongside you in determining the level of the precept and that you have a clear view as to the expenditure the council is likely to incur in its first year.

To do this you will need to be clear about your day to day operational costs, e.g. service costs, staffing, and office expenses. You also need to take into account statutory costs such as insurance and the cost of internal audit. The support of the principal council will be invaluable during the lifetime of your council.

Remember if you do not get it right in the first year then you are likely to have to increase the precept significantly the next. This is likely to have a negative impact locally and your opponents will seize on the increased council tax burden of the new council.

Elections

You need not worry about organising the election as this is the responsibility of the principal council. The reorganisation order will include the date for the first election to your new local council and even though the order has been made the council cannot be legally constituted until elections are held. Depending on timescales this means there may be a gap between an order being made, elections being held and the date of the first council meeting.

One challenge will be to keep the electorate interested in the new council. It also means you will need to encourage local residents to stand for election. This might be done by highlighting local issues and the contribution individuals can make in shaping a better future for the community.

The National Association of Local Councils is producing some template posters to help highlight upcoming elections. Information on elections can be found on the Electoral Commission website. This includes directives on matters such as procedures and standing as a candidate.

Once elections have been held then it is time for the steering committee to relinquish its role. It can take satisfaction from the achievement of promoting and championing the new council but responsibility for the driving the council forward is now firmly placed with the elected councillors.

The local councils associations

It has been emphasised throughout that the local councils associations are an invaluable source of support and advice. It is highly likely that you have been working together over a period of time to get to the point where the new council has been elected. This is now the time to formally join your local association and take advantage of the wide and varied services on offer. Details of all local councils associations are given in Appendix 8.

Associations are democratic bodies which take responsibility for managing their own affairs. This means they are led by the membership and that your councillors can attend branch/county meetings and nominate to the respective executive committees which determine association policy. Each county association also appoints one representative to sit on the NALC National Council to ensure that views from across the country are voiced at a national level.

Membership benefits

Membership of your local association gives you access to professional support and advice. Membership will also bring you into contact with other local councils in your area so that you can establish links and become part of a 'family' of local councils.

By joining your local councils association you will be able to access a range services that will help your local council to develop. These include:

- Support and advice on procedure, finance and legal matters
- Access to model documents, e.g. contracts of employment, standing orders, financial regulations
- Training
- Publications
- Access to 'member only' pages on your local councils association website
- Conferences and events

The recruitment of an able and experienced clerk will be critical to the success of a new council. The local councils association can give invaluable support in guiding a council through the recruitment process and providing access to key model documents such as job descriptions, person specifications, contracts of employment, and disciplinary & grievance procedures.

You will also be able to access the services of a solicitor via the Legal Department at the National Association of Local Councils (NALC) through your local association.

YOUR FIRST MEETING

- Calling the first meeting
- Declarations of Acceptance of Office
- Election of Chairman
- Election of Vice Chairman
- Proceedings
- Standing Orders
- Committees
- Code of conduct
- Financial management

Calling the first meeting

The first meeting of the new council has to be held at least four but not more than eighteen days after the date of the election of the councillors. It is the responsibility of the *proper officer* of the council to convene the meeting. This will normally be an officer of the principal council appointed temporarily to get the new parish council started, but if a clerk is already in post then it would be their responsibility to call the first meeting.

The meeting must be convened within the rules laid down by Parliament which means that three clear working days notice must be given. Your local councils association will have issued advice as to the amount of notice which needs to be given.

The agenda must specify a time, date and place of the meeting and the business to be transacted. It must be displayed in a conspicuous public place in the area covered by the council so that members of the public are aware that the meeting is taking place and so that they have the opportunity to attend. The minimum notice period consists of the day the notice goes up, then three full days must elapse, then the meeting may be held on the following day at the earliest. A copy of the agenda must also be delivered to all the newly elected councillors. Councillors are technically summonsed to attend meetings. This reflects the statutory responsibilities of councillors.

In accordance with the Public Bodies (Admission to Meetings) Act 1960 meetings of the council must be open to members of the public. There are exceptions, for example where business of a confidential nature is being discussed.

A model agenda for the first meeting of your new council is attached as Appendix 5. This is the ideal but circumstances may result in some aspects of the business being considered at a later date, e.g. formal consideration of standing orders and financial regulations. Your local councils association may also be able to provide you with assistance and training prior to the first meeting of the new council.

Declarations of acceptance of office

Legislation (Local Government Act 1972 s. 83[4b]) says that before a councillor, chairman or vice chairman (see below) of a council can act they must make a formal declaration of acceptance of office. This means that all councillors must sign an acceptance of office before they can vote at a meeting of the council. The declaration may be made either in advance of the meeting or at the councillors first meeting. The declaration must be made either in front of the proper officer (see above) or in front of two members of the council. A model declaration of acceptance form is available from your local councils association.

Election of Chairman

Legislation (Local Government Act 1972 s.14[1]) says that a local council consists of the chairman and councillors.

The first responsibility of a new council is therefore to elect a chairman. This will be the first item on the council's agenda. Once elected the chairman must make a declaration of acceptance of office as chairman. Again, a model declaration of acceptance form is available from your local councils association.

Election of Vice Chairman

Local Government Act 1972 s. 15[1] says that a local council can (but does not have to) elect a vice chairman. The vice chairman may make a declaration of acceptance of office but does not have to. The same model declaration of acceptance form can be used as used by the chairman.

Proceedings

Sections 101 to 109 of the Local Government Act 1972 lay down the rules by which the council can manage its business, including by the appointment of committees, and the power to make *standing orders* which will say how decisions are taken and ensure that meetings are fairly and equitably managed by the chairman.

Schedule 12 Part II lays down the rules about when and where meetings can be held, how much notice is required for meetings, the summoning of councillors to attend meetings, the responsibility to hold an annual meeting and provisions about calling extraordinary meetings.

Standing Orders

Standing orders should be the next item on the agenda after election of Chairman and Vice Chairman. The drafting of standing orders can be a substantial piece of work and may seem daunting but your local councils association can be of assistance as model standing orders are available.

Schedule 12 para. 42 of the Local Government act 1972 gives councils the power to make standing orders for the regulation of its proceedings and business. A council may also vary or revoke any such orders. These are essential if the council is to conduct itself in a businesslike way and be orderly. Standing Orders cover issues such as:

- Where meetings can and cannot be held;
- The minimum notice that can be given for the calling of meetings, in accordance with the law;
- Meetings being open to the press and public unless the council makes a decision for a lawful reason to exclude them;
- Establishing the quorum for meetings. This is the minimum number of councillors who must attend a meeting in order for the council to make decisions;
- Who chairs meetings, including when neither the chairman nor vice chairman are present;
- The timing of the annual meeting of council and the annual parish meeting;
- The different types of motion a council can consider and whether or not notice has to be given;
- Delegating matters to committees and to the proper officer;
- Estimates, accounts and financial statements;

- Rules of debate;
- Minutes;
- Disorderly conduct;
- Rescinding decisions already made;
- Confidential business;
- Matters affecting staff;
- Variation of the standing orders themselves.

Model standing orders can be obtained from your local councils association. It is recommended that the adoption of Standing Orders is a well thought through process. At its first meeting the council may wish to decide to adopt Standing Orders and then take its time to select which model orders are right for it.

Committees

There is likely to be more business for a council to take decisions on than is reasonable in a single meeting. The law (Local Government Act 1972, s. 102) allows councils to set up committees (and sub-committees) and it is good practice to set up committees to discuss specific issues, e.g. personnel.

A committee must be made up of more than one councillor as a single councillor is not permitted to make unilateral decisions. It is recommended that the minimum number of councillors appointed to a committee should be three – this allows for differences of opinion but a majority vote to prevail without it seeming that a single councillor has made a decision.

A council may not delegate matters to an individual councillor, not even the Chairman. It is also important for the Chairman to remember that he is not able to take actions on his own initiative. Decisions must taken by the council as a body corporate.

Code of Conduct

Councils and councillors are expected to promote and maintain high standards of conduct. Current legislation says that all local authorities, including local councils, are required to adopt a Code of Conduct which sets out rules governing the behaviour of their councillors. Each authority's Code must include the provisions of the Model Code of Conduct approved by Parliament.

Government issued the current Model Code of Conduct for members on 4 April 2007. However, the Localism Bill published in December 2010 proposes changes to this regime, including councils adopting a voluntary Code. Nevertheless it is important that all councillors are aware of what is expected of them when contributing to discussion, debate and decision making in the council chamber.

The existing Code of Conduct may constrain councillors from speaking or voting on a matter where they have an interest. There are circumstances when such a councillor may speak but in order to provide for this the council has to specifically adopt paragraph 12(2) of the Code.

Authorities can choose to add their own local rules to the Model Code if they wish, although most adopt the Model Code as it is. When councillors make a declaration of acceptance of office they also undertake to abide by the Code of Conduct.

Your local councils association can advise you on a draft resolution to adopt the Code of Conduct, including paragraph 12(2).

Financial management

A local council must have financial regulations and an model document is available from the local councils association.

The parish council is a publicly accountable body subject to both internal and external audit. It is imperative therefore that its finances are properly managed. This involves a range of actions including establishing financial regulations to ensure that all financial transactions are properly managed and the taking out of adequate insurance cover.

There are a number of insurance companies that provide cover tailored to the needs of local councils but in particular the council may wish to consider the following as guidance:

- All risks cover for office contents (Clerk's home);
- Computer reinstatement of lost data;
- Employers liability (Clerk) **this is mandatory**;
- Public liability;
- Personal accident (Clerk and Members);
- Fidelity guarantee;
- Corporate legal protection.

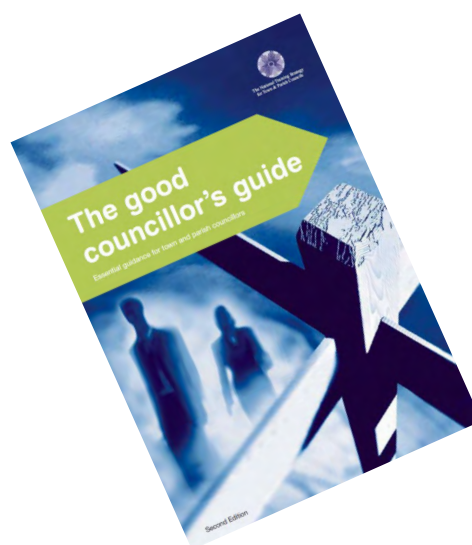
The first meeting of the council is also likely to be when it considers its budget. This will estimate the financial commitments to be taken on by the council. This can only be approved by the council and may not be delegated to any committee. Normally the budget would be set in December/January to allow the principal council time to set its own budget taking into account local council precepts.

The council will also need to resolve to open a bank account to enable the precept to be transferred from the principal council so that it comes under the control of the new council. All cheques must be signed by law by at least two councillors so the council must resolve which members are authorised signatories and ensure that a bank mandate is completed and signed by those members. In time the council may wish to consider whether it should also open some form of deposit account which will pay a higher rate of interest than a current (cheque book) account. The council will also need to ensure that any interest on accounts is paid gross as a local council does not pay income tax.

Annual Parish Meeting

Every English parish must hold a parish meeting once per year, normally between 1st March and 1st June. This meeting is for the electors of the parish and is not a parish council meeting. It requires seven clear days notice and for the sake of simplicity it may be easiest to hold the first annual parish meeting on the same evening as the inaugural parish council meeting.

The Good Councillors Guide is recommended reading for all newly elected councillors. It covers topics such as the rules of what you must and must not do as a councillor and some of the decisions you might be asked to take. Contact your local councils association to get a copy or access on-line.



MANAGING THE COUNCIL DAY TO DAY

- Appointing staff
- Training
- Quality Council Scheme

Appointing staff

It is sometimes easy to confuse the role of councillors with the role of officers. This can lead to unhelpful conflict and tension and give the worst possible image of a council to its electors and the general public.

In simple terms it is the council which sets policy and makes decisions. Councillors vote on issues leading to council decisions and officers execute the decisions of council.

Local Government Act 1972, s.112 gives local councils the power to employ staff as they think necessary to properly provide the services they provide. Local councils have the discretion to provide a range of services and the extent to which individual councils employ staff will depend on those they provide.

It will be necessary for the council to employ a clerk. The clerk will usually act as the council's proper officer and responsible financial officer. This means the clerk has responsibility for advising the council on legislative and financial matters and for managing the day to day administration of the council. The role of the clerk is therefore far greater than just minute taker at meetings.

In accordance with the law it is a matter for the council to agree how staff should be remunerated but newly elected councillors will wish to be aware that there is a national agreement for paying council clerks. This recognises that clerks to smaller councils and those who provide fewer services will have less responsibility than those to larger councils. Details of the national pay scheme can be obtained from your local councils association.



As soon as the council agrees to employ staff it will have to accept its statutory employment responsibilities. It will need to ensure that its remuneration rates are consistent with the law, for instance that it does not fall foul of the minimum wage regulations, age regulations, etc. It will also need to have effective employment policies, to cover disciplinary issues, how to deal with grievances, recruitment and selection, etc.

Failure to meet statutory requirements will leave the council liable to challenge in employment tribunals. As several councils across the land have found, inadequacies in employment practice can be costly and run into tens of thousands of pounds. It is important therefore that councillors are aware of their responsibilities and that they take and accept advice offered to them, including any advice which might be offered by the local councils association.

Training

Councillors can improve their knowledge and understanding of issues by undertaking training on their roles and responsibilities.

New councillors will largely, if not wholly, have no experience of managing local councils. They will especially need to be guided by the clerk in the council's early days but also have a responsibility to undertake training in their role as councillors, the Code of Conduct, their responsibilities for the financial management of the council, audit, the role of the clerk compared to the role of the councillor, planning, how to chair meetings effectively as well as specific training needs such as personnel issues.

Local councils associations have a full programme of training opportunities devised especially for local councillors. Many of these have been devised as part of a national training initiative but others are specifically designed to meet identified local needs. Your association may also be able to provide bespoke training for the whole council. Contact them for details of their training programme.

Quality Council Scheme

The Quality Parish and Town Council Scheme was launched in 2003. The aim of the Scheme is to provide benchmark minimum standards for parish and town councils. The Scheme is supported by six National Stakeholders, the Commission for Rural Communities, the Department for Communities and Local Government, the Department for the Environment, Food and Rural Affairs, the Local Government Association, the National Association of Local Councils and the Society of Local Council Clerks.

In order to achieve Quality Status, parish and town councils must demonstrate that they have reached the standard required by passing several tests. These are:

- Electoral Mandate
- Qualifications of the clerk
- Council meetings
- Communication and Community Engagement
- Annual Report
- Accounts
- Code of Conduct
- Promoting local democracy and citizenship
- Terms and conditions
- Training

Full details of the Quality Status scheme are outlined in the booklet *Guide to Becoming a Quality Council*. (NALC/SLCC, April 2008) – available from your local councils association.



FOR YOUR NOTES . . .

GREAT COATES VILLAGE COUNCIL, NORTH EAST LINCOLNSHIRE

Great Coates had a parish council until 1967 when the then County Borough of Grimsby was enlarged by Order. The Order extended the boundary of Grimsby to encompass parts of the then parishes of Great Coates and Weelsby. The declared boundary alterations meant that the parishes of Great Coates and Weelsby ceased to exist with areas not incorporated into Grimsby being transferred to other enlarged parishes.

The Borough of Grimsby and Humberside County Council were abolished in April 1996 when the unitary authority of North East Lincolnshire Council came into existence. No changes were made at this time to parish boundaries so that Great Coates remained unparished.

After the original Great Coates parish council had been abolished a Civic Society was formed. This became instrumental in fighting a planning application to site a new football stadium in the locality and in 2001 the Great Coates Parish Council Campaign was established to create a new parish of Great Coates within the unparished area of the former Grimsby. The stadium proposals had galvanised the community and it was felt that an elected parish council could properly represent the public's concerns to the local planning authority.

After a vigorous campaign a petition was submitted to North East Lincolnshire Council in accordance with the Local Government and Rating Act 1997, s.11. The process at that time was that the North East Lincolnshire Council was able to comment on the proposals but that the Secretary of State would make the final decision.

In early 2002 North East Lincolnshire Council circulated a consultative document round Great Coates seeking community views. The proposals were discussed by North East Lincolnshire Council in committee and on 25 April 2002 a meeting of the council resolved to support the parishing of Great Coates and the creation of a parish council. On 2 December 2002 the North East Lincolnshire (Parish) Order was made and the Great Coates Parish Council came into existence on 1 April 2003.

Elections were held in May 2003 and the inaugural meeting of the parish council held on 13 May 2003.

In many ways public opinion in favour of a parish council was born out of the fight against a major planning application. Despite pressure from the parish council permission was granted for the stadium – although it has yet to be built. The council has however been able to force many issues about the development into the spotlight and these have had to be taken into consideration by the developers.

The council has also had major successes in engaging with local industries with many joint initiatives contributing to the quality of community life, including traffic calming measures, social events, and company community days. The council has continued to be active in planning matters ensuring that major developments take into consideration the impact on the local community. It also has an active young people's council that can be contacted at gcyipc@live.co.uk.



The area has lacked a community building and the council has been successful in obtaining planning permission for a development on a green field site not previously earmarked for development. The close links it maintains with the community and its extensive consultation exercise on the project has ensured it has the wholehearted support of local residents. Application for loan sanction has been submitted to the Secretary of State and tender documents drafted which provide a detailed design and build specification.

CASE STUDY 1

GREAT COATES VILLAGE COUNCIL, NORTH EAST LINCOLNSHIRE

Support for the creation of a parish council was mixed to start with, possibly because the football stadium was such a high profile development which could potentially attract a lot of visitors to the area. Ward councillors had no experience of working with parish councillors and this presented somewhat of a challenge to them. Undaunted, they relied heavily on the experience of colleagues who represented parished areas. The local Member of Parliament was similarly supportive even though his constituency at that time was wholly unparished.

To its credit North East Lincolnshire Council engaged on a comprehensive public consultation exercise with all residents having the opportunity to comment on the proposed parish area. The consultation included a summary of the powers available to parish councils, examples of parish council precepts in the North East Lincolnshire area and an explanatory note provided by the local councils association, ERNLLCA.

The inaugural meeting was enthusiastically welcomed by the local community and very well attended, such that the local vicar blessed the meeting. In October 2008 Great Coates was one of the first parish councils to choose one of the newly permitted styles and resolved to call itself the Great Coates Village Council – reinforcing its sense of place prior to the order extending Grimsby in 1967.

The council's website www.greatcoatespc.com is well worth a visit for an up date on the council's activities.

October 2010



KEIGHLEY TOWN COUNCIL, BRADFORD



Keighley is a town within the City of Bradford. The area has a long history and Keighley is mentioned in the Domesday Book. In 1882 it was granted a Royal Charter and became a municipal borough. It remained so until local government reorganisation in 1974 when it became part of the new metropolitan district of Bradford (the City of Bradford). This caused a lot of bitterness amongst the people of Keighley who both resented being 'taken over' by Bradford and a sense of loss of community identity with the abolition of their independent borough status and control of local services.

This frustration was fuelled by a number of policy decisions taken by Bradford City Council and a general feeling that Keighley had become run down. Community concerns included dissatisfaction with a schools review in 1998/99 and concern about the quality of Christmas lights in 2000 when local businesses had to contribute to a shortfall in funding from the City Council. This resulted in a local campaign to create a Keighley town council which unusually was initiated when the editor of the local newspaper, *The Keighley News*, called a public meeting.

This resulted in the formation of *Keighley Voice*—the campaign for a town council for Keighley. Two previous campaigns had come to nothing but *Keighley Voice* gained momentum due to both the support of the local newspaper but more importantly the drive of volunteers in collecting signatures for a petition. They stood in Low Street and outside the market to collect signatures as well as calling door to door. Stands were also taken to local events and meetings. It was the drive and energy of a handful of volunteers that enabled a valid petition to be submitted.

The campaign was backed up with fact sheets and newsletters explaining what a town council could do to benefit the community. The former borough of Keighley had covered many neighbourhoods and since abolition some had acquired parish status. This meant there was a discussion to be had about whether the outer areas of the former borough would wish to be included as part of the new Town Council area. In the end the petition recommended an area wider than just the town of Keighley.

During consultation there was much debate about whether the boundary of any new council should be restricted to the urban area or a wider. It soon became apparent to *Keighley Voice* that local people were disenchanted with the politics of local government and wanted an independent town council.

In 2002 civil parish status was granted to Keighley and it resolved to call itself Keighley Town Council, restoring, in part, its past heritage. The creation of the new local council reflected the sense of place and civic pride which many residents felt they had lost in 1974. Being a town it has a Town Mayor who wears with pride the civic regalia from the days of being a municipal borough. The town council has retained the borough coat of arms granted to it in 1883 – another demonstration of the sense of history and place felt by local residents. Councillors stand as independents and whilst individuals might have political allegiances these are not brought into the council chamber.

In 2008 Keighley Town Council decided it wanted to identify the main issues on the minds of local people. A questionnaire was delivered to as many homes as possible and it was also made available on line. They were also invited to say what they thought about their local environment – the things they liked and the things they did not like! In total over 1,500 responses were received and comments received incorporated into the eventual Town Plan that was published in 2010. This achieved an award from the Plain English Campaign.

CASE STUDY 2

KEIGHLEY TOWN COUNCIL, BRADFORD

The Town Council provides a wide range of services, and would wish to have more, including:

- managing town hall square
- allotments
- promoting tourism
- organising events and celebrations
- supporting businesses



The Town Council took over responsibility for Town Hall Square and Cenotaph in April 2009. The gardens have been landscaped and the peace roses which were old have been replaced by newly planted ones in a lovely Memorial Garden close to the Remembrance Garden. Four flag poles proudly fly the Union flag, Keighley flag, St George's flag and the White Rose of Yorkshire. The overall effect has been to transform the area into a place for quiet reflection.

It is committed to working for children and young people and to improving facilities in its parks through initiatives like better lighting, CCTV and increasing the frequency of ranger patrols. It values its environment and is working with Bradford Metropolitan District Council to increase the provision of litter bins and encourage Keighley residents to get involved in tackling litter problems.

It maintains a website which brings the work of the council closer to the public. Agendas, minutes and reports on council business can be accessed through the website and local councillors can be identified together with a photograph and contact information. Get in touch with the council at www.keighley.gov.uk.

The council currently rents space in the Metropolitan District owned Town Hall but has recently bought the old police station and is renovating it as part of a Heritage Lottery funded project to regenerate the North Street area of Keighley. The building will provide a permanent civic centre for the town but will cost no more than existing offices. The centre will also provide services such as tourist information centre, a police museum, a licensed wedding venue, conference and meeting facilities, restaurant and kitchens and a local police contact point.



The council has also been effective in affecting outcomes when it recently influenced positioning of a new health centre, with health officials taking on board Town Council representations.

February 2011



POWERS AND LEGISLATION

This is a summary of the more significant legislation which affects the powers and management of parish councils. Parish councils are statutory bodies and can only act within the powers given them by Parliament.

Function	Powers & Duties	Statutory Provision
Allotments	Powers to provide allotments Duty to consider providing allotments if demand is unsatisfied	Smallholdings & Allotments Act 1908, s.23
Baths and Wash Houses	Power to provide public baths and wash houses	Public Health Act 1936, ss. 221, 222 and 227
Burial Grounds, cemeteries and crematoria	Power to acquire, provide and maintain shelters Power to agree to maintain monuments and memorials Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, ss. 9 & 10 Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s.1 Local Government Act 1972, s. 214
Bus Shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provisions) Act 1976, s.4 Parish Councils Act 1957
Bye Laws	Power to make bye-laws in regard to pleasure grounds, Cycle Parks Baths and Washhouses Open spaces and burial grounds Mortuaries and post-mortem rooms	Public Health Act 1875, s. 164 Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed Churchyards	Powers as to maintenance	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to enclosure, as to regulation and management, and as to providing common pasture	Enclosure Act 1845; Local Government Act 1894, s.8(4); Smallholdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144

POWERS AND LEGISLATION

Community centres	Power to provide and equip buildings for use of clubs having athletic, social or educational objectives	Local Government (Miscellaneous Provisions) Act 1976 s.19
Crime prevention	Powers to spend money on crime prevention measures	Local Government and Rating Act 1997, s.31
Drainage	Power to deal with ponds and ditches	Public Health Act 1936, s.260
Education	Right to appoint school governors	Education (No.2) Act 1986, s.4
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Gifts	Power to accept	Local Government Act 1972, s.139
Highways	Power to repair and maintain public footpaths and bridle-ways. Power to light roads and public places; Provision of litter bins; Power to provide parking places for vehicles, bicycles and motor-cycles; Power to enter into agreement as to dedication and widening; Power to provide roadside seats and shelters, and omnibus shelters; Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway; Power to complain to district council as to protection of rights of way and roadside wastes Power to provide traffic signs and other notices; Power to plant trees etc. and to maintain roadside verges.	Highways Act 1980, ss.43,50 Parish Councils Act 1957, s.3; Highways Act 1980, s.301 Litter Act 1983, ss.5,6 Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72 Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116 Highways Act 1980, s.130 Road Traffic Regulation Act 1984, s.72 Highways Act 1980, s.96
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land	Local Government Act 1972, ss.124, 126, 127 Local government Act 1972, s.139
Litter	Provision of receptacles	Litter Act 1983, ss.5,6
Lotteries	Powers to promote	Lotteries and Amusements Act 1976,

POWERS AND LEGISLATION

Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms	Public Health Act 1936, s.198
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s.260
Open spaces	Power to acquire and maintain land	Public health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10
Parish Property and documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Postal and telecommunications facilities	Power to pay the Post Office, BT other public telecommunications operator any loss sustained providing post or telegraph office or telecommunication facilities	Post Office Act 1953, s.51; Telecommunications Act 1984, s.97
Public buildings and village hall	Power to provide buildings for offices and for public meetings and assemblies	Local Government Act 1972, s.133
Public Conveniences	Power to provide	Public Health Act 1936, s.87
Recreation	Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them Power to provide gymnasiums, playing fields, holiday camps Provision of boating pools	Public Health Act 1875, s.164 Local Government Act 1972, Sched.14 para.27 Public Health Acts Amendment Act 1890 s.44 Open Spaces Act 1906, ss.9 and 10 Local Government (Miscellaneous Provisions) Act 1976, s.19 Public Health Act 1961, s.54
Town and Country Planning	Right to be notified of planning applications	Town and Country Planning Act 1990, Sched.1, para.8
Tourism	Power to contribute to organisations encouraging	Local Government Act 1972, s.144
Traffic Calming	Powers to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s.30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, s.26-29
War memorials	Power to maintain, repairs, protect and adapt war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133
Water Supply	Power to utilise well, spring or stream and to provide facilities for obtaining water there from	Public Health Act 1936, s.125
Well Being	Power to promote well-being	Local Government and Public Involvement in Health Act 2007, ss. 77 & 78

POWERS THE COUNCIL MIGHT WISH TO TAKE UP . . .

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

11.

12.

FREQUENTLY ASKED QUESTIONS ABOUT THE FORMATION OF NEW COUNCILS

What area will the new council cover? It will help to have a map showing the area being proposed and a short outline of the communities that will be embraced by the proposed new council.

What will a local council do? How will it make things better? For starters it means that the views of local people will be put forward on planning applications. It also means that the council can provide local facilities for local people, like children's playgrounds and youth shelters. It also means it can run its own community hall and have a drop-in centre for mothers and toddlers and for OAP groups.

Note: The key point is that research should be done in advance as to what the local council may wish to do and services it might wish to provide. A reality check should be made to ensure that powers are available to local councils and to ensure that you are not raising unreasonable expectations

Won't we just be paying twice for services when XYZ council pays for these in other areas? No. The services the council will be providing will be over and above those provided by XYZ council. In fact it would want to work alongside XYZ council to ensure best possible service provision. By working together the councils should be able to improve services all round.

Isn't this just another layer of bureaucracy? You could look at it like that but the reality is that it brings decision making closer to the public. All issues discussed will have a direct relevance to the local community and if you attend meetings as a member of the public you will have the opportunity to have your say about things before the council discusses them.

Who will pay for a local council? The council tax payers of the area. A local council decides what services to provide and estimates what they will cost. This is spread across all the council tax payers in the area and added to council tax bills by the principal council. The cost of raising money in this way is called *precepting* and the money raised is called the *precept*.

How much will it cost? This depends on what the council does in its first year but for many people it will work out at less than £1.00 per week.

Does this mean we can have our own mayor? If and when a local council is formed it can decide to call itself a town council – then the chairman of the local council can be known as the Mayor.

I can't afford to pay any more council tax! In this day and age no one likes to pay more council tax but the reality is that as far as possible services to be provided by the local council will be targeted to benefit the local community and it will not be going to XYZ council even though they will be collecting the money for us.

Isn't this just so that councillors get even more expenses? Unlike councillors on XYZ council your local council will not be paying allowances for attending meetings etc. If councillors have to attend meetings outside the area then it is reasonable that their expenditure is reimbursed. The council will need to employ a clerk but this will be part-time and on a national scale which means that smaller councils pay less per hour than larger councils.

APPENDIX 3

FREQUENTLY ASKED QUESTIONS ABOUT THE FORMATION OF NEW COUNCILS

Isn't this more jobs for the boys? No – anyone who is on the electoral register for the area will be able to stand for election. That is one of the big benefits of having a local council – it will be local people taking decisions for local people.

Who will decide where our money goes? The council will vote on where and when to spend your money. Obviously decisions have to be made as to where and when to spend money and some of these decisions might be controversial but all councillors will have an opportunity to vote. No individual councillor can spend money as, by law, all decisions have to be taken by the council.

Does this mean we can stop paying our council tax to XYZ council? No. You still have to pay your council tax to XYZ council as it covers things like social services, education, police, fire service, highways, libraries etc.

We've already got a good community association – why do we need a council? The community association does a great job and the new council really should work alongside it but the important thing about the local council is that you will decide who makes the decisions and you will be able to vote out those people who you think are not doing a good job. A local council can also only do those things allowed by law and it has to be accountable to the public. This means that generally meetings have to open to the public and its accounts have to be published every year so that everyone knows how much has been spent and on what.

How will the new council work with existing community groups? Won't they lose their influence because the principal council will go to the new council rather than them? The whole idea of the local council is to give a democratic voice to the community. There will always be special interest groups in the community which is a good thing. It will however be the responsibility of the council to speak on behalf of everybody – not just those who have the loudest voice or who have links with only a limited number of people. Quite often it is those with no voice who have the greatest need.

Given the current financial climate I thought we were supposed to be cutting down on public expenditure! Yes, XYZ council is having to reduce its spending and that is likely have an effect on services in this area. The great thing about a local council is that it can only spend money which will be of benefit to the local community which means that every pound spent will improve things locally.

How will this fit in with the principal council's idea of neighbourhood management? The answer to this lies in the specific arrangements/proposals. For instance, if neighbourhood management is just community consultation then effectively decisions will still be taken by the principal council rather than by people living in the area. The advantage of a local council is that when the principal council has proposals for the local area it can contact the local council and ask for its views. Those views will reflect the thoughts of the local community. A local council also gives a democratically elected body to talk to if it is considering devolving some services, i.e. looking at the possibility of the local community managing some services.

FREQUENTLY ASKED QUESTIONS ABOUT THE FORMATION OF NEW COUNCILS

What is a councillor? Councillors are elected on to a council to represent a specific geographical area. In smaller parishes councillors represent the whole area but larger councils are split into smaller divisions called 'wards'. This is to ensure fair representation. Councillors are generally elected by the public every four years.

How are Councillors elected? Councillors are elected by secret ballot, normally timed to coincide with other council elections. Anyone can stand as a councillor so long as they meet the qualification criteria. **You must:**

- Be **18 years** of age or over at the date of your nomination, **and** a British or Commonwealth citizen, a citizen of the Republic of Ireland or a citizen of another Member State of the European Union
- and either:**
- Be a registered local government elector for the parish both on the day you are nominated and election day;
- or**
- Have occupied as owner or tenant any land or other premises in the Parish during the whole of the twelve months before the day you are nominated;
- or**
- Your principal or only place of work in the twelve months before the day you are nominated has been in the Parish;
- or**
- You must have lived in the parish or within 4.8 kilometres (3 miles), during the whole of the twelve months before the day you are nominated.

If the council has a vacancy, then subject to satisfying regulations, it may co-opt as part of the election process. This means that it can appoint a qualifying person to the council for the unexpired term of office. Your local councils association can advise on how this is done.

To stand for office you must obtain a nomination paper from the Returning Officer for your principal council. This must be signed by a Proposer and a Secunder then returned to the Returning Officer by the time and date stipulated.

What do councillors do? Councillors have three main components to their work.

- *Decision making* - Through meetings and attending committees councillors decide which activities to support, where money should be spent, what services should be delivered and what policies should be implemented;
- *Monitoring* - Councillors make sure that their decisions lead to efficient and effective services by keeping an eye on how well things are working;
- *Getting involved locally* - As local representatives, councillors have responsibilities towards their constituents and local organisations. These may include:
 - * Going to meetings of local organisations such as tenants' associations
 - * Going to meetings of bodies affecting the wider community
 - * Taking up issues on behalf of members of the public
 - * Running a surgery for residents to bring up issues

APPENDIX 3

FREQUENTLY ASKED QUESTIONS ABOUT THE FORMATION OF NEW COUNCILS

How are decisions taken? The council makes decisions by councillors voting. A proposal is carried so long as it has the majority of votes cast. In the event of a tie, the Chairman (or Mayor in the case of a town council) also has a casting vote. The same rules apply to committees and sub-committees.

How much time does being a councillor take up? This depends on the individual councillor. What is important is that when you are elected as a councillor you have a duty to attend meetings. Whilst you may have volunteered to be a councillor it is important to remember that it is a statutory role and with the office comes responsibility. In the main, being a community, parish and town councillor is an enjoyable way of contributing to your community, and helping to make it a better place to live and work.

Can I be a Councillor? So long as you meet the qualification criteria (see How are councillors elected) unless you are disqualified for standing for any of the following reasons:

- You are subject of a bankruptcy restriction order or interim order;
- You have, within five years before the day of the election, been convicted in the United Kingdom of any offence and have had a sentence of imprisonment (whether suspended or not) for a period of over three months without the option of a fine;
- You work for the council you want to become a councillor for (but you can work for other local authorities, including the principal councils that represent the same area).

I am not a member of a political party and do not want to be! Most community, parish and town councillors are not party political. If you wish to stand as a party political candidate, you are welcome to do so but would need permission from the relevant party.

I have heard about something called the Localism Bill. What is this and does it affect local councils? This was published in December 2010 and aims to shift power from away from central government back into the hands of individuals, communities and councils.

Key points affecting local councils include:

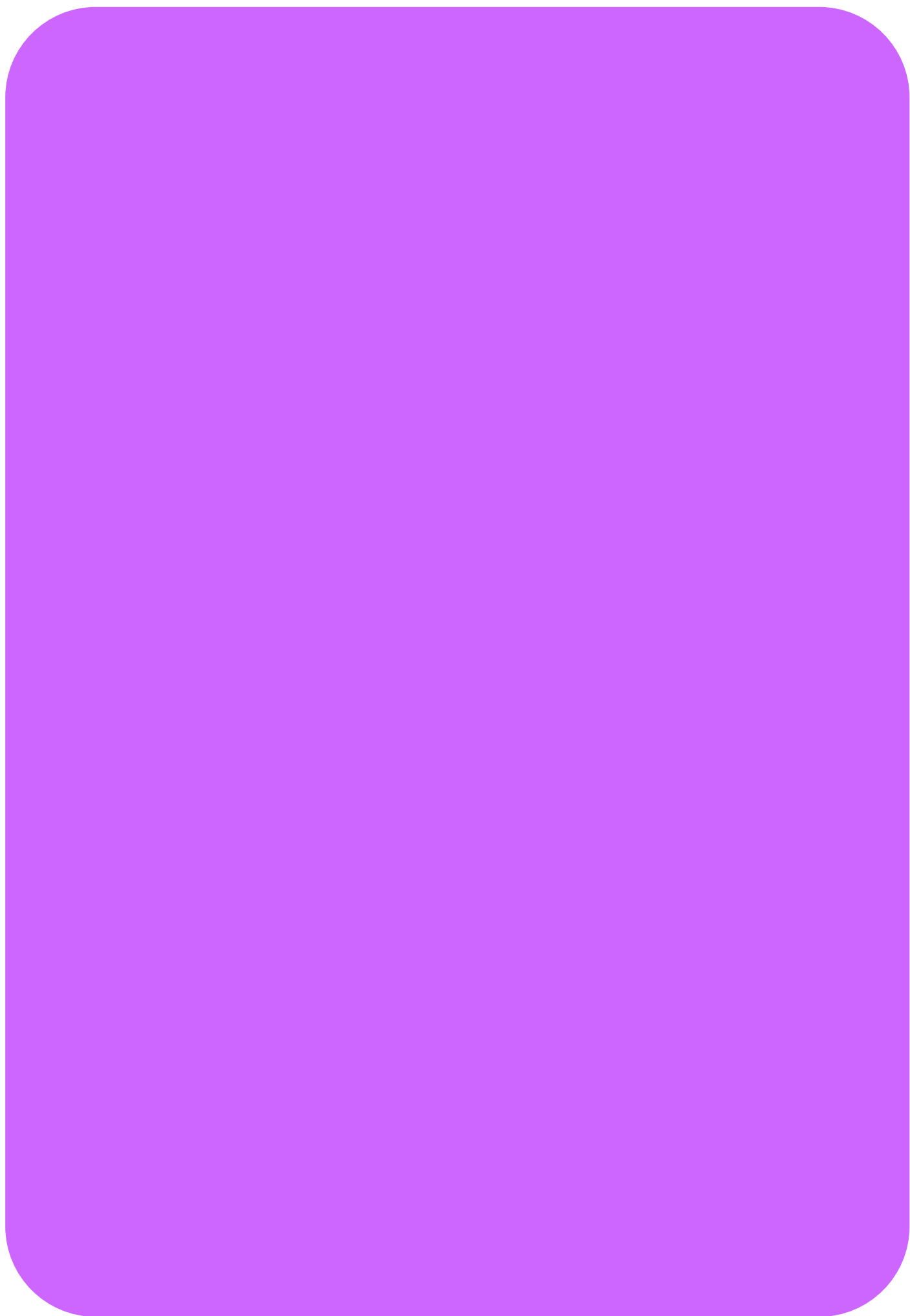
- a power for local people to approve or veto excessive council tax rises ;
- a right for local councils to express an interest in running local services ;
- the chance for communities to develop a bid and raise the capital to buy a local community assets;
- the power to instigate a local referendum on any local issue;
- a new general power which will allow councils, including certain local councils to do anything apart from that which is specifically prohibited;
- Relaxation of the Code of Conduct regime and abolition of the Standards Board for England. Councils will be expected instead to promote and maintain high standards of conduct, including the adoption of a voluntary code of conduct;
- changes to the Community Infrastructure Levy including provisions requiring some of these funds to be passed to neighbourhoods where the development has taken place;
- a new right for local councils to shape their areas through neighbourhood plans. This will enable communities to permit development without a need for planning applications and to take forward development in their area subject to meeting certain criteria.

GETTING THE BEST OUT OF PUBLIC MEETINGS

Very few of us have the confidence or experience to stand in front of an audience that may be hostile and command its attention. In reality if you are going to be effective in influencing public opinion then you must gain the confidence of your audience.

There are a number of key pointers to effective public meetings:

- Remember first impressions count!
- A strong chairman is essential if the meeting is to be orderly and representatives as well as the public are to have the opportunity to comment. A weak chairman may lose control of the meeting and those with the loudest voices will dominate and may adversely influence the audience's opinion. Lay down the ground rules for debate before the meeting starts
- If the meeting gets out of hand those in opposition will use the lack of discipline to undermine the credibility of any future local council and the way it might conduct its business
- It is also good practice to have an independent chairman. This will ensure that everyone is seen to have an equal opportunity to speak and minimise any allegations of gagging
- Your spokesperson should be confident and eloquent as well as understanding the issues.
- It will help your cause if your spokesperson is well known and respected in the community.
- Responses to questions should be informative and in language understood by the audience – beware of being patronising!
- Listen!! Be open to different suggestions and take these on board but be aware of change for change's sake.
- If you are promoting a community governance petition then gauge the likely level of community support. If there is very little then recognise and acknowledge this. If there is significant support then ask for ideas as to how the petition can be promoted and ask for volunteers!
- Ensure a copy of the petition is available for people to sign
- Recognise there will be opposition to your proposals. Always accept the alternative view but counter this in a constructive way
- Those opposing the formation of a council may well rally their support and crowd the meeting. Ensure you also have a strong body of support
- Remember that a local council can only act within the powers given to it by Parliament. Do not raise expectations that cannot be met
- Involve your local councils association officer as an 'expert witness' as a voice of authority on matters of fact.
- Ask people to sign in to the meeting – this will help you keep in touch with them
- Give a commitment to keeping the community informed as to progress



MODEL SUMMONS AND AGENDA FOR THE FIRST MEETING

[Insert date]

[Insert address]

Dear Councillor

You are summoned to attend the inaugural meeting of the _____ Parish/Local/Community Council* which will be held at _____ on ___ day _____ starting at __:00pm for the purpose of transacting the following business.

A N Other

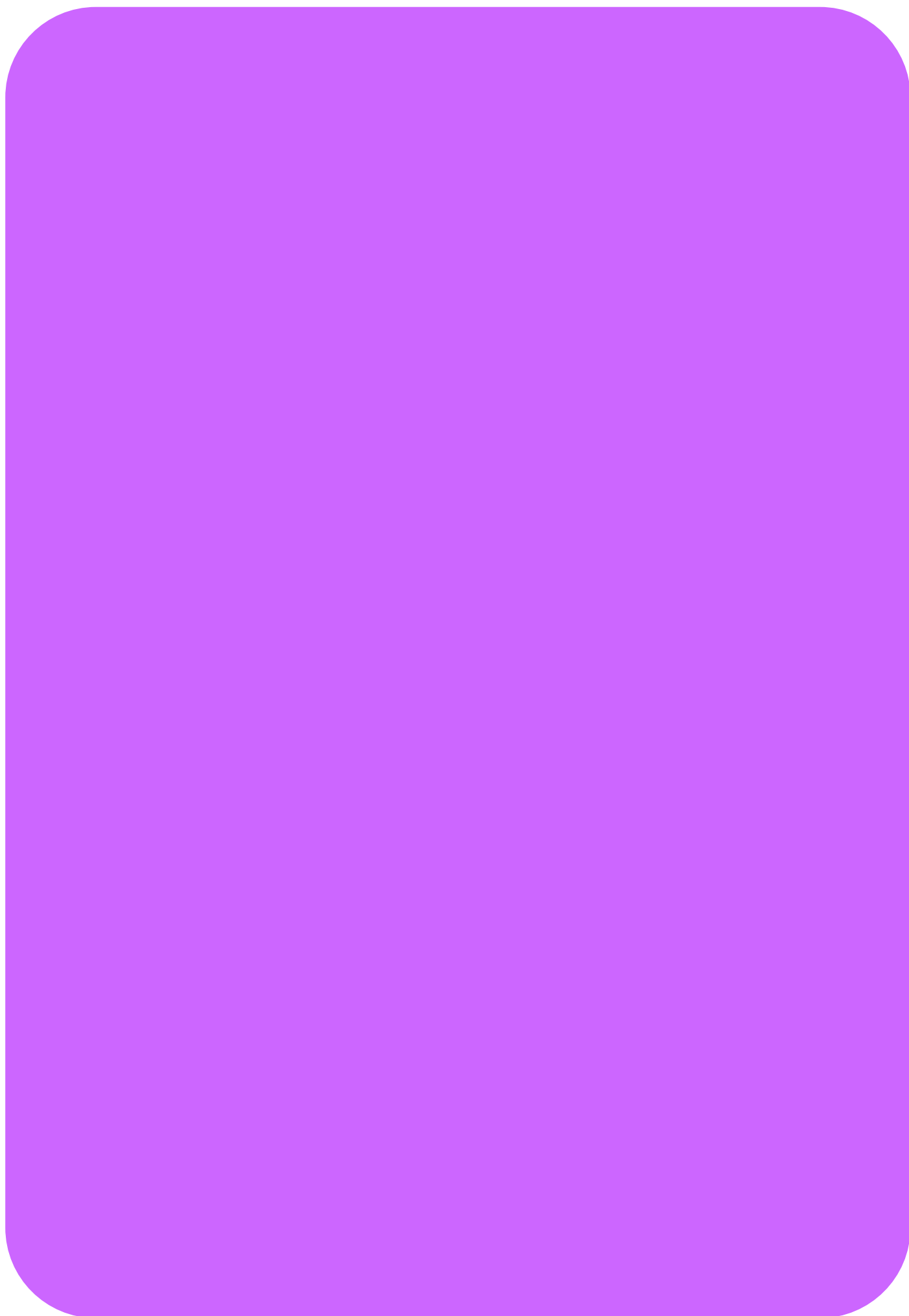
Acting Clerk

The meeting is open to members of the public and the press in accordance with the Public Bodies (Admission to Meetings) Act 1960 and the Local Government Act 1972.

AGENDA


1. To receive apologies for absence
2. To elect the council Chairman
3. To receive the Chairman's acceptance of office
4. To elect the council Vice Chairman
5. To receive declarations of interest
6. To consider standing orders for the organisation and transaction of council business
7. To adopt the Code of Conduct
8. To appoint the clerk/responsible finance officer
9. To appoint the Proper Officer
10. To consider the budget for the coming year
11. To consider establishing a bank account
12. To consider a schedule of meetings for the coming year
13. To consider delegations in accordance with sections 101 and 102 of the Local Government Act 1972
14. To adopt committee Terms of Reference
15. To consider committee membership
16. To approve financial regulations
17. To consider insurance cover in respect of public liability, employer's liability and fidelity guarantee
18. To consider membership of the local councils' association
19. To confirm the date, time and place of the next meeting

* delete/amend as appropriate



COMMUNITY PRESENTATION

Note: This presentation is available by contacting either YLCA or ERNLLCA.




We want to make a difference to our local community

[insert name and position within the organisation of the presenter]



1





Who are we?

[insert details of you organisation, constitutional status, who you represent, etc.]



2

What are we going to talk about?

- What local (parish) councils are
- Why they are important
- What local councils do
- What they do **not** do
- What the benefits are
- Where the money comes from
- Legislative framework
- How to try to get a local council
- Support that is available



3





What are local councils? [1]

"Parish and town councils are the most local tier of government in England"

- Communities and Local Government – *Guidance on community governance reviews*. March 2010



4

What are local councils? [2]

- A local authority
- A statutory body – a body made under law
- Councils made up of people elected by the local community to take decisions on behalf of the community
- A way for the local community to take decisions about things that affect their local area and to improve the local area
- Accountable
- Open to public scrutiny



5




Why they are important

- Promotes a sense of place
- Civic pride
- Local services to meet local need
- Decisions on local matters taken by democratically elected local people
- Gives the community a voice
- Closer relationships with your democratically representatives



6



APPENDIX 6

COMMUNITY PRESENTATION

What local councils do

- Powers laid down by Parliament
- Represent local views to other bodies
- Improve local civic life
- Broad range of powers, include:
 - Allotments
 - Recreational facilities
 - Community centres
 - Community transport
 - Crime reduction
 - Tourism
 - Street cleaning
 - Well Being



ERNLLCA
East Riding and Northern Lincolnshire
and South Yorkshire Local Councils Association

7

What they cannot do

Strategic issues:

- Take decisions on planning matters
- Provide schools or social services
- Build roads
- Provide housing – but can influence!
- Provide library services – but can work in partnership with library authorities



ERNLLCA
East Riding and Northern Lincolnshire
and South Yorkshire Local Councils Association

8

What we would like to do

- [insert details of your manifesto to improve your local community]



ERNLLCA
East Riding and Northern Lincolnshire
and South Yorkshire Local Councils Association

9

What are the benefits?

- Decisions affecting the immediate local area are taken by local people
- Money is raised locally and spent locally
- Spending priorities are taken by local people
- Provide a community focus, a sense of place and a sense of pride
- Can access grants and funding not available to principal councils
- Can make grants to local organisations to help them provide services of benefit to local residents
- Accountable – if you don't like what they are doing then can vote them out!



ERNLLCA
East Riding and Northern Lincolnshire
and South Yorkshire Local Councils Association

10

Where does the money come from?

- Local council tax payers in the form of a precept
- Precept? – a sum of money that a local council thinks it will need to spend in the local area
- But we already pay a lot of council tax – how much?!
- Not as much as you might think – depends on what services your council wishes to provide
- Decisions taken by councillors who are local people **and** who also pay council tax



ERNLLCA
East Riding and Northern Lincolnshire
and South Yorkshire Local Councils Association

11

Legislative Framework

- Powers laid down by Parliament – can only do what Parliament allows us to do!
- How a local council operates also laid down by Parliament
- Local Government Act 1972
- Creation of new parishes – Local Government and Public Involvement in Health Act 2007



ERNLLCA
East Riding and Northern Lincolnshire
and South Yorkshire Local Councils Association

12

COMMUNITY PRESENTATION

How to get a local council

- Before can have a council need to establish a parish
- Community Governance Review – guidance set down by Government
- Community Governance Petition - criteria to meet
- Parish established – council can decide to call itself village, town, neighbourhood or community council



13

Criteria for a Petition

A petition for a CGR to be undertaken must meet statutory requirements:

- Number of signatures
- Define the area to which the petition relates
- Specify one or more recommendations
- If recommendations include the constitution of a new parish then must define the area of the new parish
- Similarly for any alteration to an area
- If recommendations include the establishment of a parish council or parish meeting for an area which is not currently a parish then petition is to be treated as if it recommendations creation of a new parish



14

Where do we go from here?

- Genuine desire to improve our community
- Not about individual power
- Want community's views and opinions – both for and against
- Defining the area
- **Need** community support
- Sufficient to move to a petition?



15

Comments and Questions

- Hopefully covered the key points
- Opportunity to air doubts and queries
- Happy to take questions – will do our best to answer them

Over to you.....



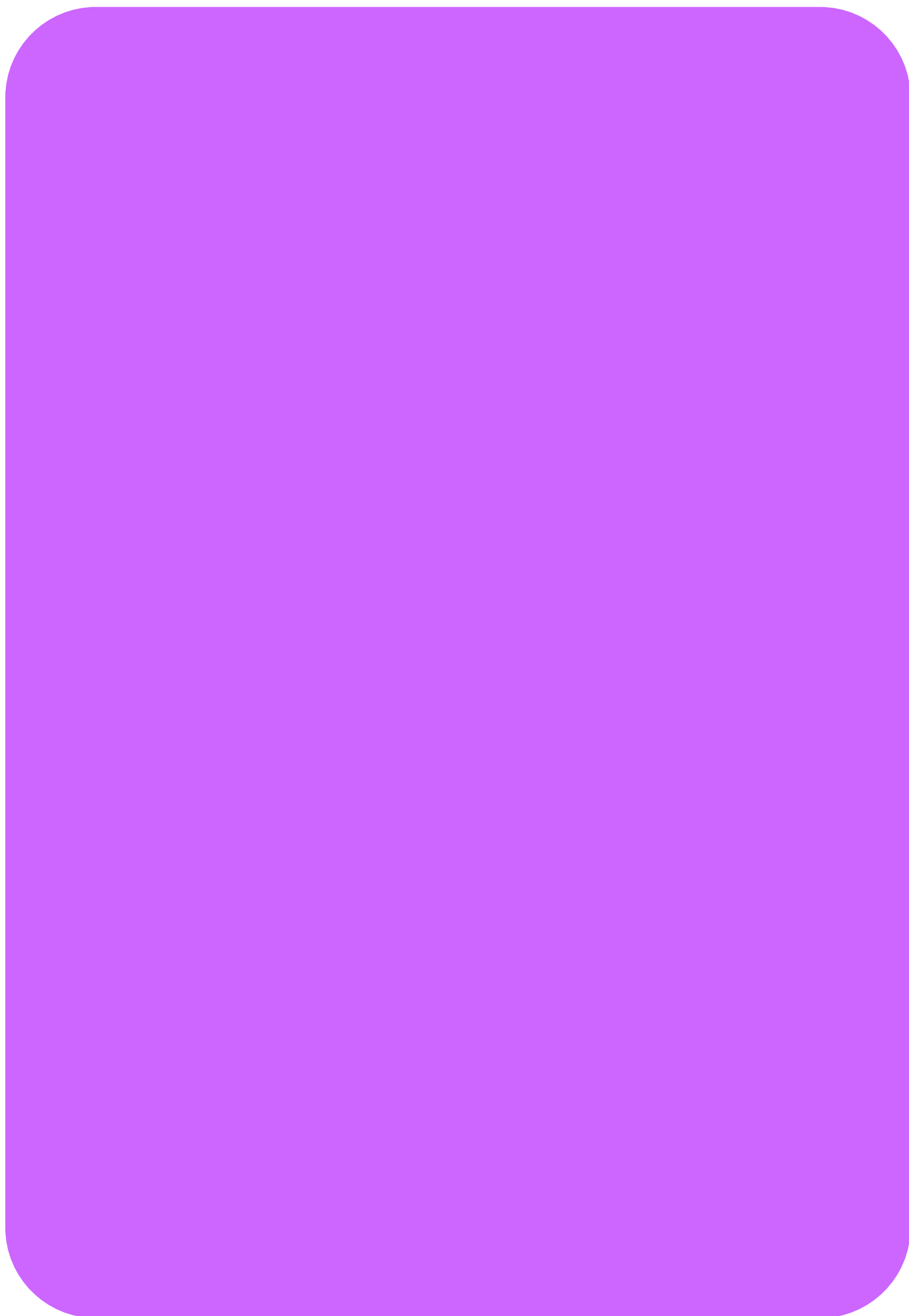
16

How can we be contacted?

[insert contact details, as appropriate]



17



ADDITIONAL INFORMATION

The Good Councillors Guide. Defra on behalf of the National Training Strategy for Town and Parish Councils, 2nd edition 2006. 0 86170 684 6

Guidance on Community Governance Reviews. Communities and Local Government and the Local Government Boundary Commission for England, 2nd edition 2010. 978 1 4098 2421 3

Governance Toolkit for Parish and Town Councils. SLCC, NALC at al. 3rd edition, April 2009.

Power to the people: your guide to local councils, the benefits they can bring to your local area and how to create one in your community. NALC 2010.

Getting your message across: a communications toolkit for local councils. NALC and Commission for Rural Communities, 2010.

Arnold-Baker, Charles and Clayden, Paul - *Local Council Administration*. Lexis Nexis. 8th edition 2009.

13: 9781405736886

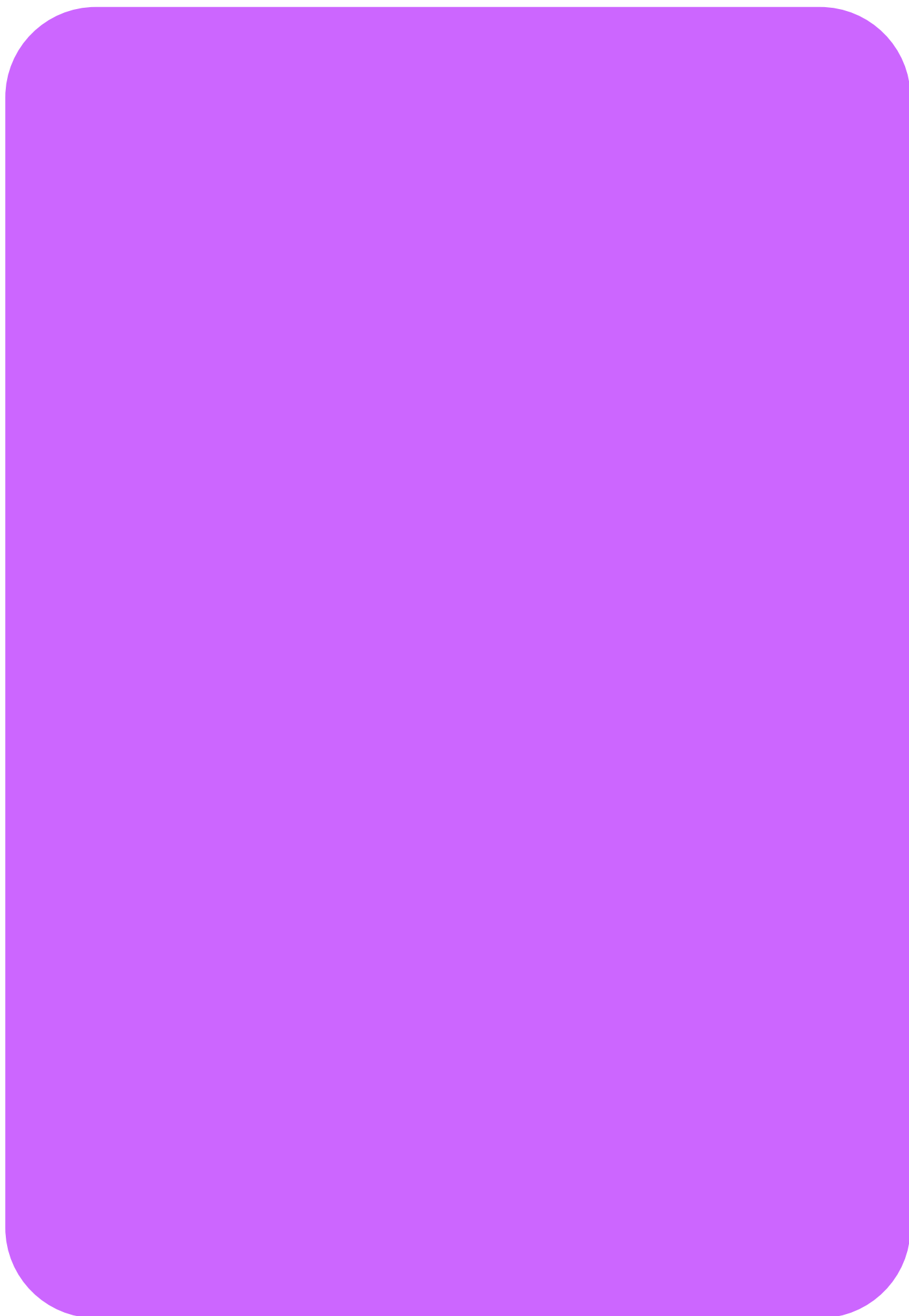
Clayden, Paul—*The Parish Councillor's Guide*. Shaw & Sons. 20th edition 2009. 978 0 7219 0518 1

Richards, Chris—*Local Council Finance*. Shaw & Sons. 2nd edition 2007. 978 0 7219 1581 4

The Code of Conduct: Guide for members. Standards for England, May 2007.

Parish Council Toolkit. Association of County Secretaries and Solicitors. Version 2, February 2006

Governance Toolkit for Parish and Town Councils. Association of County Secretaries and Solicitors, April 2009



LOCAL COUNCILS ASSOCIATIONS

East**Bedfordshire Association of Parish and Town Councils**

Suite 11
Baystrait House
15 Station Road
Biggleswade
SG18 8AL
E: louise.ashmore@batpc.co.uk
T: 01767 312669

Cambridgeshire & Peterborough ALC

33 Stephenson Road
St Ives
Cambridgeshire
PE27 3WJ
W: www.cpalc.org.uk
T: 01480 375629

Essex Association of Local Councils

2/2A Twyford Court
High Street
Great Dunmow
Essex
CM6 1AE
W: www.essexinfo.net/essex-association-of-local-councils
E: joy.sheppard@ealc.gov.uk
T: 01371 879722

Hertfordshire Association of Parish and Town Councils

1A The Queen Square
Adeyfield
Hemel Hempstead
Hertfordshire
HP2 4EW
W: www.herts-aptc.gov.uk
E: info@herts-aptc.gov.uk
T: 01442 235317

Norfolk Association of Local Councils

North Wing, County Hall
Martineau Lane
Norwich
Norfolk
NR1 2UF
W: www.norfolcalc.gov.uk
E: enquiries@norfolcalc.gov.uk
T: 01603 664869

APPENDIX 8

LOCAL COUNCILS ASSOCIATIONS

Suffolk Association of Local Councils

Unit 11a, Hill View Business Park
Claydon
Ipswich
IP6 0AJ
W: www.onesuffolk.co.uk/salc
E: adminsalc@btconnect.com
T: 01473 833713

East Midlands

Derbyshire Association of Local Councils

Agricola House
Church Street
Wirksworth
Matlock
Derbyshire
DE4 4EY
W: www.dalc.org.uk/
E: b.wood@dalc.org.uk
T: 01629 824827

Leicestershire and Rutland Association of Local Councils

Jubilee Hall
Stadon Road
Anstey
Leicestershire
LE7 7AY
W: www.lralc.org.uk
E: lralc@btconnect.com
T: 0116 235 3800

Lincolnshire Association of Local Councils

Dunholme Old School
8 Market Rasen Road
Dunholme
Lincolnshire
LN2 3QR
E: trisha.carter@lalc.co.uk
T: 01673 863417

Northamptonshire County Association of Local Councils

6 Litchborough Business Park
Northampton Road
Litchborough
Northamptonshire
NN12 8JB
W: www.northantscalc.gov.uk
E: info@northantscalc.gov.uk
T: 01327 831482

LOCAL COUNCILS ASSOCIATIONS

Nottinghamshire Associations of Local Councils

Minister Chambers
Church Street
Southwell
Notts
NG25 0HD
E: lynda.ogilvie@nalc.org.uk
T: 01636 816890

North East**Cleveland Local Councils Association**

Enterprise & Initiative Centre
High Newham Road
Hardwick
Stockton-on-Tees
TS19 8RH
E: hardwickpartnership@hotmail.com
T: 01642 808700

County Durham Association of Local Councils

Room 99, Floor 1
County Hall
Durham
DH1 5UF
W: www.communicate.co.uk/ne/cdalc
E: cdalc@durham.gov.uk
T: 0191 383 3827

Northumberland Association of Local Councils

Tower Buildings
9 Oldgate
Morpeth
NE61 1PY
W: www.ca-north.org.uk/
E: davidfrancis@ca-north.org.uk
T: 01670 517178

North West**Cheshire Association of Local Councils**

Blue Bach Barn
Burleydam
Whitchurch
Shropshire
SY13 4AW
W: www.chalc.org.uk
E: jackieweaver@chalc.org.uk
T: 01948 871314

APPENDIX 8

LOCAL COUNCILS ASSOCIATIONS

Cumbria Association of Local Councils

Penrith Library
St Andrew's Churchyard
Penrith
CA11 7YA
W: www.calc.org.uk
E: office@calc.org.uk
T: 01768 812141

Lancashire Association of Local Councils - also serves Merseyside

Howick House
Howick Park Avenue
Penwortham
Preston
Lancashire
PR1 0LS
W: www.lalc.org.uk
E: info@lalc.org.uk
T: 01772 750900

South East

Berkshire ALC

27 Eldon Square
Reading
Berkshire
RG1 4DP
W: www.ccberks.org
E: christine.lalley@ccberks.org.uk
T: 0118 961 2000

Buckinghamshire ALC

County Hall
Walton Street
Aylesbury
Bucks
HP20 1UA
W: www.bucksalc.gov.uk
E: balc@buckscc.gov.uk
T: 01296 383154

Hampshire ALC

121a Winchester Road
Chandlers Ford
SO53 2ZE
W: www.hampshire-alc.gov.uk
E: hampshirealc@hants.gov.uk
T: 02380 263438

LOCAL COUNCILS ASSOCIATIONS

Isle of Wight ALC

8 Golden Ridge
Freshwater
Isle of Wight
PO40 9LE
W: www.iwalc.org.uk
E: jcmedland@turboweb.org
T: 01983 753467

Kent ALC

9 West Cliff Gardens
Folkestone
Kent
CT20 1SP
W: www.kentalc.gov.uk/
E: kalc@btconnect.com
T: 01303 248252
F: 01303 258011

Oxfordshire Association of Local Councils

South Oxfordshire District Council
Benson Lane
Crowmarsh Gifford
Wallingford
Oxon
OX10 8HQ
E: oalc@btconnect.com
T: 01491 823118

Sussex & Surrey Association of Local Councils

212 High Street
Lewes
East Sussex
BN7 2NH
W: www.sussexalc.org.uk
E: trevor.leggo@ruralsussex.org.uk
T: 01273 476342

South West**Avon Local Councils Association**

Monarch House
1-7 Smyth Road
Bedminster
Bristol
BS3 2BX
W: www.avonlca.org.uk/default.aspx
E: alca1@talktalkbusiness.net
T: 0117 963 87 83 / 0117 963 64 89

APPENDIX 8

LOCAL COUNCILS ASSOCIATIONS

Cornwall Association of Local Councils

11 Walsingham Place
Truro
Cornwall
TR1 2RP
W: www.cornwallalc.gov.uk
E: enquiries@cornwallalc.gov.uk
T: 01872 260096

Devon Association of Local Councils

County Hall
Topsham Road
Exeter
Devon
EX2 4QD
W: www.dapc.org.uk
E: lesley@devonrcc.org.uk
T: 01392 382534

Dorset Association of Parish and Town Councils

Colliton Annexe
Colliton Park
Dorchester
Dorset
DT1 1XJ
W: www.dorset-aptc.gov.uk
E: daptc@dorsetcc.gov.uk
T: 01305 260972
F: 01305 260972

Gloucestershire Association of Parish and Town Councils

15 College Green
Gloucester
GL1 2LZ
W: www.gloucestershireaptc.org.uk
E: advice@gaptc.org.uk
T: 01452 500301

Somerset Association of Local Councils

Victoria House
Victoria Street
Taunton
Somerset
TA1 3JZ
E: peter.lacey@somerset.gov.uk
T: 01823 252515

LOCAL COUNCILS ASSOCIATIONS

Wiltshire Association of Local Councils

Wyndhams
St Josephs Place
Devizes
SN10 1DD
W: www.wiltshire-alc.org.uk
E: kfielding@communityfirst.org.uk
T: 01380 722475

West Midlands**Herefordshire ALC**

Berrows Business Centre
Bath Street
Hereford
Herefordshire
HR1 2HE
W: www.halchereford.gov.uk
E: lynda@halchereford.gov.uk
T: 01432 353492

Shropshire ALC

Shirehall
Abbey Foregate
Shropshire
SY2 6ND
W: www.2shrop.net/salc
E: alc@shropshire.gov.uk
T: 01743 252744

Staffordshire PCA

15 Martin Street
Stafford
ST16 2LE
W: www.staffordshire.gov.uk/spca
E: spca.parish@staffordshire.gov.uk
T: 01785 277499

Warwickshire & West Midlands Association Local Councils

25 Stoneleigh Deer Park
Stareton
Kenilworth
Warwickshire
CV8 2LY
W: www.walc.org.uk
E: walc@walc.org.uk
T: 02476 217349

APPENDIX 8

LOCAL COUNCILS ASSOCIATIONS

Worcestershire Association of Local Councils

Malvern View
Willow End Park
Blackmore Park Road
Malvern
Worcestershire
WR13 6NN
W: www.worcscalc.org.uk
E: info@worcscalc.org.uk
T: 01684 311554

Yorkshire and Humber

East Riding & North Lincolnshire Local Councils Association

Haven House
Waterside Road
Barton upon Humber
North Lincolnshire
DN18 5BD
W: www.ernllca.org.uk
E: enquiries@ernllca.org.uk
T: 01652 661617

Yorkshire Local Councils Associations

York House
Outgang Lane
Osbalwick
York
YO19 5UP
W: www.yorkshirelca.gov.uk
E: admin@yorkshirelca.gov.uk
T: 01904 436622



*Published jointly by the Yorkshire Local Councils Associations (YLCA) and
the East Riding and Northern Lincolnshire Local Councils Association
(ERNLLCA) with financial support from the National Association of Local
Councils (NALC), 2011*



ERNLLCA
East Riding and Northern Lincolnshire
Local Councils Association