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LOCAL GOVERNMENT INFORMATION UNIT

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**Quality Town and Parish Councils : A Consultation Paper****Date** 16 November 2001**Circular No** 164/01**Contact** Nigel Long**Summary**

This consultation paper published on 7 November sets out details of the proposal for Town and Parish 'Quality Councils'. This circular considers that proposal. It applies to England only and can found at [www.defra.gov.uk](http://www.defra.gov.uk).

**Introduction**

The Rural White Paper, 'Our Countryside: The future - A fair deal for Rural England', set out the government's proposals to strengthen the role of parish and town councils in England. (See circular 150/00.) The main proposal put forward was that of awarding 'Quality status' to town and parish councils (referred to in this briefing as local councils). Being awarded this would allow councils to take a bigger role in their area, including providing services.

The consultation paper, which has just been published, sets out the details of the proposed 'Quality Council' scheme. The paper has been issued jointly by the Department for Environment, Food and Rural Affairs (DEFRA), Department of Transport, Local Government and the Regions (DETR), the Countryside Agency and the National Association of Local Councils (NALC) in consultation with the Audit Commission.



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### **What the consultation paper covers**

The consultation paper sets out proposals for:

- a model charter covering relations between all parish and town councils and their principal authorities outlining how they will work in partnership
- the additional benefits that come from gaining the status of a 'Quality Council' including an enhanced role in principal authority consultation, in the delivery of services and the provision of access points to information
- guidance to principal authorities on how the 'Quality Council' system will work
- a series of tests that parish and town councils should pass in order to obtain 'Quality Council' status.

### **Details of the 'Quality Council' proposal**

The consultation paper says that 'Quality Councils' should:

- be representative of, and actively engage, all parts of their communities, providing vision, identity and a sense of belonging
- be effectively and properly managed
- articulate the needs and wishes of their communities
- work in partnership with principal authorities and other public service agencies
- in proportion to size and skills, undertake more service delivery and other responsibilities themselves
- work closely with voluntary groups in their communities
- give leadership to work by the community on town or village plans
- act as an information point for local services.

The consultation paper also envisages that parish and town councils will play a role in the Local Strategic Partnership.

### **Tests to become a Quality Council**

Chapter 4 of the consultation paper sets out a series of proposed 'tests' that parish and town councils would need to pass in order to achieve 'Quality' status. It also considers how these targets might be validated.

The consultation paper is seeking views on the suitability of the key tests. The tests identified are:

- the requirement that all council seats be contested so that local councils have a clear electoral mandate
- a minimum requirement of 6 meetings per annum
- minimum level of skills/competencies for the clerk to carry out their duties
- need to publish an Annual Report
- the requirement for a community newsletter at least quarterly
- publication of properly audited accounts.

## Questions

The consultation paper seeks submissions in response to its proposals. It seeks to structure responses around 17 questions.

## LGIU Comments

The proposals in the consultation paper to introduce 'Quality Councils' provide local councils with an opportunity to develop their role and responsibilities. It should facilitate improved partnership with principal authorities. Affiliates who respond to the consultation paper may wish to include the following points:

1. The enhanced role envisaged, especially regarding the delivery of services, may only be an option for larger local councils who employ appropriate staff.
2. Local councils which take on enhanced roles and staffing, should seek to be good employers and should ensure pension provision, family friendly employment policies and encourage trade union membership.
3. The decisions on which services to decentralise from the principal authority need to reflect the local councils' input into the community planning process and how such decentralisation should meet the aims of the community plan.
4. The requirement that elections be contested is a positive test that will increase transparency and limit the ability of people to hide their politics from the electorate.
5. The consultation paper proposes that a model charter covering the relationship between a local council and its principal authority should be drawn up. It should be reviewed every five years. The proposed accreditation process is a four yearly one and linked to the electoral cycle. There may be benefits by unifying both processes.
6. The statement in the consultation paper that local councils are the "grass roots level of local government" may underestimate the record of area committees and forms of neighbourhood and locality activity by many principal authorities.
7. The consultation paper does not address equality issues. The LGIU would argue that a local council should not be given accreditation as a 'Quality Council' if it does not have an equal opportunities policy.
8. Accreditation should also require clear standing orders and financial regulations in order to ensure transparency, probity and the rights of members and the public to participate in the affairs of the local council.
9. The proposal that a principal authority is able to 'delegate' decisions to a local council is welcome. Clarification is needed on whether this simply extends Section 136 of the Local

Government Act 1972 by adoption of a schedule of delegation and a defraying of expenditure, or whether a general power, similar to that in Section 2 of the Local Government Act, is required. The consultation paper is silent on the mechanics of delegation.

10. Appendix 2 of the consultation paper lists services that might be delegated to local councils. Consideration needs to be given to the process of agreeing a scheme of delegation. For instance, the consequence of a 'Quality Council' wishing to provide a street cleaning service may be that the principal authority wide service is no longer viable and is not best value. A process for agreeing delegation needs to form part of the guidance.
11. The delegation of services to local councils will require a transfer of funding or that the local council levy a precept. It may be premature to transfer services without clarification of the new financial framework being proposed. (The Finance Green Paper addressed this matter).

#### Consultation timetable

The consultation period ends on **31 January 2002**.

Responses should be sent by post to:

Jane Lutman. Department for Environment, Food and Rural Affairs,  
Zone 3/B5, Eland House, Bressenden Place, London, SW1E 5DU.

Or they can be sent by e-mail to [quality.parish@defra.gsi.gov.uk](mailto:quality.parish@defra.gsi.gov.uk)

Responses should be given the title: 'Responses to Quality Parish and Town Councils Consultation'

The LGIU would welcome receiving copies of any submission made. They should be sent to Nigel Long at the LGIU offices at 22 Upper Woburn Place, London, WC1H 0TB. Alternatively, they could be sent by e-mail to: [nigel.long@lgiu.org.uk](mailto:nigel.long@lgiu.org.uk)



**NIGEL LONG**

Policy Officer

This briefing has been circulated to Management Committee Representatives, Leaders and Chief Executives.

Email distribution category: Corporate affairs.

It can also be found on the Web in the following categories: Neighbourhood area/Political and Management structures, Rural issues, Urban policy and regeneration.

## Publication offer

Parish, Town and Community Councils...the quiet revolution in local democracy

The LGIU published, earlier this year, this new guide to local councils. It argues that they are important to the success of the broad modernisation agenda that has dominated central government's approach to local government since 1997.

It can be purchased from Central Books Ltd., 99 Wallis Road, London E9 5LN. The cost is £10.00 (£5.00 to affiliates). Fax orders on 020 8533 5821 or E-mail [mo@centralbooks.com](mailto:mo@centralbooks.com). Credit card purchases can also be made by phoning 020 8986 5488. Affiliate members and Subscribers will be invoiced for their purchases.

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