

## Your Parish Council – A general overview

*(Part 1 of a short series of articles on how local government works. Part 2 will review the role of the parish councillor.)*

The Stratford St Mary Parish Council is one of 9,000 parish councils in England. Over 16 million people live in communities served by these local councils (25% of the overall population), and about 80,000 people serve on them.

The activities of these councils fall into three main categories:

- representing the local community,
- delivering services to meet local needs, and
- improving quality of life and community well being.

Parish councils are a civil local authority at the lowest tier of local government. They were established by the Local Government Act 1894, but they had their roles and duties substantially revised by the Local Government Act 1972 with other modifications occurring subsequently, notably The **Localism Act**, which came into force in 2011, passing more power to communities and encouraging them to become more self-reliant. Community rights powers are very much a cornerstone of this legislation.

A parish council serving a town may be called a town council, and a parish council serving a city is styled a city council; however, whatever their name, these other bodies have the same powers, duties and status as a parish council.

A parish council consists of a chairman and not fewer than five elected parish councillors, and a quorum of the main council is at least one-third of the members, or three members, whichever is the greater.

The number of councillors for each local authority is decided by the independent Local Government Boundary Commission for England. It is responsible for electoral arrangements (the reviewing and implementing of the number and boundaries of electoral areas and the number of councillors) in local authorities across England.

In the parish of Stratford St Mary, the allocated number of council places is nine, one of whom will be elected chairman each year, by his/her fellow councillors.

*There are currently three unfilled places on the Stratford St Mary Parish Council. When you have read this article, why not consider putting yourself forward to fill one of those vacancies. Being a Parish Councillor can be a demanding but stimulating occupation that will enable you to help your community in a variety of ways.*

All parish, community and town councils are empowered to act on a number of local issues, including:

- maintenance and protection of war memorials and public clocks;
- provision and management of community centres or other public buildings;
- provision and maintenance of street lighting;
- provision and maintenance of litter-bins and support for anti-litter campaigns
- provision and maintenance of bus shelters;
- establishment and maintenance of play areas and play equipment;

- provision of allotments, including the duty to provide allotments if demanded by parishioners;
- maintenance of rights of way, ponds, ditches, public footpaths and bridle-ways;
- provision of public entertainment and support for the arts
- making grants to support local organizations;
- providing the lead in the development of ‘neighbourhood plans’;
- acquisition and sale of land;
- decision making locally e.g. where money should be spent, service delivery and policy implementation;
- monitoring of decision making at district level to ensure efficient and effective services and ensure local involvement

although whether they do so or not for any particular topic, will depend on local needs and circumstances.

*Individuals or localised groups within the community can sometimes become frustrated when matters of significant concern to them are not immediately prioritized and resolved in accordance with their expressed views. This is regrettable, but **parish councils have the fundamental responsibility of representing the whole electorate within the parish and this is not always compatible with meeting the expectations of a minority.***

In taking action on any of these responsibilities, parish councils have the fundamental responsibility of representing the whole electorate within the parish in delivering services to meet local needs and striving to improve quality of life in the parish.

This can sometimes be a source of conflict within a parish when one section of the electorate feels strongly that certain actions, of benefit to them, should be taken when the views of the wider electorate are to the contrary. Such conflict is preferably resolved by compromise but the outcome may not be to the disadvantage of the majority.

Parish Councils also have the power to create local laws, known as byelaws, provided that the subject is not already covered by general legislation. Such byelaws create a criminal offence and as such, they cannot come into effect until they have been confirmed by the Secretary of State (Ministry of Housing, Communities and Local Government, Byelaws Department). There are however sets of model byelaws that make it easier for individual parish councils to develop their required local laws in a manner likely to be approved.

By way of example, a parish may wish to create byelaws and impose local fixed penalty fines, for offences such as:

- littering
- graffiti
- fly posting
- dog offences
- social nuisance

In this respect, byelaws are used by local authorities to protect the public safety and prevent nuisance.

*A parish council may appoint and train staff to issue fixed penalty notices in relation to bye-law transgressions or it may be able to purchase the services of its district council's enforcement staff to do so, **but parish councillors must not, themselves, act as enforcement officers.***

However, a significant governing factor in considering whether or not to create bye-laws and impose such fines has to be the council's ability to enforce them. The council may appoint and train staff to issue fixed penalty notices in relation to bye-law transgressions or it may be able to purchase the services of its district council's enforcement staff to do so on its behalf, but parish councillors must not, themselves, act as enforcement officers.

Town and Parish Councils do not have the power to approve or reject planning applications as they are not planning authorities.

They do, however, have to be consulted by the Local Planning Authority as part of the process, and as part of this consultation, Parish Councils can choose to submit comment on the planning application. In addition, to permit local councils to have some influence on this process Government encourages local communities to prepare their own planning policies and site allocations through the development of neighbourhood plans. Through the use of this tool, local authorities can actually create policies themselves which have real power, because future planning applications and appeals will be assessed, taking them into account.

Parish councils meet regularly to address their responsibilities (not less than 4 times each year) and this is currently bi-monthly in Stratford St Mary. Apart from councillors, each parish council employs a clerk, who provides administrative support for the council and assists with meeting facilitation.

They are elected corporate bodies, having variable tax raising powers. This will be a consideration in relation to the councils funding, which is raised via a 'precept', a sum of money collected by the relevant district authority on the Parish Council's behalf, through council tax. This is then invested back into the local area to maintain/ improve services and facilities. There are also other ways in which money can be raised, such as through grants, loans or allocation from other forms of local taxation such as the Community Infrastructure Levy (CIL).

Parish councils are responsible for managing their own budgets and may make standing orders for the conduct of meetings and making decisions. In practice such standing orders are usually prepared and provided by The National Association of Local Councils (NALC) a National Body appointed to serve parish councils, nationwide.

Parish councils are expected to actively encourage input from residents on what the community needs, and any improvement sought, so that they can budget for the required activity and seek any necessary investment.

However, this can only be fully effective when residents take a real interest in the wellbeing and future of their community and provide ongoing, considered, feedback on their hopes and expectations in that respect. This could be done, for example, at bi-monthly council meetings, the Annual Parish Meeting, through interim correspondence or through contribution to neighbourhood planning activity. **If your parish is not active in the latter, why not suggest that it should be?**