

An Introduction to Parish & Town Councils

Local Councils

Parish and Town Councils are the first tier of Local Government. They are statutory and their authority comes from the Law. They are fully autonomous and are accountable to their local government registered electors. They set their own precept (community charge) which is collected for them by their Local Authority (LA).

They are increasingly consulted by both Central Government and the LA through consultative documents and draft policy documents. Their powers to work in partnership with the LA have been increased under the Local Government Acts of 1997 and 2000.

Parish or Town Councils are in the main non-political although on some of the large Councils, candidates do stand on a local interest 'ticket'.

The Duties of a Parish/Town Councillor

The duties of a Parish/Town Councillor are governed by law and are not as far reaching as many casual observers may think. Being a Parish/Town Councillor means that you are the nearest level of local government to the electors you represent. It gives the opportunity to be involved in local decision making and strategic planning which cover many facets of daily life. Being a Parish/Town Councillor brings no special privileges other than the satisfaction of working for the Parish in which you live.

Becoming a Councillor

Anyone over the age of 21 who is a British subject, a citizen of the Commonwealth, or the Irish Republic may become a Parish/Town Councillor providing that they are a registered elector of the Parish or live within three miles of the Parish.

There are three methods of becoming a Parish/Town Councillor.

At the time of the four yearly elections, nomination forms should be completed by the due date with a proposer and seconder both of whom must be registered electors. If more than the prescribed number of nominations is received by the Returning Officer at the LA, positions are then filled by election.

Should a vacancy become available at a later time, 10 registered electors of the Parish have a right to request that the Returning Officer at the LA ensures that the vacancy is filled by election.

If, after the statutory notice period has elapsed and no election has been requested, the vacancy can be filled under the rules of co-option.

Statutory notices advertising any of the above are displayed on Parish notice boards at the appropriate time and the onus is on anyone interested to respond personally to that notice.

When you become a Councillor

Prior to or at the first meeting of the Council after election or co-option, Councillors are requested to sign, in the presence of the Clerk, a Declaration that they will undertake their duties in accordance with the law. They are also required to complete forms relating to the Code of Conduct which requires declaration of employment details, business interests, land ownership, beneficial interest in any land within the Parish, membership of trade unions, charitable organisations, professional associations and any organisation with a main purpose including influencing public opinion or policy. When completed and countersigned these documents are open for inspection by any member of the general public and must be available at every meeting of the Parish/Town Council.

The Conduct of Councillors, collectively or individually, is now open to complaint within a set criteria by the local electorate through the Standards Board for England and Local Standards Committees which have the power, if a complaint is proven, to censure, disqualify or fine again both collectively or personally. Hence the following is very important:

Declaration of Interest

The Agenda of every Parish/Town Council Meeting will have an item entitled 'Declaration of Interest'. If any Councillor finds that they have a personal or prejudicial interest, this must be declared. A personal interest is a matter that affects the well-being or financial position of a Councillor, relatives, or friends more than others in the Parish. A prejudicial interest is one which a member of the public could think is so significant that the Councillor's judgement could be affected.

The Role of the Clerk

Just as a Parish/Town Council is a tier of Local Government, the Clerk is the Chief Executive of the Parish/Town Council and is by law a Local Government Officer. The Clerk is responsible for ensuring that the Council carries out all its functions and appointments in accordance with the law. He/she is the first point of contact between the Council and the rest of the world and is responsible for the administration of the Council. All correspondence must be addressed or sent to or sent by the Clerk; only by special resolution of the Council may the Chairman or individual Councillors take on specific functions, place orders or send/receive correspondence on behalf of the Council. The Clerk is NOT a secretary to the Chairman or any individual Councillor but is, by Law, a "Servant of the Council as a whole".