

History and the purpose of the Parish Council

A **parish council** is a civil local authority found in England and is the lowest, or first, tier of local government. They are elected corporate bodies, have variable tax raising powers, and are responsible for areas known as civil parishes. Civil parish councils should not be confused with Parochial church councils which administer parishes of the Church of England.

There are 9,000 local councils (parish and town) in England. Over 16 million people live in communities served by local councils, around 25% of the population, and about 80,000 councillors serve on these councils. It is calculated £1 billion is invested in these communities every year. Local councils work to improve community well-being and provide better services at a local level. Their activities fall into three main categories: representing the local community; delivering services to meet local needs; improving quality of life and community well being.

Local councils can provide and maintain a variety of important and visible local services including allotments, bridleways, burial grounds, bus shelters, car parks, commons and open spaces, community transport schemes, community safety and crime reduction measures, events and festivals, footpaths, leisure and sports facilities, litter bins, public toilets, planning, street cleaning and lighting, tourism activities, traffic calming measures, village greens and youth projects. These existing powers were recently strengthened by powers contained in the Localism Act including the extension of the General power of competence to eligible local councils.

Parish councils receive funding by levying a "precept" on the council tax paid by the residents of the parish. Parish councils comprise unpaid councillors who are elected to serve for four years.

Parish councils have the power to precept (tax) their residents to support their operations and to carry out local projects. Although there is no limit to the amount that can be precepted, the money can only be raised for a limited number of purposes, defined in the 1894 Act and subsequent legislation. The "General Power of Competence" is a new power awarded in 2012 to eligible councils, and is described later in this article. The exercise of powers is at the discretion of the council, but they are legally obliged to exercise duties.

Parish councils have powers to provide some facilities themselves, or they can contribute towards their provision by others. There are large variations in the services provided by parishes, but they can include the following:

- Support and encouragement of arts and crafts
- Provision of village halls
- Recreation grounds, parks, children's play areas, playing fields and swimming baths
- Cemeteries and crematoria
- Maintenance of closed churchyards
- Cleaning and drainage of ponds etc.
- Control of litter
- Public conveniences
- Creation and maintenance of footpaths and bridleways
- Provision of cycle and motorcycle parking
- Acquisition and maintenance of rights of way

- Public clocks
- War memorials
- Encouragement of tourism

They may also provide the following subject to the consent of the county council.

- Bus shelters
- Signposting of footpaths
- Lighting of footpaths
- Off-street car parks
- Provision, maintenance and protection of roadside verges

Parish councils must be notified by the district or county council of:

- All planning applications in their areas
- Intention to provide a burial ground in the parish
- Proposals to carry out sewerage works
- Footpath and bridleway (more generally, 'rights of way') surveys
- Intention to make byelaws in relation to hackney carriages music and dancing, promenades, sea shore and street naming

In some cases parish councils possess the following powers

- Creation of a neighbourhood plan
- Guardianship of common land
- Withholding of consent to stop up unclassified highways and footpaths
- Consultation on appointment of managers of primary schools
- Trustees or appointing trustees of local charities

The government chose the civil parish as the basic unit of local government in rural areas. Their areas of responsibility were known as civil parishes and they were grouped together to form rural districts. Civil parishes existed in urban districts, but did not have parish councils. Whilst the bulk of the rationalised activities went to district councils, parish councils took over a number of lesser powers including the activities of the parish.

Two principal Acts of parliament have increased the general powers of parish councils, and removed onerous constraints.

Local Government Act 1972

Localism Act 2011

The term of office of a parish councillor is four years, and councils are elected *en bloc* to make a newly constituted council. The legislation provides that the number of elected members of a parish council shall not be less than five. In the case of larger parishes, they may be divided into parish wards, with separate elections for each ward-

A candidate must be at least one of the following:—

- A UK or commonwealth citizen

- Citizen of the Republic Of Ireland
- Citizen of another Member state of the European Union.

Candidates must state on their consent for nomination form their qualification for election which must be at least one of the following:-

- they are an elector of the parish
- during the whole of the last 12 months they have either occupied as owner or tenant, land or other premises in the parish.
- their principle or only place of work is in the parish
- they live within 4.8 kilometres (3 miles) of the parish boundary

The chairman of the last council shall remain in office, even if not elected to the newly constituted council, until a new chairman is appointed at the first meeting of the new council.