

# Research Study into the Role, Functions and Future Potential of Community and Town Councils in Wales

Report to the Welsh Assembly Government



COMMUNITY AND TOWN COUNCILS





University of Wales, Aberystwyth  
Institute of Geography and Earth Sciences  
Regional Change and Development Research Group

# **Research Study into the Role, Functions and Future Potential of Community and Town Councils in Wales**

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**Final Report to the Welsh Assembly Government**

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**August 2003**





## FOREWORD

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**From the Welsh Assembly Government  
Minister for Finance, Local Government and  
Public Services, Sue Essex AM.**

Community and town councils have for long been the silent partners in local government. They are the tier of local government which is closest to local people and should be the tier with which the public most closely identifies, but nationally little is known about them. Community and town councils are responsible to their local electorate for delivering a wide range of services and for the provision and upkeep of local amenities. They also represent the views of local people to their county/county borough councils and other bodies.

This study, funded by the Welsh Assembly Government and undertaken by the Institute of Geography and Earth Sciences at Aberystwyth University, is the first comprehensive review of the work of community and town councils in Wales. It catalogues all the activities undertaken by local councils. I am pleased to see that the vast majority of community and town councils actively contribute to their areas' well being. The report also outlines the constraints which local councils face and sets out a number of proposals for enhancing community and town councils' roles, should councils wish to take on additional responsibilities. The researchers consider that community and town councils have the potential to contribute significantly to the quality of life of local people and to local democracy.

This enhanced role involves close working between the local councils and their county /county borough councils and other bodies. It also involves developing the capacity amongst elected members and officers to deliver those services which would be more appropriately delivered locally. This means working in partnership with others, including other community councils for the benefit of their areas.

The report merits wide discussion within all tiers of local government and by those organisations which impinge on local government and the public. It will ensure that the Assembly's proposals for community and town councils are based on hard facts and an awareness of the views of local councils, other bodies and the public. I encourage you to read the report and to comment on its conclusions and recommendations.

*Sue Essex*



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# EXECUTIVE SUMMARY

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## Introduction

**S1** Community and town councils are the grassroots level of government in Wales. Serving populations ranging from 155 to 45,053 people, the 737 councils provide an important institutional vehicle for local collective action – to provide for and respond to local needs; to advocate community interests; and to organise and promote community events. Collectively, community and town councils across Wales engage some 8,000 individuals in voluntary service as councillors, and are responsible for managing an aggregate annual budget in excess of £25 million.

**S2** The existence of community and town councils enhances the local government system as a whole and provide a number of benefits to the communities that they serve. These include local responsiveness, the dedicated representation of local interests, the ability to mobilise community activity, and the capacity to provide additionality to the services and facilities operated by county and county borough councils. Compared with other forms of grassroots organisation, including community associations and residents' groups, community and town councils have a number of advantages that follow from their statutory foundation. These include accountability to local people through elections, stability and continuity, tax-raising powers and the capacity to act as a catalyst for promoting participation in public service.

**S3** There are, however, growing pressures for reform, both to the structure of community and town councils, and to their working practices. More active councils have found themselves limited in their capacity to act by legislative and financial constraints, and frustrated in their engagement with other bodies by poor liaison arrangements. At the same time, concerns have been expressed about the inclusiveness of some councils, the low level of contested elections, the procedures for consulting and communicating with local people, and the training and expertise of clerks and councillors. There are many good practices with respect to all these areas of concern, but the pattern of practice across Wales is variable. This study was commissioned by the Welsh Assembly Government to examine these issues and to make recommendations as to the role, functions and future potential of community and town councils in Wales.

**S4** The report draws on information collected through a wide range of research methods including: surveys of all community and town councils and all county and county borough councils; case studies of twenty councils, including questionnaire surveys of councillors, interviews and focus groups; interviews with planning officers and other key stakeholders and informants; four public seminars; and the analysis of written submissions. Further details of the research and discussion of the issues are contained in the full report and in four research papers which are available on the study's website at [www.aber.ac.uk/communitygovernance](http://www.aber.ac.uk/communitygovernance). The remainder of this summary presents an overview of the key findings and recommendations.

## KEY FINDINGS

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### The characteristics and distribution of community and town councils

**S5** The 737 community and town councils in Wales collectively cover 96% of the nation's land surface, and 70.1% of its population. There is complete territorial coverage by community and town councils in thirteen of the 22 county and county boroughs, yet there are also 115 officially-defined 'communities' in Wales for which no council exists. More than half of the population in Cardiff, Merthyr Tydfil, Newport, Swansea and Rhondda Cynon Taff are not served by a local-level council, along with around a third of the population in Blaenau Gwent, Caerphilly and Neath Port Talbot.

**S6** There are strong arguments for community councils to be established in all parts of Wales, especially if their role could be enhanced. As well as the benefits outlined in paragraph S2 above, uniform coverage across Wales would strengthen the capacity and visibility of this tier of government and help to address issues such as double taxation. There is evidence of support for the establishment of councils in communities where they do not currently exist. The current mechanism for establishing new councils is, however, perceived to be obstructive. Indeed it is arguably easier for an existing council to be dissolved. The threat of dissolution – which does not exist for equivalent councils in England – can militate against the stability and effectiveness of community and town councils.

**S7** The population size of community and town council areas range from 155 (Llanwrthwl, Powys) to 45,053 (Barry). Just over a fifth of councils serve a population of fewer than 500 people, and nearly half serve a population of fewer than 1,000 people. At the same time, there are eight councils with populations in excess of 20,000 people. The size of a community has a significant influence on the capacity of a council to raise funds, mobilise resources and provide services and amenities, and consequently places limitations on the future potential of smaller councils. However, there is considerable attachment to the present communities and resistance to any suggestion of a compulsory amalgamation of smaller councils. A mechanism exists under the Local Government Act (1972) for the voluntary grouping of communities under a common council (and for this process to be reversed), as has been successfully followed by Cwm, Waen and Tremeirchion Council in Denbighshire. We consider that this voluntary route offers a model for enhancing the capacity of smaller councils.

## The role of community and town councils in providing services and amenities

**S8** Community and town councils are responsible for the provision of a wide range of public services and amenities. At minimum, even small community councils will typically be responsible for signs, noticeboards, public seating, bus shelters and war memorials. Larger councils are not only likely to provide a more extensive range of facilities, but may also provide higher-order amenities such as community centres and indoor recreation facilities. A number of councils have also initiated innovative projects to meet specific local needs, including, for example, a community taskforce and a summer playscheme operated by Cwmbran Community Council, and a community resource centre developed by Offa Community Council.

**S9** There is significant interest from community and town councils, and particularly from larger councils, in increasing their role in the provision of services and amenities. Many local-level councils have argued that they are more able than principal councils to be responsive to local needs and accountable to the community, and that the enhancement of their role in service delivery would promote a sense of community 'ownership' of services, facilities and amenities, and act as a stimulus for greater participation by local residents as community and town councillors. The capacity of smaller community councils to take on additional functions is, however, limited by resources, expertise and the infrequency of council meetings. A number of smaller councils expressed concern that they would be 'forced' to assume additional responsibilities against their will if any significant transfer of functions were to be proposed. There are also issues concerning the loss of economies of scale and of the strategic co-ordination of services across a wider territory that need to be considered in evaluating the potential for responsibilities for specific services to be devolved to community and town councils.

**S10** Many of the 32 areas in which community and town councils have a statutory ability to act are concurrent functions held jointly with county and county borough councils. At present many of these functions are performed across large parts of Wales by the county or county borough council. As such, whilst we do not consider there to be a strong argument for increasing the statutory functions of community and town councils, we do consider that their involvement in service provision could be developed by encouraging the greater delegation of responsibilities for concurrent functions by county and county borough councils. The extent of the delegation of functions from principal councils to community and town councils in Wales is currently limited. Only around two-fifths of community and town councils have any responsibilities delegated to them by their principal councils, most frequently with respect to public rights of way, street lighting and street naming. The promotion of Charter agreements between county and county borough councils and community and town councils is recommended as a means of formalising the framework for delegating functions, encouraging the greater use of this facility.

**S11** An expanded role for community and town councils in the provision of services and amenities would generate new pressures on councils in terms of personnel, financial management, legal liability and technical knowledge and expertise. In the public interest it will be necessary to ensure that councils drawing down delegated functions are able to respond satisfactorily to these pressures. It is recommended that to be eligible for the delegation of functions, community and town councils should be required to first pass an 'accreditation test' by meeting criteria related to the ratio of elected members to co-opted members, training, frequency of meetings, public participation in council meetings and consultation and communication with the community.

**S12** The accreditation criteria will favour larger community and town councils. In order to make the opportunity to apply for delegated functions as inclusive as possible, accreditation might also be awarded to groupings of councils. Such groupings might, for example, follow the model of good practice of Hawarden, Shotton and Broughton and Bretton councils in Flintshire, which have pooled resources to operate a joint maintenance service responsible for street lighting, playing fields and building maintenance, and a joint administrative service.

**S13** Partnership working also offers the opportunity to increase a council's sphere of activity, both in terms of partnership between councils and partnerships with other bodies, including local community organisations and county and county borough councils. At least a fifth of councils are involved in some form of partnership working, including members of independently constituted partnership organisations, and co-funded partnership projects. Principal councils are the most frequent partners, but partners are also widely drawn from the public, private and voluntary sectors. Projects undertaken through partnership working include closed-circuit television (CCTV) schemes, the provision of bus shelters and play equipment, skateboard parks, heritage schemes and museums, building refurbishment or redevelopment, and environmental initiatives such as tree-planting, land reclamation and creating wildlife areas and walks.

**S14** Challenges can also arise in the practice of partnership working, especially if other partners include principal councils and public agencies. As volunteers, representatives from community and town councils believe that they are less well prepared and less able to contribute to business than the professional officers representing other partners. As such, councillors may have less of an influence on the agenda and decisions made by partnerships than they desire. Improving the effectiveness of partnership working by community and town councils requires greater awareness of the circumstances of local-level council representatives by other partners, particularly public sector partners, but also better advice and training for local councillors involved in partnership activity.

## The representational role of community and town councils

**S15** The representation of local interests is a crucial part of the work of community and town councillors, and is regarded by three out of four councillors as one of the key means by which they can 'best serve' their community. Community and town councils engage with a wide variety of bodies, at differing scales and with varying degrees of frequency, and even small community councils may typically have up to a dozen items of correspondence with external bodies, including principal councils, to report at their meetings.

**S16** The greatest challenges faced by community and town councils in representing local interests are insufficient time, resources and information. Consultation exercises often require a response on a timescale that is mismatched with a council's schedule of meetings. Consultation documents may be bulky or inappropriately pitched and difficult to circulate to members. When councils attempt to initiate contact with outside bodies they can experience difficulty in identifying the appropriate contact points. More generally, councils have expressed concern about poor feedback and slow responses to correspondence. These challenges and problems can be addressed through the adoption of good practice on both sides. Consulting organisations need to be aware of the constraints and capacities of community and town councils, and need to identify clear liaison procedures. Equally, community and town councils need to ensure that their committee structure and cycle of meetings enables them to participate effectively in consultation exercises.

**S17** The most important external relationship of most community and town councils is that with their local county or county borough council. A typical community council will deal with upwards of half-a-dozen matters of correspondence from, or to, the principal council at each meeting. The quality of this relationship, however, varies significantly, with concerns expressed by community and town councils about the absence of clear contact points, poor co-ordination between different principal council departments, contradictory advice issued by different departments, letters and e-mails that are not replied to, and a lack of feedback on complaints made about joint projects and initiatives.

**S18** There are, however, many examples of good practices that should be adopted more widely. These include regular liaison meetings between the county or county borough councils and local community and town councils, the designation of a community council liaison officer within a county/county borough council, and the representation of community and town councils on principal council area committees (or their equivalents). A Charter agreement, such as that adopted by Caerphilly County Borough Council, can help to formalise and promote good practice.

**S19** Community and town councils have a particularly important role to play in commenting on planning applications. It is estimated that most planning departments send notifications of between 500 and 1500 applications to community and town councils each year, and receive responses to over 80% of applications. In the vast majority of cases the community council's view corresponds with the decision of the principal authority planning committee. However, tensions are created when the recommendation is not followed, usually because the community council's position is not compatible with agreed planning policy or planning law. Such tensions could be alleviated through a better flow of information, including the circulation of planning newsletters, training and information events, enhanced feedback and the involvement of community and town councils in the strategic planning process.

**S20** There is also potential for the opportunities that exist for community and town councils to contribute to the planning process to be increased. The successful experiment by Monmouthshire County Council of permitting community and town council representatives to address meetings of the planning committee could be more widely adopted, as could the practice of inviting community and town councillors to attend site visits. In the longer term, planning authorities might wish to consider delegating decisions on minor planning matters to accredited community and town councils on the model pioneered by Taunton Deane Borough Council in Somerset. The community and town councils associations have also argued for the introduction of a third-party right to appeal against the granting of planning permission. This issue is more complex, raising concerns about the cost and efficiency of the planning system, but should be researched further by the Welsh Assembly Government.

**S21** Community and town councils are directly represented on a wide range of bodies within, or with a remit including, their communities. These are frequently organisations and committees to which they provide financial support, but also include primary school governing bodies to which they have a statutory right of appointment. Arrangements of this nature are mutually beneficial, providing accountability for public funds, democratic legitimacy, and helping to ensure co-ordination of community activities. There is scope for community and town councils to be represented on other publicly-funded bodies and initiatives, including secondary school governing bodies and the partnerships established under the Communities First, Business Improvement Districts and Rural Community Action programmes. The representation of community and town councils on national park authorities should also be considered.

**S22** The community and town council sector as a whole is represented at a national level by its representative associations. The forthcoming merger of these organisations into a single association, One Voice Wales, will enhance the quality of this representation. One Voice Wales has the potential to play a leading role in the future development of community and town councils and it will be important to ensure that it adopts a structure and a remit which maximise its capacity to perform this role effectively.

## The engagement of community and town councils with their communities

**S23** One of the great strengths of community and town councils is that they are closer to local people than any other tier of government. Yet, in practice, the quality and openness of interaction with the public by local-level councils can vary significantly. Historically, many community and town councils relied on informal interaction between their members and local residents, who knew each other as neighbours, customers, co-workers, or fellow members of clubs, sports teams, churches and chapels. The changing nature of Welsh society has undermined these traditional informal relationships. It can no longer be assumed that 'everyone' will know who the community or town councillors are, or that opportunities exist where councillors will routinely meet other local residents. Instead, it has become necessary for councils to establish more formal mechanisms for engaging with their communities, including public participation in council meetings and various forms of consultation exercises.

**S24** Members of the public have a statutory right to attend meetings of community and town councils, but may only speak at the discretion of the chairperson. Around about a quarter of community and town councils have introduced a formal period for public participation in their meetings, and as many again permit electors to speak on a more occasional, informal, basis. In the majority of cases, regular public attendance at council meetings is small; however, the formal provision of opportunities for participation is an important democratic initiative, and, when used, can help to ensure that the council is responsive to local concerns, and to encourage public interest in council business.

**S25** The language of council business can be a sensitive and controversial topic. In 18% of community and town councils, Welsh is the sole or predominant language used in meetings. Similarly, around 12% of councils record their minutes in Welsh only, and a very small minority circulate agendas only in Welsh. Such practices reflect the importance of the Welsh language in the communities concerned and are to be commended for helping to keep Welsh at the heart of community life. However, they can also be perceived by the non-Welsh speaking residents of those communities as exclusionary practices that restrict democratic participation. Community and town councils are now required to produce a Welsh Language Scheme. This requirement will help to ensure that agenda, minutes and other appropriate documents are accessible to all members of the community, but it will also generate additional resource demands that need to be monitored, and, if necessary, assisted.

**S26** The connectivity of a council to its community and the effectiveness of its representation of local interests is enhanced by regular consultation with local residents. The most appropriate means of public consultation will vary with the size of the community and the nature of the subject under consideration. Since 1999,

more than half of the community and town councils in Wales have organised public meetings, and a quarter have conducted surveys of various types. A smaller number have held formal polls of local electors.

**S27** More routinely, the principles of open government should require that community and town councils are proactive in conveying information about their meetings and activities to local people. The most appropriate means of doing this will again vary, but may include initiatives such as the production and distribution of newsletters and/or annual reports, or maintaining a detailed website.

**S28** Community and town councils have an advantage over other community groups in that their legitimacy stems from an electoral mandate. Yet, in practice, only a minority of community and town councils have required contested ballots to elect their members in recent years, and many have struggled to attract candidates. In the last set of full elections in 1999, contested ballots were held in just over a fifth of community and town council wards. In nearly a third of wards, fewer candidates were nominated than the number of seats available, whilst in around 40 wards, no candidates at all were nominated. There is a need to encourage greater participation in community and town council elections, which may involve initiatives to publicise elections and to reduce the cost of organising elections which can act as a disincentive to smaller councils to actively encourage candidates.

## Local council finance and evaluation

**S29** Community and town councils in Wales collectively manage an aggregate budget of approximately £25 million per annum. Of this sum, £18.9 million is raised through the precept, with an estimated further £5-6 million obtained from other sources of income. Around two-fifths of the aggregate income of community and town councils is raised by the 30 largest councils, whilst councils serving communities of less than 500 population have an annual income of less than £3,000. The dependence of individual councils on the precept also varies, with four councils setting a zero precept in 2002-3 due to the sufficiency of other income.

**S30** Patterns of expenditure by community and town councils are equally variable, and depend on the size of the council and the range of services and facilities that it provides. The clerk's salary, insurance and audit fees are the only areas of expenditure incurred by all, or virtually all, councils, and account for just over a fifth of the aggregate expenditure of local-level councils. Other significant areas of expenditure include village and community halls, office costs, lighting, parks and salary costs of staff other than the clerk.

**S31** Section 137 of the Local Government Act 1972 permits a local authority to spend funds on "any purpose which in its opinion is of direct benefit to its area or to the inhabitants", within a limit set by the Welsh Assembly Government – raised to £5 per elector in 2000 and now linked to inflation. Around three-quarters of community

and town councils incurred expenditure under this provision in 2001-2, with the estimated aggregate expenditure amounting to just over £2 million. There is some call from community and town councils for the ceiling on Section 137 expenditure to be abolished. However, there are no more than half a dozen councils spending close to the limit at present and the majority of councils are spending less than 10% of their permitted expenditure. As such, we consider that there is little evidence to support either the abolition or the raising of the spending limit in the near future.

**S32** The developing role of community and town councils will create new demands on council finance, not just for the enhancement of delegated functions, but for administrative support, consultation exercises and to service greater involvement in planning, partnership working and representational activity. It has been argued that in order to fund such developments, community and town councils should be given a proportion of the Revenue Support Grant (RSG) and/or proceeds from non-domestic rates. These proposals are problematic both in principle and in practice, including concerns about the cross-subsidisation of areas with local-level councils by those without, and of rural communities with few rate-paying businesses by small towns and urban communities; and about the financial management structures in place for many smaller community councils.

**S33** Additional funds for community and town councils may be more appropriately provided centrally through the use of direct grants from the Welsh Assembly Government. Initiatives that might form part of an initial tranche of direct grants could include a Local Democracy Fund to cover costs associated with elections to community and town councils; a Business and Community Grant Scheme to support initiatives that are of primary or substantial benefit to local businesses; and a Welsh equivalent of the English 'Vital Villages' programme to permit community and town councils to access funds for community development projects.

**S34** The expansion of community and town council involvement in the provision of services and amenities carries the potential risk of aggravating the problem of double taxation. This arises where functions are performed in some communities by the community or town council but by the county or county borough council in other communities in the same local authority area. In this situation, local taxpayers can effectively be paying for the same service twice, once through the precept, and once through the general council tax. The problem of double taxation can be reduced by adherence to principles of good practice. Where functions are delegated by principal councils to community and town councils, appropriate funding should also be transferred, such that there is no additional demand placed on the precept. Double taxation is more difficult to address where it results from the established provision of concurrent functions by both principal councils and local-level councils. There are a number of strategies that could be adopted to this effect, but different strategies are likely to be appropriate in different contexts and more needs to be known about current practices before definitive guidance can be issued.

**S35** Principles of transparency, professionalism and public accountability should be followed in all financial procedures of community and town councils. These principles are already upheld by the vast majority of councils, but the further development of their role will bring new challenges and responsibilities. Adherence to an appropriate audit regime and the production of an annual financial statement should be cornerstones of a council's financial management practices. Larger councils may additionally find it useful to participate voluntarily in the Wales Programme for Improvement and a protocol should be developed to facilitate this.

**S36** The principles listed above should not just apply with respect to the management of a council's finances, but should be followed in all areas of council activity. The adoption of business plans and targets by community and town councils provides a framework for monitoring and self-evaluation that can assist local electors in making judgments about the performance of councils.

## Councillors and clerks

**S37** There are some 8,000 community and town councillors in Wales. They are drawn from all walks of life, but they do not proportionately reflect the composition of the population of the whole. Nearly three out of four community and town councillors are men, compared with just under half of the population. Four out of ten are aged over 60, compared with less than 30% of the adult population. Fewer than one in a hundred councillors are aged under 25, and fewer than one in six are aged under 45. Further analysis of a survey of councillors on 17 case study councils revealed that only a third were in full-time employment, two out of five were retired and nearly three-quarters have either lived in the community all their life or have been resident for more than 20 years. All councillors in the survey were white.

**S38** Councils whose membership does not reflect the diversity of the communities they serve are limited in their ability to engage with that community and fully to represent its interests to external bodies. Inclusive councils have a richer relationship with their communities, greater public interest in and engagement with council work, and can be more effective advocates of community interests. Councils need to work to increase their inclusiveness through initiatives that engage with under-represented groups including women, ethnic minorities, young people, disabled communities and other hard-to-reach groups.

**S39** The time commitment made by many community and town councillors is considerable. The 146 councillors surveyed for this study spent an average of 13.2 hours per month on council activity, with one councillor devoting up to 120 hours each month to the council. This time commitment includes not just attendance at council and committee meetings, but also preparation and paperwork, reading consultation documents, letter writing, meetings with principal council officers and other outside bodies, meetings with constituents, case work, attendance at civic events, and representation of the council on other bodies and at meetings and conferences.

**S40** The time and costs involved in participating fully in council activity can act as a deterrent to potential councillors, particularly those in full time employment or with family commitments or who otherwise have limited free time or disposable income. There is a strong argument for the remuneration of community and town councillors, both as a reward for the increasing demands of the role, and in order to encourage broader participation. The introduction of remuneration would be controversial. It would be strongly opposed by many councillors. However, we conclude that on balance the introduction of a basic allowance for council members, and of regulations to permit councils to reimburse the costs of childcare and relief care for dependent adults incurred by attendance at meetings, would be a positive contribution to increasing the inclusiveness of councils.

**S41** Since April 2002, community and town councillors have been subject to the same ethical framework as members of county and county borough councils. The introduction of the new code of conduct was controversial in many councils, but may be regarded as an important step in acknowledging the increasing responsibilities of community and town councils, and hence the renewed emphasis on assuring high standards of integrity and professional conduct. At the same time, the uniform application of the code to all councils failed to recognise the diversity of community and town councils and there is a case for reviewing the appropriateness of the code in its present form for smaller councils.

**S42** The developing role of community and town councils will also have implications for the role and conditions of employment of clerks. Only one in twenty councils currently employ a full time clerk, and a similar proportion have volunteer clerks. For two-thirds of councils the clerk is the only employee, and even in larger councils the clerk may only be supported by junior secretarial or maintenance staff. As such, many clerks work considerably longer hours than those formally stated by their contracts, and many clerks have been forced to inform themselves of technical knowledge on financial management, insurance, health and safety laws and other issues. The resources available to a clerk may also be limited, with sixty percent not having access to a fax machine, forty percent having no access to a photocopier, and twenty percent not having access to a computer. As councils develop their role, both the number and nature of the personnel they employ, and the resources provided, will need to be reviewed.

**S43** The most fundamental requirement for any future development of the role of community and town councils, is for the more comprehensive training of both clerks and council members. At present, only a quarter of clerks have participated in any formal training courses, and formal training of councillors is even more restricted. It should become the normal expectation that clerks to community and town councils will have completed a formal training programme and training of council members should become a routine practice. One Voice Wales has an important role to play in facilitating these opportunities by developing and hosting a comprehensive suite of training provision for councillors, clerks and other council personnel.

## Conclusion

**S44** The summary of findings presented here will inevitably dilute some of the diversity of the community and town council sector in Wales by seeking to draw general conclusions. There are numerous examples of open, inclusive and professional local-level councils in Wales who are making a real difference to their communities through a wide range of imaginative initiatives. However, there is also a small minority of councils in Wales that are inactive, closed and disconnected from their communities. The central objective of future policy relating to community and town councils must be to promote good practice and to ensure that all communities in Wales are able to benefit from strong local-level councils. The recommendations contained in this report are intended to meet three broad objectives:

- To professionalise the conduct of government by community and town councils.
- To formalise relationships between community and town councils and other bodies, including principal councils and the Welsh Assembly Government.
- To encourage and support all community and town councils to take advantage of the opportunities open to them.

**S45** This report should be understood as a snap-shot study of community and town councils at a particular moment in time. There is a need to ensure that appropriate information continues to be collected from and about community and town councils on a regular basis in order to monitor the implementation of the recommendations made here, and to inform the future development of policy.

**S46** The recommendations made in this report are addressed to a number of authorities, agencies and organisations, including primarily the Welsh Assembly Government, but also One Voice Wales, the county and county borough councils, community and town councils themselves, and a range of other institutions. Where possible, recommendations have been made that could be introduced within the powers of the National Assembly for Wales: however, in a few cases primary legislation would be required. Details of the legislative requirements are documented in Appendix I. Similarly, the report identifies those recommendations with cost implications for the Welsh Assembly Government. The majority of recommendations are not dependent on either legislation or the identification of significant new funds and could be implemented over the relatively-short term future. It is anticipated that the implementation of all recommendations could be completed within a 5 year period.

## 1. Introduction

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**1.1** Community and town councils are the most local level of government in Wales. Serving populations ranging from 155 to 45,053 people, the 737 community and town councils provide an important institutional vehicle for local collective action – to provide for and respond to local needs; to advocate community interests; and to organise and promote community events. Community and town councils provide amenities that directly enhance the quality of life and visual appearance of Welsh communities – from floral displays to bus shelters and Christmas lights. They played the leading role in organizing events to mark the Millennium and the Queen’s Golden Jubilee, and are a vital source of funding for local community groups, sports clubs and charities, investing around £1 million in the voluntary sector across Wales each year. Community and town councils contribute local knowledge to the planning process, represent community interests in consultation exercises, appoint governors to primary schools and are represented on a range of other local committees and partnerships. They can provide local facilities from noticeboards and playgrounds to leisure centres and playschemes; and can support training for unemployed youth and help with basic maintenance jobs for elderly residents. Community and town councils can play a leading role in the regeneration of their localities, or in responding to problems of crime, social disorder or speeding traffic. They can lead campaigns against factory closures or the loss of local services, and can lobby for investment and environmental improvements. Collectively, community and town councils across Wales engage some 8,000 individuals in voluntary service as councillors, and are responsible for managing an aggregate annual budget in excess of £25 million.

**1.2** Yet community and town councils are also regularly confronted by limitations in their capacity to act, and faced with frustration in their engagement with other bodies. These challenges can result both from external factors such as the statutory framework in which councils operate, the local government funding system, poor relationships with some county and county borough councils, and a lack of awareness of the circumstances and practices of councils and other agencies; and from internal factors such as a reliance on volunteers, lack of funds, slow and unresponsive working practices and, in some cases, the attitudes of clerks and councillors. These challenges need to be addressed if the aspirations of many community and town councils to play a greater role are to be realised. There are also considerable differences in the concerns, ambitions and current activities of community and town councils of different sizes, in different parts of Wales, that have to be acknowledged and accommodated in the future development of policy.

### The remit and purpose of the study

**1.3** The Regional Change and Development Research Group in the Institute of Geography and Earth Sciences at the University of Wales, Aberystwyth, was commissioned by the Welsh Assembly Government in April 2002 to conduct research into ‘the role, function and future potential role of community and town councils in Wales’. The project team has been led by Dr Michael Woods and Dr Bill Edwards,

both Lecturers in Human Geography at the University of Wales, Aberystwyth, and has included Dr Jon Anderson, Dr Graham Gardner and Rachel Gwenllian Hughes as Research Assistants. In addition, Dr Rhys Jones, Lecturer in Human Geography at the University of Wales, Aberystwyth, assisted with the conduct of Welsh-medium interviews and focus groups.

**1.4** The project team has been supported by a Steering Group chaired by Professor Eric Sunderland and comprised of members with experience and expertise in local government and the community sector. The full membership of the Steering Group is listed in Appendix A. We are grateful to the members of the Steering Group for their helpful advice and guidance over the period of the research study.

**1.5** The project specification directed the study to "examine the geographical extent, representation, operation and functions of community and town councils in Wales and their interaction with other bodies, and to assess the factors relevant to their development, with particular reference to their potential to increase democratic involvement, engage with policy development at strategic levels, bring decision-making and service delivery closer to people and promote the well-being of local communities."

**1.6** In particular, the aim of the study has been to provide evidence to allow recommendations to be made on 18 issues identified by the Welsh Assembly Government. These include:

- the appropriate arrangements for collection of statistics on community and town councils
- the adequacy of existing legislation for creating, merging and dissolving councils
- initiatives to stimulate greater democratic involvement
- the potential for councils taking on additional service responsibilities
- the potential role of councils in representing the views of their areas
- the application of the Wales Programme for Improvement principles to community and town councils
- measuring the performance of councils
- the extent and nature of changes to the number and size of councils
- the desirability of introducing incentives for enhanced performance
- the provision of training
- the sharing of good practice and the joint delivery of services
- requirements for future funding arrangements for community and town councils
- the involvement of community and town councils in the planning process

- the engagement of councils in partnership working
- models of good practice in relations between community and town councils and county/county borough councils
- the role and potential of local council representative associations
- the desirability of paying allowances to councillors
- improving the links between the National Assembly and councils

## Programme of work and methodology

**1.7** The research was undertaken over a twelve month period from April 2002 to March 2003 and involved a wide range of data collection methods and exercises. These include:

- A questionnaire survey of all community and town councils in Wales, to which responses were received from 475 councils (65%).
- A questionnaire survey of all county and county borough councils in Wales, to which responses were received from 20 of the 22 councils.
- Detailed case studies of 17 community and town councils, involving an individual interview with the clerk, a focus group interview with councillors, a questionnaire survey of council members, and an analysis of council minutes.
- Telephone interviews with the clerks of a further three case study councils.
- Telephone interviews with planning officers in each of the 22 county and county borough councils and three national park authorities.
- Telephone interviews with representatives of a range of organisations, including the four local council associations, and other interested parties.
- Four public seminars held in January 2003 at locations around Wales, attended by a total of over 300 people, including town and community councillors and clerks, county councillors, representatives of local organisations and members of the general public.

**1.8** In addition, invitations to submit written evidence on any of the themes within the remit of the study were sent to all community and town councils, the leaders of all county and county borough councils, party groups on all county and county borough councils, and over 100 organisations involved in working with community and town councils or with an interest in community issues.

**1.9** Further details about the research methods employed in the study, including details of the survey returns and of participation in the public seminars, are contained in Appendices B-E.

## Definitions

**1.10** The Local Government Act 1972 introduced the term 'community council' as the correct designation for the most local tier of government in Wales, replacing the previous use of the term 'parish council'. The 1972 Act also permits any community council that is not subject to a grouping order to resolve to use the term 'town council', a practice that has been adopted by 102 councils in Wales. In addition, two councils use the nomenclature, 'city council' as permitted by royal charter.

**1.11** In this report, the terms 'community and town councils' and 'local-level councils' are used as synonyms. The term 'principal councils' is used as a reference to county and county borough councils. The term 'principal local authorities' is used in the context of the planning system to refer to all local authorities with a development control function, including national park authorities. Where the term 'council' is used without qualification, it refers to a community or town council.

**1.12** Throughout this report reference is made to the 'Welsh Assembly Government' or the 'Assembly Government' except when the elected body of the Assembly is referred to, in which case the 'National Assembly for Wales' is used.

## Structure of the report

**1.13** This report presents the key findings and recommendations of the study. It is structured into nine chapters, including this introduction, each focused on a different element of the study. Chapter 2 outlines the historical and legislative context of local-level councils. Chapter 3 presents an overview of the current form and distribution of local-level councils, including procedures for establishing, grouping and disbanding councils. Chapter 4 discusses the role of community and town councils in providing services and amenities. Chapter 5 examines the representational role of community and town councils, including involvement in the planning process. Chapter 6 explores the mechanisms through which community and town councils engage with their communities. Chapter 7 examines the finances of community and town councils and the options for future funding arrangements. Chapter 8 discusses the role and work of councillors and council personnel, including clerks, and makes recommendations on the provision of training. Chapter 9 positions the conclusions of the study in the context of the wider local government system.

**1.14** Further details of the evidence collected in the study, and more extensive discussion of the issues covered in this report, are contained in four research papers, submitted as interim reports to the Welsh Assembly Government. The four papers report on existing sources of information and literature on community and town councils; a factual survey of community and town councils; the future potential of community and town councils in providing services and amenities; and the representational role of community and town councils. The research papers may be read at the study's website at [www.aber.ac.uk/communitygovernance](http://www.aber.ac.uk/communitygovernance).

## 2. Community and Town Councils in Wales: The Historical and Legislative Context

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This chapter describes the historical development of community and town councils in Wales and the current legislative framework within which they operate.

### The historical context

**2.1** The community level of government in Wales was established by the Local Government Act 1894 which created 6,880 parish councils in rural areas of England and Wales. The Act was widely acclaimed in Wales as a radical empowerment of the people and a return to the historic Welsh government unit of the cwmwd. The functions and powers of parish councils were subsequently expanded through a series of Acts of Parliament in the early twentieth century.

**2.2** In urban areas and small towns, many town councils can trace an even longer lineage through a previous incarnation as municipal boroughs or urban district councils. Prior to the 1972 Local Government Act, municipal boroughs and urban district councils were principal local authorities with wide-ranging powers and a significant role in the delivery of public services. Many municipal borough and urban district councils invested heavily in the construction of a civic infrastructure, including town halls, libraries, parks and other facilities, many of which passed into the ownership of the new district councils after 1974.

**2.3** The Local Government Act 1972 re-organised local government in Wales into a three tier structure of communities, districts and counties. The term 'community council' was adopted for the most local tier, including the continuing former parish councils and the 'successor councils' to previous municipal borough and urban district councils. The Act transferred many of the functions of municipal borough and urban district councils to the new district councils and limited the statutory functions of community and town councils to broadly the range of functions still enjoyed by community and town councils today.

**2.4** The Local Government Act 1972 provided for the division of the whole of Wales into 'communities' for statistical purposes. However, it excluded those communities lying within the areas of the former boroughs of Cardiff, Merthyr Tydfil, Newport, Port Talbot, the Rhondda and Swansea from its provisions establishing community councils, thus creating a pattern of incomplete geographical coverage by community and town councils that continues to persist (see paragraph 3.1).

**2.5** The Act also instituted a general review of the number and boundaries of communities in Wales, undertaken on a county by county basis between 1974 and 1983. The Special Community Reviews reduced the number of communities (including those without councils) from 875 to 866, and, through amalgamations,

increased the average population served by community councils. Although the review amalgamated very small communities, such as Erddig in Clwyd with a population of 19, into larger units, it also sub-divided some large communities such as Wrexham.

**2.6** The total number of community and town councils in Wales has remained relatively stable since the conclusion of the Special Community Reviews in the 1980s, although there have been a few minor alterations through the disbanding of councils and grouping arrangements. One new community, Hook, in Pembrokeshire, was created in 1999 through the subdivision of the community of Llangwm.

## The legislative framework

**2.7** The legislative framework within which community and town councils operate largely derives from sections 27 to 37 of the Local Government Act 1972. These sections (and schedule 12, parts four and five, of the Act), define the areas for which community councils may be established (s 27), the procedures for the establishment and dissolution of councils (s 28), orders for grouping arrangements (s 29), the constitution of a community meeting (s 32), the constitution and powers of a community council (s 33), the roles of the chairman and vice-chairman of councils (s 34), and the role and process of election of community councillors (s 35).

**2.8** Later sections of the 1972 Act define the powers of community and town councils with respect to particular areas and functions, including burial grounds (s 214), conference facilities (s 144), provision of entertainment and support of the arts (s 145), provision of information (s 142), the acquisition of land (s 139), public buildings and village halls (s 133), and the promotion of tourism (s 144). Most notably, Section 137 of the Act enabled community councils to "incur expenditure which in their opinion is in the interests of their area or any part of it or all or some of its inhabitants", subject to a capping of the maximum expenditure per resident set in Section 137(4) of the Act and subsequently modified through Statutory Instruments.

**2.9** In addition, community and town councils have been granted powers by a number of pieces of legislation relating to public health, highways, planning, education and traffic (see appendix F). A further more substantial extension of the powers of community councils was introduced by part three of the Local Government and Rating Act 1997. These included powers to establish and maintain car-sharing schemes (s 26), grant-aid bus services (s 27), fund taxi fare concessions schemes (s 28), research and provide information about public transport (s 29), provide funds towards traffic calming schemes (s 30) and establish crime prevention schemes (s 31).

**2.10** The Local Government Act 2000 introduced a new standards regime for community councils, including a statutory code of conduct and the inclusion of community councils under principal council standards committees. Under section 50(2) of this Act, the National Assembly for Wales was made responsible for issuing the code of conduct for community councillors.

**2.11** Under the Wales Act 1998 all Ministerial functions relating to community councils have been transferred to the National Assembly for Wales. In practice, the specified Ministerial functions in this regard are limited, including:

- Local Government Act 1972, s 30 – power to restrict community applications to the Local Government Boundary Commission for Wales.
- Local Government Act 1972, s 331 – power to specify the matters on which principal councils will consult community councils.
- Local Government (Miscellaneous Provisions) Act 1953, s 5 – requirement to be consulted about the provision of bus shelters on a trunk road.
- Parish Council Act 1957, s 5 – requirement to be consulted about the provision of public amenities on a trunk road.

**2.12** The scope of the National Assembly for Wales to introduce substantial reforms with respect to community and town councils under its own powers is therefore limited. Many of the recommendations made in this report will require primary legislation in order to be implemented. The requirement for primary legislation, and other aspects of the implementation of the report's recommendations, are discussed further in chapter nine.



### 3. The Characteristics and Distribution of Community and Town Councils

This chapter describes the geographical distribution of community and town councils in Wales and the population characteristics of council areas. It discusses the merits of establishing councils in all communities in Wales, and examines the procedures for the establishment, dissolution and grouping of councils.

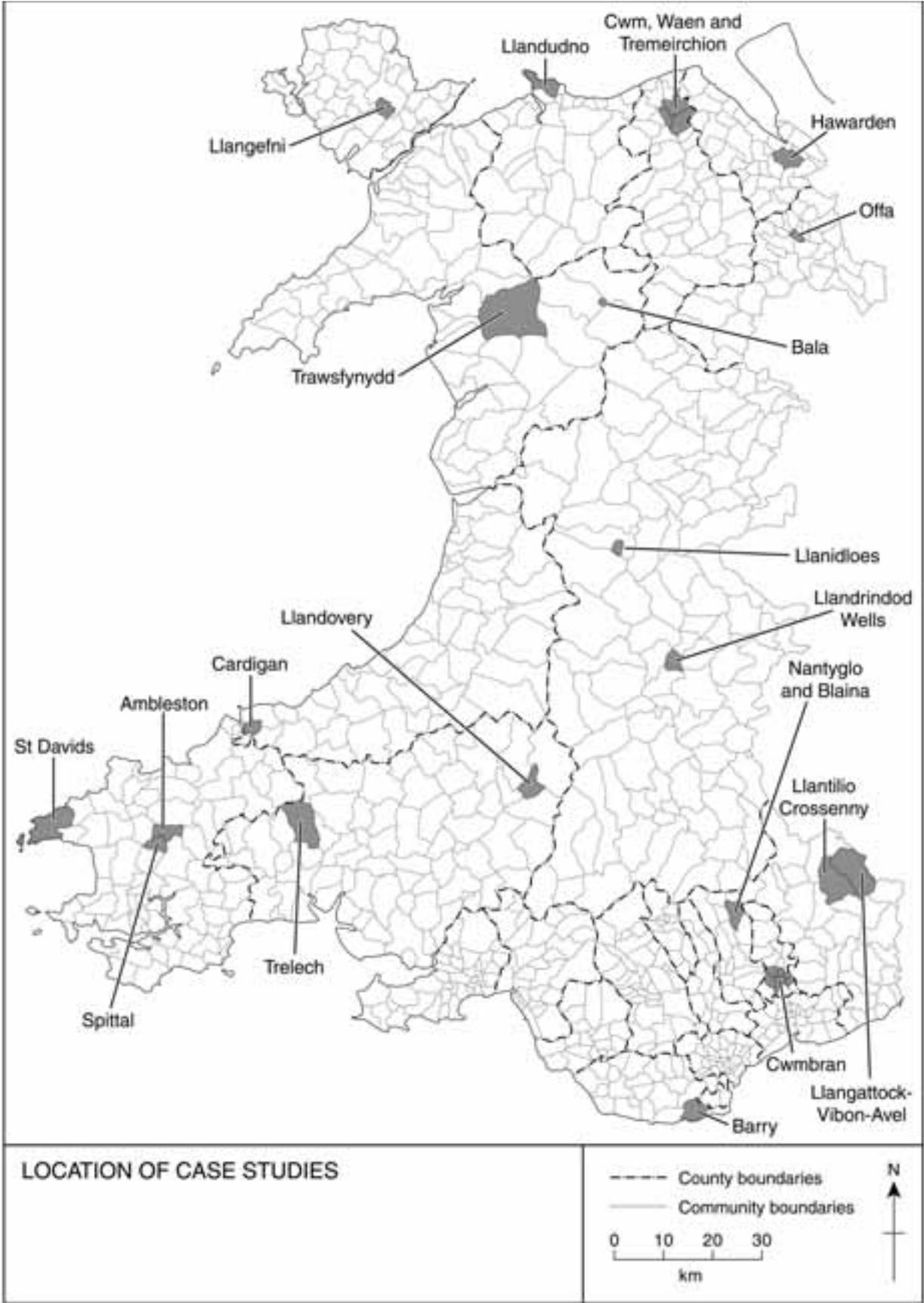
#### Overview

**3.1** The 737 community and town councils in Wales collectively cover 96% of the nation's land surface, and 70.1% of its population. There is complete territorial coverage by community and town councils in thirteen of the 22 county and county boroughs, yet there are also 115 officially-defined 'communities' in Wales for which no council exists (figure 3.1). More than half of the population in Cardiff, Merthyr Tydfil, Newport, Swansea and Rhondda Cynon Taff are not served by a local-level council, along with around a third of the population in Blaenau Gwent, Caerphilly and Neath Port Talbot. The geographical distribution of community and town councils is the legacy of a distinction drawn between previous county borough areas and other parts of Wales in the 1974 re-organisation of local government. Although mechanisms have existed for councils to be established in any community in Wales since 1974, these have been used only rarely.

**3.2** There is considerable diversity in the size and setting of the 737 (see table 3.1) community and town councils. The population size of community and town council areas range from 155 (Llanwrthwl, Powys) to 45,053 (Barry). Just over a fifth of councils serve a population of fewer than 500 people, and nearly half serve a population of fewer than 1,000 people (table 3.1). At the same time, there are eight councils with populations in excess of 20,000 people. Over half of all local-level councils are rural in character. One in ten focus on small towns, one in ten are in urban or suburban communities, and one in eleven are in coalfield or semi-rural locations. These characteristics influence the resources available to councils and their capacity to assume additional responsibilities.

Population	Number of Councils	%
< 500	149	20.2%
500-999	199	27.0%
1,000-2,499	195	26.5%
2,500-4,999	91	12.3%
5,000-9,999	63	8.5%
10,000-19,999	32	4.3%
> 20,000	8	1.1%
Total	737	100.0%

Table 3.1: Population of Community and Town Council Areas, 1991.  
Source: Aitchison et al (1994)



## The benefits of community and town councils

**3.3** Community and town councils can make a significant contribution to the localities that they serve. As outlined in chapter one of this report, and detailed elsewhere, councils can provide facilities and support initiatives to respond to local needs, can organise and promote community events and can advocate and represent community interests. These activities collectively represent a number of distinctive benefits brought to a community by the existence of a community or town council, that relate to both the local scale of operation of councils and their statutory status.

**3.4** As the most local tier of government, community and town councils have a stronger ability to focus on the needs and interests of specific communities than the higher-tier county or county borough councils. This local-embeddedness brings four key benefits:

- *Local Responsiveness:* On average there is one community or town councillor for every 250 residents in those parts of Wales with local-level councils, compared with one county or county borough councillor for every 2,320 residents across Wales. Most members of community and town councils live in the communities they serve and many councils also engage with local residents through surveys, newsletters and public meetings (see chapter 6). As such community and town councils can be more responsive than higher tier authorities to community needs and interests, and to the diversity of interests and needs within a community.
- *Representation of Local Interests:* Community and town councils can act as a vehicle for the representation of local interests to external bodies. Whereas principal councils have to balance the competing needs and interests of the many communities across their territory, community and town councils have a responsibility for a single community and are able to be uninhibited in advocating the interests of that community.
- *Mobilisation of Community Activity:* Community and town councils exist at a scale that reflects people's patterns of social interaction and their identification with place. They can therefore act to facilitate community activities, organise and sponsor community events and promote community spirit and inclusiveness. Community and town councils play a vital role in supporting local clubs and organisations. Collectively they donate over £1 million in grants to community groups, sports clubs, charities and other voluntary sector organisations each year – funds that are not available in communities without councils.
- *Additionality:* Community and town councils can provide additionality to the services and facilities operated by county and county borough councils. They have the flexibility to enhance service provision in the community, or to provide additional services, facilities or even simple features such as floral displays, that may lie outside the principal councils' budgetary priorities.

**3.5** Many of the above functions might also be performed in some communities by community associations, residents' groups, tenants' associations or other local organisations. In communities where councils have not been established such groups may act as a de facto alternative to a community council. However, community and town councils have the additional benefit of being statutory bodies, which gives them a further four advantages:

- *Accountability:* The authority of community and town councils comes from their electoral mandate. Unlike the officers of non-statutory community associations, community and town councillors are accountable to the local electorate and may be removed at election time. Furthermore, they are accountable to the whole community, not to a paid-up membership, and therefore have an incentive to engage with and represent all sectors of the community, not just those most predisposed to join local societies.
- *Stability and Continuity:* The statutory constitution of community and town councils gives them a relative security of existence. Unlike non-statutory community associations, they are not dependent on recruiting members or securing a continuity of funding from grant-making bodies. This means that community and town councils can plan on a longer-term basis and have more capacity to take on larger-scale projects.
- *Tax-raising Powers:* The ability of community and town councils to precept the council tax is one of their most significant powers. Whilst they may be restricted in accessing funds in other contexts (see chapter 7), the ability to precept provides a relative stability of income (again supporting long-term planning) and a means of raising funds from the community for reinvestment in the community for communal benefit.
- *Promotion of Public Service:* Participation as a community or town councillor more substantially engages an individual in public service in local government than participation in a non-statutory community association. Community and town councils can provide a 'training ground' for individuals who may subsequently progress to serve as county or county borough councillors, or to stand for higher political office.

**3.6** It should be acknowledged that there are costs associated with community and town councils. The aggregate precept levied by community and town councils in Wales equates to approximately £9.50 for every resident they serve, whilst overall aggregate expenditure by community and town councils equates to approximately £12.50 per resident. It would be erroneous, however, to assume that these costs would be saved if community and town councils were not to exist, or that establishing new community and town councils would increase council tax charges in the areas concerned by these amounts. Some of this expenditure relates to concurrent functions that are or would be undertaken by the principal authority in the absence of a community or town council. To the extent that costs are generated by additional, discretionary expenditure by community and town councils, councils are accountable to their electorates for spending decisions.

**3.7** The level of response to the study from members of the public indicates significant ambivalence in public opinion towards the role and future potential of community and town councils. However, where contributions were received, either in discussion at public seminars or through written submissions, positive comments about community and town councils in general have outweighed negative comments, and more submissions were received in favour of the establishment of community and town councils in all parts of Wales than were received in favour of abolishing or weakening the role of community and town councils.

**3.8** It is our conclusion, therefore, that the benefits of community and town councils outweigh the associated costs and that there is a strong argument for the establishment of community councils in all parts of Wales.

### **The establishment and dissolution of councils**

**3.9** The Local Government Act 1972 provides for a community to apply to the relevant principal council for the establishment of a community council, if, (i) a community meeting attended by at least 30% of the electorate, or, if that number exceeds 300, at least 300 electors, has resolved to hold a poll of all local government electors in the community; and (ii) the proposal to establish a council has been supported by a majority of those voting in the poll.

**3.10** There appears to be limited public awareness of the above procedure, and there are very few examples of the successful creation of new councils through this mechanism. Evidence from attempts to establish councils in Cwmavon (Neath Port Talbot) and Treharris (Merthyr Tydfil) suggests that the need to convene a well-attended public meeting, the availability of appropriate meeting venues, and disinterest from principal councils, can all present obstacles for campaigns to establish new councils.

**3.11** In contrast, it should be noted that the Local Government and Rating Act 1997 introduced new procedures for the establishment of local-level councils in England, which do not apply in Wales. These have led to the creation of over 80 new parish councils in England since 1998. No new community councils have been established in Wales in the same period, with the exception of Hook Community Council which was created as the result of a boundary review.

**3.12** However, it should also be acknowledged that the current procedure in Wales embodies a principle that community and town councils exist by public consent that is unique for a statutory tier of local government in Britain. The extent to which this principle should be retained is a political decision. As such, recommendation R3.1 below outlines a number of options for promoting the creation of new community councils, involving differing degrees of public engagement.

### **Recommendation R3.1**

The Welsh Assembly Government should encourage the creation of councils in those communities where they do not currently exist. There are four options that could be examined in this respect:

- Greater awareness of the opportunities that currently exist for new community councils to be established can be promoted through information campaigns by the Welsh Assembly Government, One Voice Wales and community development initiatives. These might include workshops, press advertisements and an accessible guide to establishing local councils on the Welsh Assembly Government or One Voice Wales' website.
- The legislative framework could be revised to introduce a right of local government electors to petition for the establishment of a new community council (with a petition requiring the signatures of 250 local government electors or 10% of the electorate, whichever is greater, to be accepted); and empower principal authorities to create new community councils by order. These changes would bring the legislative framework in Wales in line with that for England established by the Local Government and Rating Act 1997.
- All county and county borough councils containing communities that are not served by a town or community council could be required to organise polls in each such community on the option of establishing a council. There could be a further requirement for the polls to be repeated at a regular interval in those communities where there is no support for a council at present.
- The Welsh Assembly Government could seek primary legislation to bring into existence community councils for all communities in Wales.

**3.13** Recommendations contained elsewhere in this report for developing the role of community and town councils in the provision of services and amenities would require that councils be able to plan on a medium and long-term timescale with reasonable security of tenure. We consider that the current procedure for a local-level council to be disbanded by a poll of local government electors is incompatible with this requirement.

### **Recommendation R3.2**

The Welsh Assembly Government should sponsor legislation to repeal Section 28 paragraph 4 of the Local Government Act 1972, that permits a community or town council to be disbanded. The recommendations for the development of the roles performed by community and town councils stated elsewhere in this report will require that councils are able to operate with a security of tenure. Procedures for the appropriate alteration of communities for reasons of geographical or population change already exist within the powers of the Local Government Boundary Commission for Wales.

## Grouping arrangements

**3.14** At present there are six 'grouped' community or town councils in Wales, whereby a single council has been established for two or more adjacent communities. In three of these cases, the council relates to an urban area that crosses community boundaries (Cwmbran, Colwyn Bay and Pontypool). In two cases the council groups together two urban communities (Abertillery and Llanhilleth; Croesyceliog and Llanyrafon), and in one case, the council is a grouping of small, rural, communities (Cwm, Waen and Tremeirchion).

**3.15** We consider the Cwm, Waen and Tremeirchion grouping to offer a model that could be replicated more widely in rural Wales. Grouping arrangements of this type present an opportunity for smaller councils to overcome the diseconomies of scale, to save expenses by cutting the duplication of meetings and of clerks' work, and to achieve a level of resources that may enable them to draw down delegated functions from principal councils (see paragraph 4.16). Fundamentally, grouping arrangements have the advantage of being voluntary agreements, established on the basis of community polls, and which the individual communities in a group retain the ability to reverse.

**3.16** In addition, we envisage that forms of partnership working and federation agreements, short of formal grouping arrangements, could be established between local-level councils for specified purposes. These may include, for example, the joint provision of a facility such as a community hall; or a more formal partnership or federation with an independent management committee and budget, responsible for undertaking an agreed range of functions delegated by the principal council within the constituent communities. The models of intercommunalité developed in France provide examples of the types of structures that might be created.

### **Recommendation R3.3**

We recommend that the Welsh Assembly Government, in consultation with One Voice Wales, issue guidance to community and town councils on the formation of grouped community councils and on the development of partnership and federation arrangements for joint-working by community and town councils with respect to specific functions. The benefits of such arrangements should be promoted. However, the decision of individual councils to enter into such arrangements should remain voluntary. There is no case at present for a systematic community review to be undertaken, nor for the obligatory amalgamation of communities, but this issue should be kept under review.

## Boundary reviews

**3.17** The boundaries of communities in Wales were comprehensively reviewed and restructured twenty years ago by the Special Community Reviews. The new communities established by the reviews largely accommodated the geographical changes that had occurred during the twentieth century, and subsequent developments (for example, new housing estates) have been responded to in a series of local reviews by the Local Government Boundary Commission for Wales and resulting boundary change orders. It is our conclusion that this mechanism functions effectively and is able to deal openly and appropriately with boundary concerns as they are raised.

### **Recommendation R3.4**

Procedures already exist for issues concerning community boundaries and the subdivision of communities into wards or new communities to be addressed through the Local Government Boundary Commission for Wales. There is no case for these procedures to be reformed, although the awareness of these procedures among community and town councils could be raised through coverage of the topic as part of training for clerks and councillors.

## 4. The Role of Community and Town Councils in Providing Services and Amenities

This chapter reviews the current involvement of community and town councils in the provision of services and amenities, considers the arguments for expanding this role, and outlines models through which functions might be delegated from principal councils.

### Overview of current involvement

**4.1** Community and town councils are responsible for the provision of a wide range of public services and community amenities. At minimum, even small community councils will typically be responsible for signs, noticeboards, public seating, bus shelters and war memorials. Legislation identifies 32 areas in which community and town councils have a statutory entitlement to act (listed in Appendix F), as well as a number of functions on which councils are empowered to grant-aid provision by other bodies. Few councils are active with regard to more than a handful of these functions, and around half are performed by less than a quarter of local-level councils (tables 4.1 and 4.2).

	<b>% of councils providing service or amenity</b>
Signs, Noticeboards and Information Boards	75.06
Seats and Shelters	69.21
War Memorials, Public Clocks etc	39.55
Playing Fields or Playgrounds	38.20
Public Footpaths and Bridleways	32.36
Open Spaces, Village Greens and Commons	31.24
Lighting	26.64
Churchyard, Cemeteries, Burial Grounds & Crematoria	25.39
Village Hall or Community Centre	24.04
Litter Bins, Skips	24.04
Advice and Information Services	12.36
Crime Prevention (CCTV, Neighbourhood Watch)	10.56
Allotments	9.89
Car and Cycle Parks	9.66
Tourism Promotion	9.44
Traffic Calming	8.09
Roadside Verge Maintenance	6.29
Public Conveniences	5.62
Recycling Facilities	4.04
Indoor Recreational Facilities	3.37
Postal and Telephone Facilities	2.25
Water, Drainage and Sewerage Services	2.02
Community Transport Scheme	1.35
Other	9.66

Table 4.1: Provision or maintenance of services and amenities by community and town councils, (n=445)

	<b>% of councils grant aiding provision</b>
Village or Community Halls	49.89
Arts Events or Facilities	31.46
Outdoor Recreational Facilities	30.56
Seats and Shelters	27.87
Burial Grounds, Cemeteries & Crematoria	27.64
Public Entertainment	21.57
Crime Prevention Schemes	18.43
Indoor Recreational Facilities	14.61
Village Green or Open Space	13.26
Litter Bins	13.26
Tourism Promotion	11.91
Traffic Calming	9.44
Public Clocks	6.07
Other	10.34

Table 4.2: Councils providing grant-aid for the provision of certain amenities and activities. (n = 445)

**4.2** The range of functions performed by a council is strongly influenced by the population size of the community. This reflects both the revenue-raising potential of a council and the level and nature of demand for different services and amenities. As table 4.3 shows, larger councils are not only likely to provide a more extensive range of facilities, but are also likely to provide higher-order facilities such as community centres and indoor recreation facilities.

**4.3** There is significant interest from community and town councils, and particularly from larger councils, in increasing their role in the provision of services and amenities. Many local-level councils have argued that they are more able than principal councils to be responsive to local needs and accountable to the community, and that the enhancement of their role in service delivery would promote a sense of community 'ownership' of services, facilities and amenities, and act as a stimulus for greater participation by local residents as community and town councillors.

**4.4** However, there is considerably less enthusiasm from principal councils for any significant transfer of functions to community and town councils. In particular, there are concerns about the loss of economies of scale and of the strategic co-ordination of services across a wider territory.

**4.5** The capacity of smaller community councils to take on additional functions is limited by resources, expertise and the infrequency of council meetings. A number of smaller councils expressed concern that they would be 'forced' to assume additional responsibilities against their will if any significant transfer of functions were to be proposed.

<500	500-999	1000-2499	2500-4999	5000-9999	10000-19999	>20000
<b>Signs &amp; notice-boards</b> Seats & shelters War memorials Playing fields & playgrounds Open spaces	<b>Signs &amp; notice-boards</b> <b>Seats &amp; shelters</b> War memorials Playing fields & playgrounds Footpaths Burial grounds Open spaces Lighting	<b>Seats &amp; shelters</b> <b>Signs &amp; notice-boards</b> Playing fields & playgrounds Footpaths War memorials Burial grounds Open spaces Lighting Litter bins	<b>Signs &amp; notice-boards</b> <b>Seats &amp; shelters</b> <b>Playing fields &amp; playgrounds</b> War memorials Village halls Lighting Footpaths Open spaces Litter bins Burial grounds Advice & information	<b>Seats &amp; shelters</b> <b>Signs &amp; notice-boards</b> <b>War memorials</b> Litter bins Footpaths Playing fields & playgrounds Village halls Open spaces Advice & information Lighting Burial grounds Tourism Crime prevention	<b>Open spaces</b> <b>Seats &amp; shelters</b> <b>Signs &amp; notice-boards</b> <b>War memorials</b> Footpaths Playing fields & playgrounds Village halls Litter bins Allotments Tourism Crime prevention Advice & information Traffic calming Burial grounds Public conveniences	<b>Community centres</b> <b>Seats &amp; shelters</b> <b>Footpaths</b> Playing fields & playgrounds War memorials Signs & notice-boards Burial grounds Lighting Advice & information Litter bins Indoor recreation Crime prevention Allotments

Table 4.3: Typical areas of activity for councils by population band, ranked by number of councils active in area.

(activities undertaken by more than 20% of councils in band; activities undertaken by more than 50% of councils are in bold).

**4.6** The interest expressed by community and town councillors in enhancing the role of local-level councils in service delivery has in many cases been informed by involvement in twinning exchanges with communities elsewhere in the European Union, and comparison of the functions of the respective councils (see Appendix G). Such comparisons are instructive in demonstrating the capacity of local-level councils with small populations to deliver higher-tier functions; however, the potential for the direct translation of European models to Wales is limited by differences in the overall structure of the local government system and in financial arrangements for local

government. Reforms of this nature could only be undertaken in the context of a whole-scale restructuring of the local government system in Wales, and further research to evaluate the relative efficiency and quality of services delivered by different scales of government and in the different European systems would be required before any such move could be justified.

**4.7** It may be appropriate for a substantial redistribution of functions within the Welsh local government system to be considered at some point in the future. However, the degree of enhanced involvement in service delivery envisaged by community and town councils at present is relatively modest, and can be largely accommodated within the existing legislative framework. In particular, this can be achieved through the delegation of functions from principal councils, and by the greater participation of community and town councils in partnership working with other agencies and local organisations.

### **The delegation of functions from principal councils**

**4.8** Legislation has defined a number of functions in which powers are held concurrently by both principal councils and community and town councils (see Appendix F). In most communities, many of these functions are performed by the county or county borough council, but potential exists for responsibility to be transferred to community and town councils. This may be done uniformly across a principal council area, or may be discretionary, involving only a limited number of local-level councils. In addition, principal councils may contract out functions within their remit to community and town councils to deliver as their agents.

**4.9** At present, the extent of the delegation of functions from principal councils to community and town councils in Wales is limited. Only around two-fifths of community and town councils have any functions delegated to them by the respective principal council, most frequently with respect to public rights of way, street lighting and street naming. Examples of significant delegation schemes include the engagement of some community and town councils in Bridgend as agents for the county borough council in the management of playing fields; and development of Community Service Partnerships by Carmarthenshire County Council (see box).

#### **CASE STUDY: CARMARTHENSHIRE COMMUNITY SERVICE PARTNERSHIPS**

Since 2001, Carmarthenshire County Council has established 'Community Service Partnerships' with eight community and town councils, whereby the local-level councils have agreed to take on basic maintenance, cleaning and management responsibilities for facilities typically including bus shelters, public conveniences and recycling sites. Funding is provided by the county council, ranging from £1,800 to £11,600 per annum, depending on the size of community. The partnership agreements have been negotiated on an individual basis and followed a questionnaire survey of all community and town councils in the county in 1998 to ascertain the level of interest.

**4.10** The more widespread delegation of functions will require the explicit encouragement of delegation by the Welsh Assembly Government, and the formalisation of delegation arrangements. This is most consistently and transparently done as part of the adoption of 'Charters' between principal councils and community and town councils (we also discuss Charters in chapter 5). Following the model pioneered by Staffordshire County Council (see box), and subsequently adopted by a number of other authorities, Charters can set out locally agreed procedures for the delegation of functions and present a 'menu' of functions that the principal council is willing to delegate, from which local-level councils may select the functions they wish to draw down.

#### **CASE STUDY: THE STAFFORDSHIRE PARISH CHARTER**

The Parish Charter agreed between Staffordshire County Council and the Staffordshire Association of Parish and Town Councils in 1995 states that the county council will encourage local councils to take on delegated responsibility for service delivery at the local council "where it is cost-effective and practicable". The Charter outlined a 'menu' of functions from which local councils are able to select services that they wish to be delegated, including: grass cutting, hedgerow clearance, weed clearance, ditch clearing, cleaning of street signs and furniture, management of street name signs, street naming, management of residents' parking schemes, car park management, school crossing patrols, cycle training, road safety campaigns, footway lighting, managing county council property 'out of hours' (e.g. libraries), footpath management, and local emergency planning (e.g. flood warning schemes). The Charter also indicates potential means of provision, including the use of a local contractor, employment of a 'village lengthsman' or the use of the county council's contractor.<sup>1</sup>

**4.11** The development of Charters on a voluntary basis by principal local authorities in Wales has been limited. This in turn has placed constraints on the opportunities available to community and town councils to draw down additional functions and on the potential for relations between principal and local-level councils to be formalised in an open and unambiguous manner. Used to their full potential, Charters can help to strengthen the role of community and town councils in serving their local communities; to promote openness in local government; to clarify financial arrangements between councils and issues of double taxation (see chapter 7); and to introduce a system of accrediting community and town councils that meet certain criteria as a means differentiating between the needs of large and small councils. However, these benefits can only be realised if Charters are developed universally across Wales. As such, it is our opinion that legislation is necessary in order to require all principal councils to develop Charter agreements with community and town councils in their areas.

<sup>1</sup> See Clark, D. M. (1998) Local councils delivery services, *Local Governance*, 24(4), 275-284; Hopkins, S. (1998) Creating working partnerships between county, district and local councils: the Charter experience, *Local Governance*, 24(4), 289-296.

**4.12** Charters would be agreed on a county or county borough wide basis by the principal council and the appropriate area committee of One Voice Wales. With respect to the delegation of services, a Charter would set out the procedure to be followed, the expectations of good practice to be followed by community and town councils drawing down functions, and the circumstances in which, and procedures whereby, the delegation of a function may be revoked. The Charter would include a menu of functions available for delegation that would be agreed by the principal council and the local-level councils' representatives, and would reflect local circumstances. The Charter would establish the framework for delegation, with agreements for the delegation of specific functions being subsequently negotiated with individual community and town councils. A sample Charter is illustrated in Appendix H.

**4.13** Charters would also stipulate funding arrangements for delegated functions. Delegation should not be seen as a means of rationalising spending by transferring the burden of responsibility, as such practices can produce problems of double taxation (see chapter 7). Rather it is anticipated that core funding would be provided as a ring fenced grant from the principal council to the community or town councils, but that any additional funds required to enhance or expand the service or amenity would be raised by the local-level council (see paragraph 7.10).

#### **Recommendation R4.1**

The Welsh Assembly Government should sponsor legislation to require all county and county borough councils to introduce a 'Charter' agreement with community and town councils in their areas, including procedures for the delegation of a specified range of functions to accredited community and town councils. The Charter should specify procedures for the financing of delegated functions and for revoking delegation. A Charter should be produced in negotiation between a county or county borough council and its local community and town councils and its content should reflect local circumstances. The Welsh Assembly Government should have the responsibility for monitoring the production and implementation of the Charters to ensure fair and consistent practice.

**4.14** The delegation of functions will place new personnel demands on community and town councils. The management of delegated functions may require technical expertise not possessed by current clerks or other employees, as well as staff to maintain or deliver facilities or services. Delegation may lead to the creation of new personnel positions at both a junior and a senior level (see also recommendation R4.11). In some cases the delegation of a substantial function may involve the transfer of employees from the principal council to the community or town council. The Transfer of Undertakings (Protection of Employment) regulations could apply in these circumstances.

### **Recommendation R4.2**

Guidance should be issued to local authorities by the Welsh Assembly Government on the requirements of the Transfer of Undertakings (Protection of Employment) regulations with respect to the delegation of functions to community and town councils. In many cases where delegation involves the transfer of staff resources, it may be more appropriate for community and town councils to 'buy' the time of a principal authority employee rather than for personnel to be transferred to a new employer.

**4.15** In many cases, the work associated with a delegated function may not be sufficient to warrant the employment of a specific member of staff by the community or town council. In such circumstances a number of approaches could be followed, including the contracting out of the service or task; the 'buying in' of the time of a principal council employee; or the joint employment of staff by a group of local-level councils. A model of this approach is provided by arrangements between Hawarden Community Council, Shotton Town Council and Broughton and Bretton Community Council (see box).

### **CASE STUDY: THE HAWARDEN JOINT MAINTENANCE SERVICE**

In 1985 the former Hawarden parish was divided into the new communities of Hawarden, Shotton and Broughton and Bretton. The new councils continued to work together in providing services such as street lighting, playing fields and building maintenance. By pooling resources the councils are able to employ their own direct labour force which undertakes functions carried out by the principal council in other parts of the county. There is also a combined administration, with a joint office and two part-time secretaries, although Shotton Town Council has its own clerk.

**4.16** The delegation of functions may also place further demands on community and town councils in terms of their decision-making and managerial structures. The existing cycle of council meetings and/or the committee structure may be inappropriate to deal with the type and frequency of management issues arising from new functions. Furthermore, councillors and the clerk may be required to consider issues for which they may lack the appropriate specialist or technical knowledge, creating a need for training.

### **Recommendation R4.3**

Community and town councils should review the appropriateness of their structures and business procedures for the demands of assuming additional delegated functions. This may include reviews of committee structures, the frequency of meetings, the job descriptions of personnel, and the authorisation of clerks and sub-committees to act on behalf of the council on urgent matters between meetings.

#### **Recommendation R4.4**

The expansion of the role of community and town councils in the provision of services and amenities will require the Welsh Assembly Government and One Voice Wales to review the training needs of councillors, clerks and other personnel on a range of managerial and specialist topics. One Voice Wales should ensure that training on these issues is available to councils. (See also recommendation R8.10)

**4.17** Given these demands on finance, personnel and council practices and structures, it is considered that not all community and town councils will have the capacity adequately to perform additional delegated functions. In the interests of maintaining standards of accountability and financial management in local government, and of guaranteeing the quality of public services, community and town councils wishing to assume additional delegated functions should be required to demonstrate that they meet certain minimum standards.

#### **Recommendation R4.5**

We recommend that in order to draw down delegated functions under a Charter agreement, a town or community council must first be required to pass an accreditation procedure. The accreditation procedure should require councils to meet specified criteria on the ratio of elected to co-opted members; the training or experience of the clerk; training undertaken by councillors; the management structure, including the committee structure and the frequency of meetings; and mechanisms for public engagement and accountability. The procedure should be structured in a clear and simple manner, with self-assessment to be undertaken by councils and accreditation to be awarded by the appropriate principal authority. The Welsh Assembly Government should have the responsibility for monitoring the implementation of the accreditation process, and councils denied accreditation should have a right of appeal to the responsible Minister.

**4.18** If the proposed approach is to be effective in increasing the role of community and town councils in service provision, the accreditation procedure will need to be accessible, simple to implement, and non-bureaucratic. The elements involved in the assessment procedure and the criteria to be met should be negotiated between the Welsh Assembly Government, the Welsh Local Government Association and One Voice Wales. However, it is anticipated that the assessment would take the form of a simple checklist that could be completed by the community or town councils themselves as a self-evaluation exercise, with accreditation awarded by the principal council by means of a comparison of the return against the stated criteria.

**4.19** It is inevitable that the requirements of the accreditation process will favour larger community and town councils more than smaller councils. Many smaller councils would not be able to meet appropriate criteria on training, management structure and public engagement. As such, the accreditation system may act as an incentive for smaller councils to enter into grouping arrangements as described in

paragraphs 3.14-3.15. However, full grouping may not always be appropriate where only a limited number of basic functions are to be delegated, or where co-operation would be between councils of significantly different sizes. In such circumstances it may be appropriate for other forms of partnership or joint-working arrangements between councils to be recognised for accreditation. This might involve, for example, two or more councils forming a joint committee to maintain footpaths; or, at a more sophisticated scale, a group of councils forming a 'partnership' or 'federation', with a joint management committee and budget, to deliver a range of delegated functions and employing staff on the Hawarden model described above, whilst the councils retained their autonomy on other models.

#### **Recommendation R4.6**

The Welsh Assembly Government and One Voice Wales should encourage smaller community councils to qualify for accreditation through working with other councils. One model would be to form a 'grouped council' using the existing procedures as contained in the Local Government Act 1972. However, we recommend that legislation to introduce Charter agreements should give legal recognition to a new model of 'joint delivery partnerships' whereby two or more councils may form a partnership to deliver one or more functions. The 'joint delivery partnerships' would be managed by a joint committee of the participating councils and would require formal legal recognition in order to specify procedures for funding and personnel management. The 'joint delivery partnerships' would be entitled to receive partial accreditation with respect to specified functions.

**4.20** Charters should stipulate the life-span of a delegation agreement, after which the delegation of functions may be continued or revoked. In making this assessment, the views of users on the quality of delegated services or amenities should be taken into account. This will require that community and town councils with delegated functions should put in place mechanisms to monitor user satisfaction and to permit and consider feedback from users.

#### **Recommendation R4.7**

Charter agreements should require community and town councils to stipulate procedures for user feedback and evaluation of services and amenities provided by the council. The nature of the procedures adopted will vary with the nature of the service or amenity and the size of the council and of the user-group.

**4.21** Where community or town councils assume significant additional responsibilities for the delivery of services previously provided by principal councils, it is appropriate that they should become subject to the same regulatory framework concerning maladministration as applies to principal councils. This would involve amending Section 25 of the Local Government Act 1974 to extend the remit of the Local Government Ombudsman to cover maladministration in accredited community and town councils.

### **Recommendation R4.8**

The Welsh Assembly Government should sponsor primary legislation to extend the remit of the Local Government Ombudsman for Wales to cover maladministration in accredited community and town councils.

## **Councils' involvement in partnership working**

**4.22** Most community and town councils could substantially increase their involvement in providing services and amenities even without acquiring any delegated functions. Perceived restrictions on councils' capacity, for example in terms of access to funds, can often be overcome through working in partnership with other organisations and agencies, including principal authorities.

**4.23** Section 137 of the Local Government Act 1972, which permits a community or town council to spend up to £5 per elector on "any purpose which in its opinion is of direct benefit to its area or to the inhabitants", offers considerable potential to councils to become involved in a wide range of services and amenities. Resources obtained under Section 137 may be complemented through partnership working, by support or sponsorship from other organisations and funds, and partners may also provide expertise, staff, premises, publicity and so on. Good examples of innovative schemes of this type include Cwmbran Community Council's Taskforce, and Offa Community Council's resource centre (see box).

### **CASE STUDY: CWMBRAN COMMUNITY TASKFORCE**

The Community Taskforce established and managed by Cwmbran Community Council undertakes 'basic' gardening and decorating work for local people, mainly those who would be unable to carry out the work for themselves. The work is free for residents aged 80 and over, and there is a 50% discount for disabled residents. The taskforce is staffed by local young people who would otherwise be unemployed.

### **CASE STUDY: OFFA COMMUNITY RESOURCE CENTRE**

Offa Community Council in Wrexham has undertaken a number of innovative ventures including developing a community resource centre at Luke O'Connor House. The centre is used by partner organisations to provide training courses for local people, supported by European Union funds.

**4.24** Community and town councils can also increase their involvement in providing services and facilities to the community through participation in formally constituted partnership organisations with other local groups and agencies. Such partnerships are able to obtain external grant funding that is often not directly available to the council itself, although the council may contribute towards 'match funding' under Section 137 expenditure. Other partners may provide other resources including

personnel, office space and equipment, or may represent 'hard-to-reach' groups within the community such as local youth. The participation of the community or town council in partnerships of this kind provides democratic legitimacy and ensures that there is a common vision and purpose between the council and the partnership organisation.

**4.25** The Market Town Initiative, run by the Development Board for Rural Wales (subsequently the Welsh Development Agency) between 1996 and 2000, included a number of successful examples of town council participation in this type of partnership. For example, Llanidloes Link, for which the town council provided office and personnel resources, and Menter Aberteifi and Deudraeth 2000, which began as initiatives of Cardigan Town Council and Penrhyndeudraeth Community Council respectively. All three partnerships contributed to the regeneration of the towns and to the enhancement of community facilities.

**4.26** The ambiguous usage of the term 'partnership' means that the precise extent of community and town council involvement in partnership working is difficult to quantify. However, at least a fifth of councils are involved in some form of partnership working, including members of independently constituted partnership organisations, and co-funded partnership projects. Principal councils are the most frequent partners, but partners are also widely drawn from the public, private and voluntary sectors. Projects undertaken through partnership working include closed-circuit television (CCTV) schemes, the provision of bus shelters and play equipment, skateboard parks, heritage schemes and museums, building refurbishment or redevelopment, and environmental initiatives such as tree-planting, land reclamation and creating wildlife areas and walks.

#### **Recommendation R4.9**

We recommend that more community and town councils follow the practice of partnership working between councils and local organisations, agencies and businesses in order to secure resources for initiatives, facilities and events within the community. Examples of good practice in partnership working should be widely disseminated through One Voice Wales.

**4.27** In many cases, the biggest obstacle to partnership working is the wariness of council members. Councillors can be resentful of the ability of partnerships to access funds that are not available to community and town councils in order to provide facilities that are within the council's functions. They can also be critical of the perceived lack of accountability of partnerships or of other partners. There is a perception prevalent in some councils, particularly in South Wales, that partnership working is a 'back door' route for providing services and amenities that they feel the council should be able to provide directly itself.

**4.28** Challenges can also arise in the practice of partnership working, especially if other partners include principal councils and public agencies. As volunteers, representatives from community and town councils may feel that they are less well prepared and less able to contribute to business than the professional officers representing other partners. As such, councillors may have less of an influence on the agenda and decisions made by partnerships than they desire. Improving the effectiveness of partnership working by community and town councils requires greater awareness of the circumstances of local-level council representatives by other partners, particularly public sector partners, but also better advice and training for local councillors and council officers involved in partnership activity.

**Recommendation R4.10**

We recommend that the Welsh Assembly Government should fund a position in One Voice Wales of a consultant/animateur to provide community and town councils with advice on identifying and developing initiatives to address locally-defined needs, on accessing different sources of funding, and on partnership working.

**4.29** As with the expansion of a council's role in service delivery through the delegation of functions, involvement in partnership working will create demands on community and town councils in terms of finance, personnel and working practices. In particular, new personnel positions may be required, either within the council itself, or in partnership organisations in which the council is involved. These may include, for example, community development workers, youth workers and town co-ordinators. Personnel such as community workers and town co-ordinators may additionally, as part of the job, have a responsibility for the development of partnerships and the identification of new projects and/or sources of funding.

**Recommendation R4.11**

The development of the role of community and town councils will create new personnel positions both with community and town councils and with partnerships in which they are involved. These positions may include community development workers, town co-ordinators, technical officers and youth workers. Model job specifications for these positions should be disseminated through One Voice Wales, based on examples of good practice.

## 5. The Representational Role of Community and Town Councils

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This chapter discusses the role of community and town councils in representing the interests of the community to external bodies, including principal councils and the National Assembly for Wales. The chapter includes consideration of the involvement of community and town councils in the planning process, and of the role and potential of representative associations.

**5.1** The representation of local interests is a crucial part of the work of community and town councillors, and is regarded by three out of four councillors as one of the key means by which they can 'best serve' their community. Community and town councils engage with a wide variety of bodies, at differing scales and with varying degrees of frequency, and even small community councils may typically have up to a dozen items of correspondence with external bodies, including principal councils, to report at their meetings. The most extensive engagement is with principal councils, followed by the police, the National Assembly for Wales, the Countryside Council for Wales, the Environment Agency and the health authorities (table 5.1)

**5.2** The nature of the interaction between community and town councils and other bodies can take a number of forms. Councils may be contacted simply for information purposes, or may be asked to participate in consultation exercises, or may be invited to a meeting or to take part in a new venture. Councils may also contact other bodies to request information, or make complaints or highlight problems. In addition to this formal contact between councils and other bodies, individual community and town councillors may contact other bodies directly on behalf of their constituents, whilst councils may raise matters with their local county or county borough councillors, Assembly Members and the Member of Parliament.

**5.3** The representations made by community and town councils can be important and effective contributions to wider consultations, and are a fundamental element of democratic representation in Wales. Indeed, there are strong arguments for the representative role of local-level councils to be extended. This would essentially mean addressing issues concerning the quality and effectiveness of the representation process, but it may also be appropriate to review the subjects on which community and town councils have a statutory right to be consulted. At present this list is restricted and sometimes archaic. However, section 14 of the Local Government (Wales) Act 1994, gives the National Assembly for Wales the power to extend the provisions for statutory consultation to additional matters. Possible issues for inclusion are, for example, proposals to close or discontinue public services provided by local government, the police or the National Health Service.

<b>Agency</b>	<b>Contacted council (%)</b>	<b>Contacted by council (%)</b>
Police	89.2	73.6
National Assembly for Wales	86.9	66.0
Countryside Council for Wales	52.1	25.5
Environment Agency	51.7	37.8
Health Authority	51.5	21.1
NHS Trust	48.9	21.5
National Assembly Regional Committee	44.5	11.6
Community Health Council	42.4	19.6
Utility companies (water/gas/electricity)	42.2	38.4
Local Objective 1 or Objective 2 Partnership	34.8	18.6
Local Council for Voluntary Service	31.6	17.3
Boundary Commission	30.2	16.2
Welsh Development Agency	27.8	12.4
Bus or rail company	27.4	27.2
Church Authorities	26.4	24.3
Post Office	25.9	29.3
National Park Authority	25.5	18.8
Wales in Bloom	25.1	8.2
Wales Tourist Board	22.6	8.2
Telecom company	21.5	21.9
Sports Council of Wales	18.8	7.2
Local Housing Association	18.6	15.6
Wales Council for Voluntary Action	16.9	8.4
Regional Economic Forum	13.7	3.2
Arts Council of Wales	13.5	6.5
Local Chamber of Trade	13.3	10.8
Other government department or agency	12.9	10.8
Magistrates' Courts Committee	12.0	9.3
LEADER or URBAN group	8.2	4.0
Other	4.6	4.2

Table 5.1: Number of community and town councils contacting or contacted by other bodies in 2001-2  
(Excluding principal councils, see table 5.2) (n=474)

### **Recommendation R5.1**

We recommend that the Welsh Assembly Government should review the list of topics on which community and town councils have a statutory right to be consulted. We do not envisage that the list needs to be substantially extended, but consider that some amendments may be required to reflect changing circumstances.

**5.4** There are, however, a number of common difficulties that are reported by councils involved in different forms of engagement, with different organisations. These include the lack of a clear contact point or person; the absence of acknowledgements of and responses to correspondence; timescales for consultation that do not fit with meeting cycles; and the demands of reading consultation documents placed on volunteer councillors. Many of these concerns can be addressed through the adoption of good practice both by community and town councils and by the organisations with which they interact, as will be discussed in the remainder of this chapter.

### **Interaction with county and county borough councils**

**5.5** The most important external relationship of most community and town councils is that with their local county or county borough council. A typical community council will deal with upwards of half-a-dozen matters of correspondence from, or to, the principal council at each meeting. Local-level councils may engage with all departments of a principal council to a greater or lesser extent, although interaction is most heavily concentrated with the planning and highways departments (tables 5.2 and 5.3).

<b>Principal Authority Department</b>	<b>Contacted council (%)</b>	<b>Contacted by council (%)</b>
Planning Department	90.7	83.3
Highways Department	86.3	86.1
Finance Department	69.2	61.2
Environmental Health Department	63.1	67.5
Recreation/Leisure Department	58.0	54.6
Solicitor's Department	50.0	50.0
Education Department	39.7	38.6
Housing Department	30.6	35.2
Other department	32.5	32.1

Table 5.2: Number of community and town councils contacting or contacted by county and county borough council departments in 2001 (n = 445)

<b>Department</b>	<b>Regularly</b>	<b>Occasionally</b>	<b>Rarely</b>
Planning	18	0	0
Highways	13	3	0
Electoral Services	8	7	1
Environmental Health	7	9	0
Recreation and Leisure	7	6	2
Finance	5	6	4
Housing	3	11	1
Legal Affairs	3	9	3
Education	2	7	5
Social Services	2	7	6

Table 5.3: Frequency with which community and town councils are in contact with principal authority departments (number of principal authorities reporting frequency) (n = 18; NB: not all authorities submitted complete returns)

**5.6** Forms of interaction between community and town councils and principal councils include involvement in formal liaison meetings, strategic consultation exercises, statutory consultation on planning applications and other issues, correspondence relating to financial, electoral and licensing issues, information and queries relating to specific services and initiatives, and complaints and representations about local problems. Individual community and town councillors may also directly contact principal council departments about issues such as council housing repairs (although they have been discouraged from doing so by some principal councils), and communication often takes place through the elected county or county borough councillor.

**5.7** The quality of the relationship between community and town councils and county and county borough councils varies significantly, and not just between different principal councils. Departments within the same principal council may have more or less positive relations with local-level councils, and the perception of the quality of the relationship may vary between different community and town councils in the same principal council area. The perception of the quality of the relationship is influenced by the expectation, but it can also be affected by the degree of personal contacts involved – for example, community councillors who are also members of the principal council, or principal council officers who are also local council clerks. This is significant as the problems encountered by community and town councils in dealing with principal councils often stem from poor information flows and misunderstandings. These include the lack of clear contact points, such that letters and telephone calls are passed around departments; letters and e-mails that are not replied to; an absence of co-ordination between principal council departments; contradictory advice, policies or practices between different departments; a lack of feedback on complaints made about joint projects and initiatives; and consultations that are invited and made too late in the process to influence plans and policies.

**5.8** At the same time, there are numerous examples of good practice adopted by principal council departments to improve their engagement with community and town councils. These include, for example, the use of pro-formas for reporting issues and enabling local council clerks to access the principal council's intranet. Such initiatives need to be formalised and disseminated more widely, both between and within authorities. A first step in this process would be for principal councils to review their arrangements for consulting and communicating with local-level councils, as has recently been done by Powys County Council (see box).

#### **CASE STUDY: POWYS CONSULTATION REVIEW**

In summer 2002, Powys County Council Principal Scrutiny Committee undertook a review of the council's consultation arrangements with community and town councils. The questionnaire sent to local councils covered the means of contact, satisfaction with the quality of contact arrangements, and specific comments concerning problems encountered. The review found that over 70% of councils felt that the county council was 'easy to contact' and that there were high levels of satisfaction with its consultation arrangements and information provision in most departments. However, it also identified significant levels of dissatisfaction with arrangements in a minority of departments. As a result of the survey, the report made 11 recommendations for improving the interaction between the county council and local-level councils.

#### **Recommendation R5.2**

We recommend that county and county borough councils should undertake a review of their procedures for communicating and consulting with community and town councils. As part of the review, examples of current good practice, such as, for example, enabling local council clerks to access the principal authority intranet, may be incorporated into working practices. The WLGA and One Voice Wales both have a role to play in identifying and disseminating good practices of this kind.

**5.9** Charters can help to formalise and codify the consultation arrangements between county and county borough councils and community and town councils. In chapter four we discussed Charters as a means of regulating the delegation of functions. However, they can also be used to indicate matters on which consultation will take place, identify contact points and mechanisms for community and town councils to raise issues with the principal council, and set targets for replying to correspondence etc. The only principal councils in Wales to have adopted a formal Charter of this kind to date are Bridgend County Borough Council and Caerphilly County Borough Council. The Caerphilly Charter (see box) is widely viewed to be effective, and could form a model for wider application. A sample Charter is also included in Appendix H.

### **CASE STUDY: THE CAERPHILLY COMMUNITY COUNCIL CHARTER**

The Caerphilly Community Charter was agreed by the county borough council and the local community and town councils following re-organisation in 1996. It sets out the information that community councils shall provide to the county borough council; information that the county borough council shall provide to community councils; procedures for liaison and for consultation on specific topics; and the topics on which consultation will take place. The Charter places obligations on both the county borough council and the community and town councils. Issues relating to its implementation are handled by a designated Community Councils Liaison Officer.

#### **Recommendation R5.3**

Charter agreements between county and county borough councils and community and town councils (see recommendation 4.1) should outline the agreed procedures and principles for interaction between the two tiers of local government, including commitments by the parties to adopt good practices.

**5.10** A key element of the Caerphilly arrangement is the designation of a Community Councils Liaison Officer. This is a part-time position whose job description includes acting as the point of first contact for community and town councils, to organise liaison meetings with community and town councils, and to ensure that local-level councils receive acknowledgement of any correspondence sent to the county borough council. A number of other principal councils, including Denbighshire, Swansea and Torfaen have created similar positions, whilst other authorities have designated liaison officers or contact points in individual departments. The designation of liaison officers at council-wide and departmental levels helps to improve the efficiency of engagement between principal councils and community and town councils and should be more widely employed.

#### **Recommendation R5.4**

We recommend that all county and county borough councils designate a Local Councils Liaison Officer. The liaison officer would be responsible for issues relating to the Charter, for supporting liaison meetings with community and town councils, and acting as first contact point for community and town councils on any matter concerning the principal authority.

**5.11** Effective engagement between principal councils and community and town councils is also helped by regular formal liaison meetings, which can provide a forum for discussions and can involve local-level councils in consultation on policy development at an early stage. Liaison meetings of this kind (often referred to as 'local councils fora'), are organised in a variety of forms by around three-quarters of the principal councils in Wales. Evaluation undertaken by authorities such as Swansea has found that these meetings are considered to be useful by most participating local-level councils. Some councils, however, expressed concerns that initiatives proposed at liaison meetings were ignored by the principal council. In the

longer term, newer developments such as area committees (see below) and direct contact between principal councils and the area committees of One Voice Wales, may reduce the significance of formal liaison meetings. At present, however, they provide a valuable opportunity for discussion and consultation.

### **Recommendation 5.5**

We recommend that county and county borough councils adopt the good practice of organising regular liaison meetings with community and town councils in their areas.

**5.12** Further opportunities for engagement have been produced by recent developments in Welsh local government. In many principal council areas, community and town councils have been directly involved in the preparation of the Community Strategies introduced by the Local Government Act 2000, either as members of the Steering Board or through consultation exercises. This involvement is significant, not just a means of representing community interests, but also in giving local-level councils a stake in the agreed strategy. As part of the Community Strategy process, a number of principal councils have introduced, or plan to introduce, area fora or partnerships that will feed into the strategy. These complement the pre-existing area or neighbourhood committees established by councils including Carmarthenshire and Newport. Where such partnerships, fora or committees exist at an appropriate scale, the inclusion of community and town council representatives is a positive move that can provide a formal route for liaison and two-way feedback. In Carmarthenshire, for example, each area committee includes two non-voting representatives of community and town councils, elected by the local-level councils in the area. Where area partnerships also involve representatives from other agencies and organisations, as is proposed in Denbighshire, they have the potential to provide a forum for strategic discussion and consultation across a range of fields and could help improve the interaction of community and town councils not just with the principal council but also with other participating agencies. It should be noted, however, that these 'area committees/ partnerships' are different from the longer-established committees that exist for the former district areas in Gwynedd and Powys. The larger territorial remit of these latter committees means that community and town council representation may not be appropriate.

### **Recommendation R5.6**

We recommend that community and town councils should be fully involved in the development and implementation of Community Strategies. Where the Community Strategy has involved the creation of new area fora or partnerships (or where it has built on existing area committees), the inclusion of representatives from community and town councils on these committees is recommended as good practice. In most cases it would be appropriate for local councils within an area committee's territory to be represented by one or two non-voting members. Where area committees also include representatives of public agencies and community groups they may play an important role in improving the representation of community interests across a range of domains.

**5.13** The above recommendations have identified structural and procedural changes that might be introduced by county and county borough councils to improve their engagement with community and town councils. However, councillors also have an important role to play, particularly those who are members of both principal and local-level councils. There are approximately 600 individuals in Wales who are both county or county borough councillors and community or town councillors, constituting around 47% of all principal councillors and 7.5% of all community and town councillors. Collectively they represent a sizeable 'community and town council' lobby within principal councils, who should be able to play a pro-active role in ensuring that appropriate structures and arrangements are in place to facilitate the effective and efficient engagement of the two tiers.

## **Involvement in the planning process**

**5.14** Principal planning authorities – county and county borough councils and national park authorities – have a statutory obligation to advise community and town councils of planning applications within their areas and to invite comments. The precise volume of this engagement is difficult to ascertain as planning departments do not routinely collate statistics on the matter. Estimates by planning officers suggest that most planning departments send notifications of between 500 and 1500 applications to local-level councils each year, and that responses are received for over 80% of applications.

**5.15** Community and town councils do not have any statutory right to involvement in strategic planning or in the enforcement of planning policy. However, it is good practice for local-level councils to be engaged in all stages of the planning process. Involvement in strategic planning can help to ensure that local community perspectives on development are considered and, if appropriate, incorporated, and can help community and town councillors to understand the rationale of subsequent decisions on planning applications. Involvement in enforcement can also engender greater understanding of planning policy, and can assist planning departments whose own resources restrict their ability to monitor adherence to planning policy across the whole of their territory.

**5.16** In around 80% of cases, the view of the community or town council corresponds with the decision made by the principal authority planning committee. Tensions can arise, however, in the other fifth of cases, where local-level councils may perceive that their opinion has been 'ignored' by the principal authority. Problems of this nature tend to result from a misunderstanding of the requirements of planning law and the adopted planning policy, and from a poor flow of information between the two tiers. For example, tensions can be amplified when there is no feedback to community and town councils on why decisions have gone against their recommendations. Such problems can be reduced through training for community and town councillors (see chapter 8) and the adoption of good practice in the dissemination of planning information. Examples of the latter include the routine

feedback of planning committee minutes or file notes on relevant applications; the distribution of planning newsletters to community and town councils; talks by planning officers to local council meetings; and 'open evenings' at planning departments for community and town council members and clerks.

### **Recommendation R5.7**

It is good practice for community and town councils to be involved as fully as possible in all stages of the planning process. We recommend that the Welsh Assembly Government should encourage the greater use of community plans, community appraisals and Planning for Real exercises organised by, or in conjunction with, community and town councils to inform preliminary strategic planning. We also recommend that principal authorities should identify ways of improving the provision of information on planning to community and town councils, including, for example, the circulation of planning newsletters to councils and the hosting of open evenings for community and town councillors and clerks in planning departments.

**5.17** The principle of engaging community and town councils at all stages of the planning process includes encouraging the provision of opportunities for community and town council representation at planning committee meetings and site visits. A number of principal authorities allow community and town councillors to attend site visits. This is often seen as a useful, informative, practice; however, concern has also been expressed that some community councillors abuse site visits as an opportunity to lobby principal councillors rather than to learn about the context of the application. Concerns of this type have also been used by some principal councils to resist requests to allow community and town councils to address planning committees with regard to applications in their community. Practical concerns about the demands on time and space have also been cited. However, an experiment by Monmouthshire County Council in entitling community and town councils to address planning committee meetings within particular guidelines have been considered to have been both effective and productive, and could form a model for wider application (see box).

### **CASE STUDY: MONMOUTHSHIRE COUNTY COUNCIL PLANNING COMMITTEE**

Monmouthshire County Council initially introduced a measure to allow one community and town council representative to address a meeting of the planning committee on behalf of all councils with interests in applications for consideration by that particular meeting. This experiment was judged to be sufficiently successful for the regulation to be relaxed to allow each individual council to be represented. Community and town councils may make a ten minute presentation to the committee, and must give 48 hours notice of their intention to do so.

### **Recommendation R5.8**

We recommend that principal planning authorities introduce mechanisms to enable community and town councils to address planning committees on applications concerning their community. In order to regulate this process, the procedure employed by Monmouthshire County Council whereby one representative from a local council may make a 10 minute presentation if 48 hours notice is given, is recommended as a model of good practice.

**5.18** Government targets for local authorities to process planning applications within six weeks have reduced the time available for community and town councils to comment, creating difficulties for councils where planning notifications are discussed by the full council in monthly, or even less frequent, meetings. Community and town councils with planning committees, which are able to meet more frequently, are better equipped to respond to the accelerated timescale for planning decisions.

### **Recommendation R5.9**

We recommend that community and town councils should establish planning committees to enable appropriate consideration to be given to applications within the timescale requested. Where the volume of applications does not warrant the formation of a committee, consideration should be given to calling special meetings of the council to discuss significant applications.

**5.19** The more widespread use of planning committees may also help to clarify councillors' responsibilities against the requirements of the Code of Conduct. Some community and town councils have previously adopted a campaigning stance on planning issues, mobilising opposition to controversial proposals. This practice can be incompatible with the principle of good practice in planning that all decision-making should be seen to be objective and unbiased. The delegation of consideration of planning applications to a committee may allow a distinction to be drawn between those councillors with a planning responsibility who must not declare a prior stance, and those councillors who are not directly involved in planning considerations, who would be free to campaign on development issues in a private capacity. The position of community and town councillors on principal council planning committees is discussed in paragraph 8.15.

**5.20** The above recommendations concern the improvement of the effectiveness of current local-level council involvement in the planning process. The input of community and town councils would, however, remain entirely consultative. There is an argument that some selected community and town councils, particularly larger councils, should be granted a more substantial role through the delegation of minor planning decisions. A scheme of this nature has been pioneered by Taunton Deane Borough Council in Somerset (see box). The replication of this model in Wales would require those participating local-level councils to be fully supported by principal council planning staff, hence creating a resource-demand; and, most crucially, need to guarantee standards of professionalism, for example, by only permitting accredited councils to be considered, and by requiring that all members of participating councils have been trained in planning issues.

## **CASE STUDY: DELEGATION OF PLANNING DECISIONS IN TAUNTON DEANE**

Taunton Deane Borough Council in Somerset introduced a trial scheme in 1993 to devolve minor planning decisions to eight parish councils (with populations ranging from 380 to 1,200). Planning officers employed by the borough council attended and advised meetings of the parish councils discussing applications, at which applicants and members of the public had the right to speak. By the end of 1996, 249 planning applications had been decided by parish councils – in 237 the planning officer's recommendation had been followed, 10 had been approved against recommendation, and 2 refused against recommendation. No appeals had been lodged in the first three years of the scheme's operation.

### **Recommendation R5.10**

Consideration should be given by principal planning authorities to the delegation of the responsibility for decision-making on relatively minor planning applications to selected community and town councils, following the model pioneered by Taunton Deane Borough Council in England. It is recommended that delegation should only be made to accredited community and town councils where all council members have completed training on planning matters.

**5.21** The planning system at present permits appeals against planning decisions to be lodged only by applicants. Many community and town councils have argued for a third-party right of appeal against decisions by the principal authority planning committee to approve applications. A third-party right of appeal exists in the Republic of Ireland, Denmark and New Zealand, and attempts have recently been made to introduce a third-party right of appeal through legislation in the Scottish Parliament. Supporters of the right of appeal argue that it would redress a perceived imbalance in the planning system towards developers and campaigners have also questioned whether the current absence of a third-party right to appeal contravenes the Human Rights Act (2000). However, the possibility of introducing a third-party right of appeal was considered by the Welsh Assembly Government's Planning Division in the consultation paper, *Planning: Delivering for Wales*, and rejected on the basis that it would further complicate and slow down the decision making process. If a third-party right to appeal were to be introduced, it would be likely to apply to a range of parties, not just community and town councils, and would have implications beyond the scope of this study. It is our conclusion that the introduction of a third-party right to appeal should be considered, but that any decision should be preceded by further research on the advantages, disadvantages and probable consequences.

### **Recommendation R5.11**

The Welsh Assembly Government should commission research to examine the arguments for and against the introduction of a third party right to appeal against planning decisions and consider the probable consequences of such a measure.

## Engagement with the National Assembly and other bodies

**5.22** Community and town councils have more extensive contact with the Welsh Assembly Government than with any other body apart from principal councils and the police. Correspondence between the Welsh Assembly Government and local-level councils covers a broad range of issues, and concerns a number of departments (table 5.4), with much taking the form of consultation exercises. However, there is also a significant degree of correspondence over procedural matters, which in the year examined by the survey for this study included the code of conduct and the new audit procedures. Three-fifths of councils also contacted their constituency Assembly Member during 2001-2.

	<b>Welsh Assembly Government</b>	<b>Assembly Member or MP</b>
Local Government	92 (21%)	42 (9%)
Traffic	87 (20%)	112 (25%)
Planning	63 (14%)	85 (19%)
Environment	48 (11%)	57 (13%)
Transport	34 (8%)	49 (11%)
Welsh Language	31 (7%)	9 (2%)
Environmental Health	21 (5%)	23 (5%)
Economic Development	24 (5%)	26 (6%)
Legal Advice	17 (4%)	4 (1%)
Other Advice	17 (4%)	14 (3%)
Crime	14 (3%)	38 (9%)
Education	8 (2%)	16 (4%)
Tourism	10 (2%)	20 (4%)
Financial Advice	6 (1%)	3 (1%)
Housing	4 (1%)	19 (4%)
Other	26 (6%)	41 (9%)

Table 5.4: Subjects on which community and town councils contacted the Welsh Assembly Government, Assembly Members and Members of Parliament, in 2001-2 (number of councils) (n=445)

**5.23** Issues raised by community and town councils concerning their engagement with the Welsh Assembly Government include uncertainty about the appropriate contact points, the time taken to receive responses to correspondence, and the bulk of documentation received, especially for consultation exercises. Some councils complained that they received too much correspondence from the Assembly Government, whilst others expressed concern that they were not always informed about changes in legislation which, whilst not directly aimed at community and town councils, has an impact on them.

### **Recommendation R5.12**

We recommend that the Welsh Assembly Government should produce in association with One Voice Wales a 'Community and Town Councils Charter' stating the procedures and principles to be followed in the Assembly's interaction with local councils. The content of the Charter may include commitments to designate a community and town councils liaison officer for the Assembly, to designate liaison officers in each of the key departments with most frequent contact with community and town councils, and to more clearly signpost material relating to community and town councils on the Assembly's website.

**5.24** In addition to consultation exercises by the Welsh Assembly Government, community and town councils are also frequently engaged in consultation by a range of other bodies, including the police, health authorities and trusts, and other public agencies and public-supported partnerships. The engagement of community and town councils in exercises of this kind is a positive initiative that provides a channel through which local opinion can be fed into consultations. In practice, however, the effectiveness of community and town council involvement is often limited by the nature and timescale of the consultation. Responses may be required before councils are able to meet; consultation mailings may include single copies of large documents that are read by volunteer councillors sequentially; and some councils have indicated that they feel obliged to reply to consultations which they consider to have little relevance to them.

### **Recommendation R5.13**

We recommend that public agencies and other bodies undertaking consultations involving community and town councils follow models of good practice. These may include the distribution of summary reports as opposed to full reports in the first instance, the greater use of consultative fora involving a number of councils, and, where possible, regard for the meeting cycle of councils. One Voice Wales has a role to play in advising organisations on these matters.

### **Recommendation R5.14**

Community and town councils themselves should also review the appropriateness of their business practices for permitting effective participation in consultation exercises. Councils may, for example, consider authorising a small sub-committee to review and respond to consultation requests on behalf of the council where the consultation timetable does not fit the council's cycle of meetings.

**5.25** Many of the challenges faced by community and town councils in their engagement with other bodies are similar to those faced by organisations in the voluntary sector – a shortage of staff and resources, demanding timescales, limited specialist knowledge and a reliance on volunteers. It has been argued that community and town councils have more in common with the voluntary sector than with other parts of the statutory sector. Yet, relationships between community and town councils and the voluntary sector are variable in their quality. In some areas they are close and constructive, in other areas poor and competitive. Closer co-operation and co-ordination between community and town councils and the voluntary sector at all levels, in all areas, would help to strengthen the effectiveness of representational activity by both parties.

#### **Recommendation R5.15**

Community and town councils have many shared interests with the voluntary sector at a community level and face many common challenges. We recommend that strong links should be built between One Voice Wales and the Wales Council for Voluntary Action, and between the area committees of the new association and the county voluntary councils.

### **Electronic communication with community and town councils**

**5.26** A number of issues relating to the flow of information to community and town councils, timescale for response, replies to correspondence and the volume of documentation and need for multiple copies could also be addressed, at least in part, by promoting the use of electronic communication technologies in contacts between community and town councils, principal councils, the Welsh Assembly Government and other bodies. At present, the limited IT resources of local-level councils restrict the capacity for electronic communication. Only 56% of clerks currently have access to e-mail, whilst Powys County Council found that only 16% of community councils used e-mail as a means of communication with the county council. The expansion of electronic communication as a matter of good practice would therefore require an active promotional campaign, including the provision of advice on sources of funding for investment in IT resources and on technical issues. One Voice Wales is best positioned to lead this campaign, in conjunction with partners from the Welsh Assembly Government, principal authorities and the IT services sector.

### Recommendation R5.16

We recommend that community and town councils should be incorporated into the Welsh Assembly Government's e-government strategy. All community and town councils should have a publicly advertised e-mail address at which they can be contacted by members of the public and by other organisations. Electronic communication should be developed as the primary means of communication between the Welsh Assembly Government and community and town councils, and the use of electronic communication between local councils and other bodies should be encouraged.

## Community and town council representation on other bodies

**5.27** Community and town councils are directly represented on a wide range of bodies within, or with a remit including, their communities. These are frequently organisations and committees to which they provide financial support, but also include primary school governing bodies to which they have a statutory right of appointment (table 5.5). Arrangements of this nature are mutually beneficial, providing accountability for public funds, democratic legitimacy, and helping to ensure co-ordination of community activities.

	%
Primary School Governing Body	81.7
Village or Community Hall Committee	65.7
Crime Prevention or Police Liaison Committee	48.0
Community Association	26.7
Local Festival or Cultural Event Committee	25.5
Playing Field Committee	25.3
Citizens Advice Bureau Board	19.4
Youth Group Committee	18.5
Local Trust	15.6
Sports Centre Committee	13.1
Transport Consultative Group	9.7
Road Safety Committee	1.5
Other	14.5

Table 5.5: Representation of community and town councils on various outside bodies (n= 475)

**5.28** The representation of community and town councils on primary school governing bodies is regarded as an especially important link. Not only can councils help to support schools, in a variety of ways, but the relationship can also potentially be used by councils to engage with younger members of their community. These connections with young people can be broken when children transfer to secondary schools, with which links are frequently weaker, and on whose governing bodies community and town councils currently have no right to appointment.

#### **Recommendation R5.17**

The Welsh Assembly Government should consider granting community and town councils within a secondary school catchment area the right to appoint a member of the school governing body. Further consultation would be required on the appropriate mechanism for appointments, and on the delimitation of catchment areas.

**5.29** In three parts of Wales – Snowdonia, the Brecon Beacons, and the Pembrokeshire Coast – community and town councils must engage not only a county council, but also with a national park authority. Consultation arrangements between national park authorities and community councils are generally good, however, issues have been raised about the lack of direct representation of local communities on the authorities. Community councillors may occasionally serve as members of the authority, but only by virtue of their dual mandate as county councillors or as appointees of the Welsh Assembly Government. In contrast, the Environment Act 1995 established a statutory right of representation for local communities on national park authorities in England, which has generally been enacted through the indirect election of parish council representatives. The potential for introducing a similar mechanism in Wales should be examined as part of the current review of Welsh national parks.

#### **Recommendation R5.18**

We recommend that the review of National Park Authorities should consider whether community and town councils wholly or partly within a national park should have representation on the authority. The review is advised to examine the models employed in England to nominate parish council representatives to National Park Authorities.

**5.30** As a matter of principle, all Assembly Sponsored Public Bodies and partnerships established through Assembly initiatives should seek to engage with community and town councils as appropriate to their scale and remit of operation. Where bodies and partnerships operate at a community level, it is normally desirable for the relevant community or town council to be directly represented. Where bodies and partnerships cover a number of communities within a county, the appointment of one or two representatives elected by community and town councils in the area may

be more appropriate. For higher tier bodies, it may be appropriate to permit community and town councils to nominate candidates for consideration as potential appointees, or to engage with local-level councils through liaison meetings or regular consultation exercises.

#### **Recommendation R5.19**

We recommend that guidance be issued to all Assembly Sponsored Public Bodies on the representation of community and town councils and their interests. The guidance should acknowledge that the appropriate mechanisms will vary according to the scale at which the ASPB operates, its remit and the composition of its management board, and should present a number of models which may include the direct representation of individual community and town councils on boards; indirect representation on boards through One Voice Wales; a right of councils to nominate candidates to be considered for appointment to the board; or formal consultation or liaison arrangements.

**5.31** In particular, the current development of Business Improvement Districts, Communities First Partnerships and Rural Community Action Partnerships involve areas of responsibility of significant interest to community and town councils. In order to promote co-ordination in local activities and to provide democratic legitimacy, community and town councils should be engaged as fully as possible in the governance structures of these initiatives.

#### **Recommendation R5.20**

It should be open to community and town councils to be represented in the governance structures of the proposed Business Improvement Districts. In order to address concerns about the possible overlap of functions, we recommend that One Voice Wales should be fully consulted in the process of developing the proposals for BIDs.

#### **Recommendation R5.21**

Guidance issued by the Welsh Assembly Government on the implementation of the Communities First programme and of the Rural Community Action programme should be revised to refer to the inclusion of community and town councils on local partnerships established under these schemes as an issue for consideration.

### **The role and potential of the representative associations**

**5.32** Community and town councils in Wales have to date been represented by four associations – the National Association of Local Councils Wales (NALC Wales), the Wales Association of Community and Town Councils, the North Wales Association of Town Councils and the Association of Larger Local Councils. Over three-quarters of community and town councils are members of at least one of these associations;

however, active participation is more limited. Only around half of councils regularly send representatives to association meetings, and less than one in five councillors have attended association meetings or conferences.

**5.33** The representative associations play an important role in supporting and advising members, and in lobbying on issues of strategic interest across the community and town council sector. However, the effectiveness of representation by the local-level council lobby can be compromised by the fragmentation into the four groups, and by the number of councils that are not members of any association.

**5.34** The formation of the new united community and town council association, One Voice Wales, is therefore to be welcomed. The new association has a unique opportunity to strengthen the voice of community and town councils and to represent the interests and concerns of the sector directly to the Welsh Assembly Government, Welsh Local Government Association, regional fora, principal councils, and other bodies at a national and regional scale.

#### **Recommendation R5.22**

One Voice Wales will have an important role to play in enhancing the representation of issues of concern to local councils. The association itself will have the opportunity to advocate community and town council issues directly to the National Assembly for Wales and to engage with other national and regional organisations and agencies. In order to fulfil this potential effectively, we recommend that:

- The new organisation will need a strong central office and chief executive or policy officer to enable it to engage effectively with the Welsh Assembly Government
- The organisation will also need to ensure that its structure enables it to continue to effectively represent local council concerns at a regional level within Wales
- The organisation needs to be sensitive to the range and diversity in the size, budget, activity and therefore interests of community and town councils in Wales if it is to effectively represent them
- The organisation needs to maximise its membership among community and town councils in Wales. To do this it will need to be able to demonstrate that it is offering value for money to subscribers.

**Recommendation R5.23**

We recommend that the remit of One Voice Wales include the representation of community and town council interests to national and regional organisations, the promotion of good practice, raising awareness of community and town councils and acting as a 'clearing house' for training for local council members, clerks and other personnel.

**Recommendation R5.24**

In order to encourage councils to subscribe to One Voice Wales, it may be appropriate that some of the training and advice services be restricted to members only, or be provided to members at a subsidised rate.



## 6. The Engagement of Community and Town Councils with their Communities

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This chapter examines how community and town councils engage with their communities, exploring the potential for public participation in council meetings, consultation exercises and participation in elections.

**6.1** The effective representation of community interests by local-level councils depends not just on their engagement with external bodies, but also on the way in which they engage with their own local community. The great strength of community and town councils is that they are closer to local people than any other tier of government. Yet, in practice, the quality and openness of interaction with the public by local-level councils can vary significantly.

**6.2** Historically, many community and town councils relied on informal interaction between their members and local residents, who knew each other as neighbours, customers, co-workers, or fellow members of clubs, sports teams, churches and chapels. The changing nature of Welsh society, including increased mobility, the closure of local services, the decline of religious observance and the weakening of community cohesion, has undermined these traditional informal structures. It can no longer be assumed that 'everyone' will know who the community or town councillors are, or that opportunities exist where councillors will routinely meet other local residents. Instead, it has become necessary for councils to establish more formal mechanisms for engaging with their communities, including public participation in council meetings and various forms of consultation exercises.

### Public participation in council meetings

**6.3** Members of the public have no statutory right to participate in the meetings of community and town councils (only to attend), but council chairpersons have the discretion to authorise an elector to address a meeting at any point. Around about a quarter of community and town councils have introduced a formal period for public participation in their meetings, and as many again permit electors to speak on a more occasional, informal, basis. The format for public participation varies, but may typically involve a period of ten to fifteen minutes set aside at the start of the regular council meeting, sometimes with participants required to notify the clerk in advance (see box). In the majority of cases, regular public attendance at council meetings is small; however, the formal provision of opportunities for participation is an important democratic initiative, and, when used, can help to ensure that the council is responsive to local concerns, and to encourage public interest in council business.

### **CASE STUDY: PETERSTON-SUPER-ELY**

Peterston-super-Ely Community Council in the Vale of Glamorgan permits members of the public to request that an item be included on the agenda for a council meeting. Fourteen days notice must be given of the request, and the member of the public is allowed five minutes at the start of the meeting to speak on the item. Members of the public are also invited to make initial observations on any agenda item at the start of the council meeting, and permitted up to ten minutes to comment on any topic discussed at the end of the meeting.

**6.4** Community and town councils are legally required to post notice of a council meeting at a conspicuous place in the community, and to allow access by local government electors in the community to minutes of council meetings. Many councils go beyond these minimum requirements, making the agenda and minutes of meetings available on public noticeboards, in local libraries and, in some cases, on council web-sites. However, there is a small minority of councils who appear not to be meeting these legal requirements. Making details of council meetings publicly available in this way is a vital element in local accountability and in facilitating public attendance at meetings, and the legal obligations need to be re-inforced and adhered to.

### **Recommendation R6.1**

The Welsh Assembly Government should issue guidance to community and town councils on engagement with the community. The guidance should include:

- i) Recommendation that all community and town councils make provision for public participation at full council meetings. The nature of this provision may vary according to the circumstances of the council, but may typically involve a ten-minute slot for questions early in the agenda. It may also be appropriate in some circumstances to require that notice be given to the clerk in advance of any questions that are to be raised.
- ii) Re-affirmation of the legal requirement for community and town councils to display notice of meetings in a public place within the community, and to provide access to the minutes of meetings to any local government elector from the community. A very small number of councils do not at present appear to be fulfilling these requirements.
- iii) Encouragement to community and town councils to ensure that agendas, minutes and other appropriate documents are accessible to all members of the community, including, where appropriate, the bilingual production of these documents.

(See also recommendations 6.3, 6.5, 7.9 and 7.12)

**6.5** The language of council business can be a sensitive and controversial topic. In 18% of community and town councils, Welsh is the sole or predominant language used in meetings. Similarly, around 12% of councils record their minutes in Welsh only, and a very small minority display agenda only in Welsh. Such practices reflect the importance of the Welsh language in the communities concerned and are to be commended for helping to keep Welsh at the heart of community life. However, they can also be perceived by non-Welsh speaking residents of those communities as exclusionary practices that restrict democratic participation.

**6.6** Community and town councils are now required to produce a Welsh Language Scheme under section 6(1)(a) of the Welsh Language Act 1993. The standard Welsh Language Scheme requires councils to produce notifications and agenda for council meetings bilingually, and permits councils to stipulate whether minutes are to be produced in Welsh, English or bilingually. Notably, it also requires that councils "respond to requests for information in relation to minutes, or sections of the minutes in the preferred language of the individual." <sup>2</sup>

**6.7** The adoption of Welsh Language Schemes is a positive demonstration of equal recognition of Welsh and English as languages of business in community and town councils. However, it should be recognised that the adoption of Welsh Language Schemes will generate additional resource demands on many councils, and may present practical challenges for some councils in meeting translation requests. Further guidance may be necessary to assist councils in the implementation of language schemes, and the potential need for financial support, for example for simultaneous translation, should be monitored.

### **Recommendation R6.2**

The Welsh Language Board should monitor the adoption and implementation of Welsh Language Schemes by community and town councils in order to assess the potential need for further guidance on the practical aspects of implementation and for financial support.

## **Consulting the community**

**6.8** Community and town councils have an extensive range of methods available to them for proactively engaging with local residents through consultation exercises. These include statutory powers to organise public meetings and community polls, as well as the capacity to use section 137 expenditure powers to support surveys of residents. More than half of the community and town councils in Wales have organised public meetings since the 1999 elections on topics ranging from the Millennium and Queen's Golden Jubilee to planning, traffic, crime and flooding. Surveys have been conducted by more than a quarter of local-level councils since 1999, including community appraisals and housing needs surveys, as well as surveys related to traffic, planning, service provision and youth issues. Formal polls are less common but can result in a marginally higher rate of participation.

<sup>2</sup> Welsh Language Board (2001) Standard Welsh Language Scheme for Welsh Community and town councils, section 4.4.4.

**6.9** The most appropriate means of public consultation will vary with the size of the community and the nature of the subject under consideration. The practice of consultation, by whatever means, enhances the connectivity of a council with its community and the effectiveness of its representation of local issues. As such, it may be appropriate for credit to be given for recent consultation exercises in the accreditation of community and town councils as proposed in recommendation 4.5.

### **Recommendation R6.3**

Guidance from the Welsh Assembly Government to community and town councils on engagement with the community (see recommendation 6.1) should include encouragement for more community and town councils to undertake consultations with their wider community through public meetings and surveys. Credit for such initiatives may additionally be incorporated into the accreditation procedure proposed in recommendation 4.5.

## **Communicating with communities**

**6.10** The effective engagement of communities in council activity is inextricably linked with the promotion of public awareness of community and town councils and their work. The meetings of just over half of community and town councils are routinely reported in the local press, but for many councils there is no way for local residents to obtain news about council debates and activities apart from requesting and reading the minutes. Principles of open government should require that community and town councils are proactive in conveying information about their meetings and activities to local people. The most appropriate means of doing this will vary, but may include initiatives such as the production and distribution of newsletters or maintaining a detailed web-site.

### **Recommendation R6.4**

We recommend that the accreditation procedure for community and town councils should require the submission of a policy statement on the dissemination of information to the community. Good practice in this regard may vary depending on the size of the community and the council's relationship with the local newspaper or papur bro. However, we recommend that where the coverage of council meetings and work in the press is limited, community and town councils should consider producing their own regular newsletters.

**6.11** It is good practice as part of a dissemination strategy for community and town councils to produce an annual report on their activities for dissemination to local residents. Annual reports are currently produced by a small number of councils, including, for example, Llantysilio Community Council in Denbighshire whose 'annual information sheet' includes details of the dates and venues of meetings, the council budget, reports on council activities, and contact details for local organisations. The

most appropriate format for an annual report will again vary with the size and the nature of a community. For small communities it may be sufficient for an annual report to consist of a paragraph in a community newsletter or displayed on a noticeboard; for larger communities a more substantial report delivered to each household may be more appropriate.

**6.12** The development of community and town council web-sites should be promoted as part of the Welsh Assembly Government's e-government strategy. At present, around an eighth of councils have operational web-sites, the most sophisticated of which can include minutes of council meetings, contact details for councillors, details of planning applications, events diaries, and interactive features such as downloadable forms for grant applications (as used by Cwmbran Community Council) and on-line booking facilities for community halls (as used by Llanwrthwl Community Council).

#### **Recommendation R6.5**

Guidance from the Welsh Assembly Government to community and town councils on engagement with the community (see recommendation 6.1) should additionally encourage:

- i) All community and town councils to produce an annual report to be disseminated free of charge within the community, by means appropriate to the size and situation of the community.
- ii) Community and town councils to develop web-sites and e-mail facilities as a means of communication with local residents. The Welsh Assembly Government should work with One Voice Wales to provide advice to community and town councils on the development of IT facilities, including advice on funding.

**6.13** Civic and community events and council property can all be used as tools for increasing public awareness of community and town councils. Where possible, these should be used not just as focal points for traditional activities appealing to the mainstream of the community, but should also involve efforts to connect with 'hard-to-reach' groups. One frequently cited example of how council offices may be positioned as a focal point for the community is the development of 'one-stop-shops', as pioneered by a number of councils, most notably Burgess Hill Town Council in Sussex. 'One-stop-shops' can help to bring local people into regular contact with the local-level council by also providing services and information for a range of partner organisations including, for example, the principal council, utility companies, bus companies, employment service and tourist board. 'One-stop-shops' would need to be developed in partnership with other organisations, and to be sensitive to similar initiatives operated by the principal council, Citizens' Advice Bureau, or other bodies.

### Recommendation R6.6

One Voice Wales should work with appropriate partners to provide advice to community and town councils on the establishment of 'one-stop-information points' at which residents would be able to access information from a range of partner organisations, including, potentially, county and county borough council services, public utilities, public transport, public access to the countryside information, housing associations and the employment service.

## Elections

**6.14** Community and town councils have an advantage over other community groups in that their legitimacy stems from an electoral mandate. Yet, in practice, only a minority of community and town councils have required contested ballots to elect their members in recent years, and many have struggled to attract candidates. In the last set of full elections in 1999, contested ballots were held in just over a fifth of community and town council wards. In nearly a third of wards, fewer candidates were nominated than the number of seats available, whilst in around 40 wards, no candidates at all were nominated (table 6.1)

	Number of wards (n = 1634)	% of wards
More candidates than seats	337	20.6%
Same number of candidates as seats	686	42.0%
Fewer candidates than seats	510	31.2%
No candidates nominated	40	2.4%
No contest (number of candidates unknown)	28	1.7%
No data	33	2.0%

Table 6.1: Candidates nominated against seats available, by ward, in elections to community and town council elections, 1999.<sup>3</sup>

**6.15** The number of candidates can be influenced by a range of factors including the size of the electorate, the involvement of political parties, and the presence of contentious local issues. However, low levels of participation can also reflect a lack of public awareness of elections or of council responsibilities.

### Recommendation R6.7

We recommend that One Voice Wales should be represented on the Working Party established following the Commission on Local Government Electoral Arrangements in Wales to promote participation in the 2004 local government elections. The remit of the Working Party should be expanded to include the elections to community and town councils.

<sup>3</sup> The data presented in this table have been sourced from the questionnaire survey of community and town councils, combined with data from Woods, M. & Edwards, B. (2003) Elections to Town, Parish and Community Councils in England and Wales, 1998-2000. Database held by the UK Data Archive, Essex University, Colchester.

**6.16** Elections to community and town councils are managed by the relevant principal council, with the cost usually charged to the local-level council. These costs can be quite substantial – figures of £3.65 per elector, or £7,000 for a full set of elections to a town council were cited – especially for councils with small budgets. The prospect of such costs, particularly for by-elections resulting from casual vacancies that are difficult to budget for in advance, can act as a deterrent for councils to be proactive in encouraging candidates to come forward. The removal of this responsibility from community and town councils could help to encourage councils and councillors to be more proactive in promoting elections, increasing participation and the democratic legitimacy of councils.

#### **Recommendation R6.8**

The Welsh Assembly Government should consider providing direct grants to county and county borough councils to finance all costs incurred in the organisation of elections and by-elections to community and town councils. The distribution of the 'Local Democracy Fund' would be calculated by a formula based on the number and size of local councils in an authority area and recent evidence of electoral activity. This initiative would remove the financial disincentive for community and town councils proactively to promote elections and encourage candidates.

**6.17** A significant proportion of community and town councillors initially joined the council by co-option rather than election. The use of co-options to fill vacancies can create a tendency to recruit new council members from the same limited social background and networks as existing councillors, and can in extreme circumstances, fuel a perception of community and town councils as 'closed shops'. Where co-options are unavoidable, it is good practice for the opportunity to be widely advertised within the community, and particularly to those groups that are under-represented on the council.

#### **Recommendation R6.9**

We re-iterate the recommendation of the Commission on Local Government Electoral Arrangements in Wales that the Welsh Assembly Government issue guidance to community and town councils that vacancies to be filled by co—option should be widely advertised in their areas, with particular attention paid to informing local community groups and young peoples' organisations about these vacancies.



## 7. Local Council Finance and Evaluation

This chapter examines the current finances of community and town councils and discusses the options for future funding arrangements, the regulation of financial management and requirements for evaluation.

### Overview of current finances

**7.1** Community and town councils in Wales collectively manage an aggregate budget of close to £25 million per annum.<sup>4</sup> According to statistics collected by the Welsh Assembly Government, £18.9 million of this is raised through the precept, with a further £5-6 million estimated to be obtained from other sources of income. The size of individual council budgets varies considerably. Around two-fifths of the aggregate income of community and town councils is raised by the 30 largest councils, whilst councils serving communities of less than 500 population have an annual income of less than £3,000 (table 7.1).

Population (1991)	Aggregate income (£)	Mean income (£)	Aggregate income as % of total combined income
>500 (N=75)	207,972.63	2,772.97	1.4
500-999 (N=109)	644,129.51	5,909.45	4.2
1,000-2,499 (N=110)	1,730,795.82	15,734.23	11.3
2,500-4,999 (N=55)	2,014,335.31	36,624.28	13.1
5,000-9,999 (N=41)	4,079,742.55	99,505.92	26.6
10,000-19,999 (N=25)	4,068,929.71	162,757.19	26.5
>20,000 (N=5)	2,574,022.06	514,804.41	16.8
Total (N=420)	15,319,927.59	36,476.02	100

Table 7.1: Aggregate income by population size band for 420 community & town councils

**7.2** Over three-quarters of community and town council income is sourced from the precept levied in Council Tax. Other sources of income include rents and lettings, investments, grants from principal councils, fees for trading activities and charges for recreational facilities, none of which contributes more than 5% of the aggregate income (table 7.2). The greatest dependency on the precept is by mid-range councils, with populations of between 2,500 and 20,000. Around 18% of the income of large

4 This estimated figure has been calculated from details of the precept set by all 737 councils, obtained from principal councils, combined with comprehensive data on income provided by 420 councils.

councils with over 20,000 residents derives from rents and lettings, whilst a limited number of very small councils, with populations of under 500, obtain a substantial proportion of their income from fees for trading activities. Four councils – Llanfihangel Glyn Myfyr, Conwy; Nash, Newport; St David’s, Pembrokeshire; and Trelech a’r Betws, Carmarthenshire – were able to set a zero precept in 2002-3, due to the sufficiency of other income.

<b>Source of funding</b>	<b>Total aggregate income (£)</b>	<b>Aggregate income as % of total combined income</b>	<b>Mean income (£)</b>
Precept	11,810,011.63	77.1	28,186.19
Fees for trading	255,306.39	1.7	14,183.69
Charges for recreation facilities	226,845.59	1.5	6,481.30
Other charges & fees	196,891.34	1.3	2,524.25
Letting of village/community hall	338,256.16	2.2	6,632.47
Other rents & lettings	738,075.13	4.8	7,769.21
Investment	432,017.49	2.8	1,542.92
Income from local authority	336,309.52	2.2	3,503.22
Other income	986,214.34	6.4	6,050.39
<b>Total income</b>	<b>15,319,927.59</b>	<b>100</b>	

Table 7.2: Aggregate income by source for 420 councils.

**7.3** Patterns of expenditure by community and town councils are more variable, and depend on the size of the council and the range of services and facilities that it provides. The clerk’s salary, insurance and audit fees are the only expenditure incurred by all, or virtually all, councils, and account for just over a fifth of the aggregate expenditure of local-level councils. Other significant areas of expenditure include village and community halls, office costs, lighting, parks and salary costs of staff other than the clerk (table 7.3).

**7.4** Larger councils have a more diverse range of expenditure than smaller councils and spending is less concentrated on core items. Thus, the clerk’s salary constitutes nearly a third of expenditure by councils with a population of less than 500, but only 8% of spending by councils with more than 20,000 residents. Together, salaries and administrative costs account for over half of the expenditure by very small councils; whereas, medium sized councils spend in aggregate over half their budget on providing services and facilities, whilst for the largest councils, salary costs can constitute up to a third of expenditure (table 7.4).

Area of expenditure	Aggregate Expenditure (£)	% Aggregate Expenditure	Mean Expenditure (£)	No. of councils	% of councils
Clerk's Salary	2,177,077.36	17.3	5,375.50	405	100
Other Salaries	1,817,477.20	14.4	12,709.63	143	35.3
Audit Fees	224,074.36	1.8	613.90	365	90.1
Other Office Costs	934,600.76	7.4	2,875.69	325	80.2
Insurance	389,417.21	3.1	1,006.25	387	95.6
Parks	498,327.55	4.0	3,436.74	145	35.8
Village Halls	1,326,787.86	10.5	6,946.53	191	47.2
Indoor Recreation	320,444.47	2.5	10,681.48	30	7.4
Outdoor Recreation	423,025.42	3.4	4,147.31	102	25.2
Burial Grounds	460,956.36	3.7	3,545.82	130	32.1
Tourism	209,694.55	1.7	5,114.50	41	10.1
Lighting	625,252.36	5.0	4,631.50	135	33.3
Footpaths	174,915.71	1.4	1,841.22	95	23.5
Car Parks	62,224.98	0.5	5,656.82	11	2.7
Allotments	24,800.06	0.2	918.52	27	6.7
Litter	17,180.92	0.1	613.60	28	6.9
Community Transport	9,162.00	0.1	916.20	10	2.5
Crime	229,858.00	1.8	6,567.37	35	8.6
Other Public Amenities	419,283.66	3.3	5,113.22	82	20.2
Communication/Publicity	74,187.84	0.6	893.83	83	20.5
Polls/Surveys	12,895.03	0.1	859.67	15	3.7
Entering Competitions	18,806.09	0.1	940.30	20	4.9
Twinning Arrangements	23,435.56	0.2	901.37	26	6.4
Community Events	320,622.90	2.5	2,649.78	121	29.9
Other Expenditure	1,820,007.95	14.4	9,381.48	194	47.9
<b>Total expenditure</b>	<b>12,614,516.16</b>	<b>100.0</b>			

Table 7.3: Revenue expenditure by purpose for 405 councils

<500	500-999	1000-2499	2500-4999	5000-9999	10000-19999	>20000
Clerk's salary	Clerk's salary	Clerk's salary	Village halls	Clerk's salary	Other salaries	Other salaries
Insurance	Insurance	Lighting	Clerk's salary	Other salaries	Clerk's salary	Office costs
Office costs	Car parks	Parks	Other salaries	Village halls	Office costs	Tourism
Lighting	Outdoor recreation	Outdoor recreation	Lighting	Office costs	Other public amenities	Clerk's salary
Other salaries	Lighting		Parks			Community halls
Audit fees	Other public amenities					Other public amenities
	Village halls					

Table 7.4: Ranked list of main spending priorities by population of council (only items constituted 5% or more of aggregate expenditure in band included)

**7.5** Section 137 of the Local Government Act 1972 permits a local authority to spend funds on "any purpose which in its opinion is of direct benefit to its area or to the inhabitants", within a limit set by the Welsh Assembly Government. Around three-quarters of community and town councils incurred expenditure under this provision in 2001-2, with the estimated aggregate expenditure amounting to just over £2 million. However, there are no more than half a dozen councils spending close to the limit under section 137, and the majority of councils are spending less than 10% of their permitted spend. The increase in the section 137 limit to £5 per elector by the Local Authorities (Discretionary Expenditure Limits) (Wales) Order 2000, and introduction of an annual inflation-linked increment, has reduced the pressure on the flexibility of section 137 expenditure, and there is little evidence from our analysis of a need either further to increase the Section 137 limit across the board, or to abolish the cap.

### **Recommendation R7.1**

The recent amendments to the controls on spending under Section 137 of the Local Government Act 1972 are judged to have accommodated the needs of most councils and it is considered that there is no case for the limit to be removed. As an additional measure, the Minister could be empowered to permit individual councils to exceed the limit for a limited period on a case-by-case basis. Such councils would be required to have met the accreditation criteria described in section 4, to demonstrate a record of good financial management, and to demonstrate that the exception would not substantially increase the overall council tax demand for households in the community.

**7.6** Capital income was received by 36% of community and town councils in 2001, the majority of which was sourced from capital grants and donations. Across the 161 councils that reported capital income in the study's survey of community and town councils, the aggregate income was £659,111, or a mean of £4,098 per council. Just over a quarter of councils reported direct capital expenditure, with a mean spend of £12,979. A smaller number, around 7.4%, reported expenditure on capital grants and loans.

**7.7** Borrowing for capital investment must be approved by the Welsh Assembly Government and must in aggregate remain within a pre-determined borrowing limit. A small number of councils have highlighted this regulation as inhibiting borrowing, and a relaxation of the controls has been introduced for town and parish councils in England. The capacity exists for a similar reform to be introduced in Wales. The significance of such a change for community and town council finances as a whole is likely to be limited as current levels of borrowing by councils are low. Fewer than one in ten community and town councils have loans or credit agreements outstanding.

### **Recommendation R7.2**

The Welsh Assembly Government should review the approval procedure for borrowing by community and town councils in order to improve the simplicity and flexibility of the system. The review should include consideration of the removal of the fixed borrowing limit.

**7.8** Financial resources with a combined value of £12.129 million were reported by 379 of the councils responding to the survey, of which over 80% are held in bank and building society accounts. The mean balance of councils' current accounts is just over £5,000, with on average a further £27,000 held in other accounts. These balances, and the value of other resources, vary considerably between councils of different sizes. Around one in twenty councils also reported share-holdings, and

around one in ten reported other investments. Nearly three quarters of community and town councils own property, the majority of which is freehold, and which most commonly include bus shelters, recreation fields, playgrounds and war memorials. Just over a fifth of councils own a village or community hall, and around a tenth own council offices.

## Double taxation

**7.9** The expansion of community and town council involvement in the provision of services and amenities (see chapter 4), carries the potential risk of aggravating the problem of double taxation. This arises where functions are performed in some communities by the community or town council but by the county or county borough council in other communities in the same local authority area. In this situation, local taxpayers can effectively be paying for the same service twice, once through the precept, and once through the general council tax.

**7.10** The problem of double taxation can be reduced by adherence to principles of good practice. Where functions are delegated by principal councils to community and town councils, appropriate funding should also be transferred, such that there is no additional demand placed on the precept. The arrangements for this procedure should be set out in the Charter, and the amount to be transferred should be calculated on the basis of expenditure on the function concerned in the community concerned over the previous five years. In many cases, the local-level council taking on a delegated function will wish to invest additional funds in order to improve the quality of the service or facility. Funding of this nature must be met by the community or town council, but would not constitute double taxation as the investment is additional.

### Recommendation R7.3

Charter agreements between county and county borough councils and community and town councils should stipulate the funding arrangements for all delegated functions. We recommend that financial support for delegated functions should normally be provided to the appropriate community and town councils by the principal authority, calculated on the basis of expenditure on the function in the relevant community over the previous five years. Any additional expenditure required to enhance or develop the delegated service or amenity should be sourced from the community or town council precept or other income.

**7.11** Double taxation is more difficult to address where it results from the established provision of concurrent functions by both principal councils and local-level councils. For example, sports fields in a main town may be provided by the county council, but playing fields in villages by the community council. Identifying the precise functions performed by the principal council and by the local-level council in each community is an extremely difficult process. It is not uncommon, for instance, for

some streetlights in a community to be maintained by the county council, and some by the community council. Complex questions also arise about the like-for-like comparison of similar facilities, and about the use of major amenities by residents from outside the community in which they are located.

**7.12** The most appropriate mechanism for addressing double taxation is therefore likely to vary between local authority areas. The problem may require a different approach in an urban county borough with relatively few community councils than in a rural county with a large number of community councils. Guidance is required for local authorities that is sensitive to these complexities and which presents a range of options. These might include the use of Special Expenses provisions to set differential levels of council tax in different communities. This approach is transparent, is based on fairness in council tax bills and enables democratic accountability, but may be complicated to implement. Alternative options include local agreements between principal and local-level councils on a nominal division of concurrent functions and appropriate attribution of taxation.

#### **Recommendation R7.4**

We recommend that the Welsh Assembly Government should undertake a joint review with the Welsh Local Government Association and One Voice Wales of current practices in the funding of delegated functions and of current procedures for avoidance of double taxation. The review should aim to identify and agree models of good practice that might be disseminated through the issuing of guidance to local authorities from the Welsh Assembly Government. The review should include consideration of three potential models identified by the present study:

- (i) that the delegation of functions should be accompanied by the transfer of appropriate, ring-fenced, funding;
- (ii) that local authorities should consider, where practicable, the use of 'special expenses' provisions to set variable council tax demands in different communities within a principal authority area with regard for facilities provided by a community or town council that are elsewhere provided by the principal authority;
- (iii) that principal authorities should negotiate local agreements with the appropriate area committee of One Voice Wales on the inclusion of concurrent functions in the calculation of council tax and precept demands.

#### **Recommendation R7.5**

The Welsh Assembly Government should commission further research on the extent to which services and amenities related to concurrent functions are delivered by community and town councils or principal authorities. The research should inform the further development of policy and guidance on double taxation.

## The future funding of community and town councils

**7.13** The developing role of community and town councils will create new demands on council finance, not just for the enhancement of delegated functions, but for administrative support, consultation exercises and to service greater involvement in planning, partnership working and representational activity. New sources of funds will have to be identified to meet these demands. Many of the grant schemes open to community and town councils are for limited amounts that would not be sufficient to support the scale of developments envisaged. Similarly, whilst in theory potential exists to raise additional revenue through the precept, in practice the size of the precept is restricted by political considerations of how much residents would be prepared to pay.

**7.14** A number of contributors to the study, including the National Association of Local Councils, have argued that community and town councils should directly receive central funding through the Revenue Support Grant. A similar argument has also been advanced that community and town councils should receive a proportion of the receipts from non-domestic rates – this latter proposal based on concerns that whilst local-level council initiatives can benefit local businesses, businesses do not contribute to community and town council funding.

**7.15** However, our conclusion is that permitting community and town councils to access the Revenue Support Grant or non-domestic rates would be inappropriate on grounds both of principle and practice. In principle, issues arise with the cross-subsidisation of areas with local-level councils by those without, and of rural communities with few rate-paying businesses by small towns and urban communities; and with the financial management structures in place for many smaller community councils. The use of formulae to address these issues would further aggravate the key objection of practice – that calculating the allocation of Revenue Support Grant payments to all 737 community and town councils would be a complex and difficult process. Issues also arise with the consequential effect of any reduction in the RSG paid to principal councils for the standard of principal council services.

### **Recommendation R7.6**

We conclude that it would be neither appropriate nor practical for community and town councils to be permitted direct access to the Revenue Support Grant or to non-domestic rates at the present time. We further conclude that agreement would be unlikely to be forthcoming from the principal councils in Wales for the top-slicing of the Revenue Support Grant to fund additional payments to community and town councils. As such we recommend that the Welsh Assembly Government should examine possible alternative mechanisms for directly funding community and town councils.

**7.16** Additional funds for community and town councils may be more appropriately provided centrally through the use of direct grants from the Welsh Assembly Government. Initiatives that might be included in an initial tranche of direct grants could include a Local Democracy Fund to cover costs associated with elections to community and town councils (as proposed in recommendation 6.8; and a Business and Community Grant Scheme to support initiatives that are of primary or substantial benefit to local businesses, such as CCTV schemes and tourism promotion exercises (recommendation 7.7). The latter scheme could be administered through One Voice Wales in order to reduce the additional administrative demands on the Welsh Assembly Government.

#### **Recommendation R7.7**

We recommend that the Welsh Assembly Government introduce a Business and Community Grant Scheme to support initiatives that are of primary or substantial benefit to local businesses (e.g. CCTV and tourism promotion). It may be appropriate for the scheme to be administered by One Voice Wales on behalf of the Welsh Assembly Government providing that appropriate fiscal and managerial standards can be guaranteed.

**7.17** The involvement of community and town councils in community development and regeneration is frequently restricted by the lack of eligibility of councils to apply for Lottery grants and other major sources of funding. The introduction of a new community development fund accessible by community and town councils, possibly as an 'additional pillar' of the Communities First programme, would act as a stimulus for council-led regeneration. This should not be regarded as an alternative to partnership working, but would rather enable councils to lead partnerships and to prioritise community engagement. The Vital Villages scheme operated by the Countryside Agency in England, to which parish and town councils are eligible to apply, could serve as a model in the development of the programme.

#### **Recommendation R7.8**

We recommend that the Welsh Assembly Government should introduce a new programme to provide funding for community initiatives for which community and town councils would be eligible to apply. We envisage that the range of initiatives eligible for funding under the programme might include the development of community action plans, the improvement or protection of local services, community transport schemes and projects to tackle social exclusion. We recommend that the programme should be modelled on the Countryside Agency's 'Vital Villages' programme in England, but should be accessible to all community and town councils.

## Financial Management

**7.18** The expanded role for community and town councils will demand higher standards of financial management and accountability from councils. Principles of transparency, professionalism and public accountability should be followed in all financial procedures of local-level councils. These principles are already upheld by the majority of councils. However, the reluctance of a number of councils to supply financial information to this study as part of the councils' survey indicates that transparency is lacking in a small minority of councils. Further encouragement is required to ensure that all councils can demonstrate accountability by having procedures in place for making financial reports to local electors.

### **Recommendation R7.9**

We recommend that guidance from the Welsh Assembly Government to community and town councils on engagement with the community (recommendation 6.1) should advise that all councils prepare and disseminate an annual financial statement. This should clearly indicate expenditure on statutory functions, delegated functions and under Section 137 of the Local Government Act 1972, as well as income raised through the precept, transferred from principal authorities, awarded as grants or received from other sources. All ring-fenced and direct grant income should be clearly indicated.

**7.19** Appropriate auditing arrangements are an important part of good practice in financial management. Changes to the local government audit regime in 2002 were intended to introduce a 'lighter touch' audit for smaller community and town councils. However, for many councils, evidence suggests that the new procedures have increased the administrative demands and the cost of the audit process.

### **Recommendation R7.10**

The implementation of the new audit regime for community and town councils and the consequences of any additional resource demands need to be investigated, evaluated and reviewed by the Welsh Assembly Government. In particular, the appropriateness of the regime for very small community councils should be reviewed.

## Wales Programme for Improvement

**7.20** No community or town councils currently meet the £1 million gross annual revenue threshold for participation in the Wales Programme for Improvement (previously the 'best value' regime). For authorities beneath this threshold, the benefits of participation in the programme are considered to be balanced by the costs and resource demands involved. As such, it is not considered to be desirable to reduce the threshold in order to require the participation of larger town councils. A number of larger councils have, however, in recent years investigated the potential for

voluntary participation in the then best value regime, and a similar protocol for voluntary engagement in a truncated form of the Wales Programme for Improvement could be developed, particularly if larger local councils were to become more heavily involved in service provision.

#### **Recommendation R7.11**

The participation of larger community and town councils in the Wales Programme for Improvement should be encouraged. We recommend that the Welsh Assembly Government and One Voice Wales should jointly develop a protocol to enable the voluntary participation of larger local councils in a truncated Wales Programme for Improvement regime. We do not consider that it would be appropriate to reduce the threshold for mandatory inclusion in the Wales Programme for Improvement.

### **Evaluation of council performance**

**7.21** The principles of transparency, professionalism and public accountability should not just apply with respect to the management of a council's finances, but should be followed in all areas of council activity. The adoption of business plans and targets by community and town councils provides a framework for monitoring and self-evaluation that can assist local electors in making judgements about the performance of councils. Such procedures should not be over-bureaucratic and should be flexible enough to accommodate the requirements of different sized councils. Larger councils may wish to produce detailed business plans with specific objectives and targets covering a range of areas. Small councils may simply identify two or three objectives, such as replacing a noticeboard or planting trees.

#### **Recommendation R7.12**

We recommend that all community and town councils should be encouraged in guidance from the Welsh Assembly Government to engage with their communities (recommendation 6.1) to agree a four-year action plan, specifying targets and proposed initiatives. The action plan should be a publicly-available document. The council should annually review progress with the implementation of the action plan.



## 8. Councillors and Clerks

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This chapter discusses the composition of community and town councils compared with that of their communities, and the role and work of councillors and clerks. It considers the issue of remuneration for council members, and the requirements for training for councillors, clerks and council employees.

**8.1** There are some 8,000 community and town councillors in Wales. They are drawn from all walks of life, but they do not proportionately reflect the composition of the population as a whole. Nearly three out of four community and town councillors are men, compared with just under half of the population. Four out of ten are aged over 60, compared with less than 30% of the adult population. Fewer than one in a hundred councillors are aged under 25, and fewer than one in six are aged under 45.

**8.2** As part of this study, a supplementary survey of 146 community and town councillors on seventeen councils was conducted (see Appendix B). Of these councillors, only a third were in full time employment. Two out of five were retired. Nearly three quarters of the councillors have either lived in the community all their life, or have been resident there for more than 20 years. Only a sixth of the councillors have school aged or pre-school children. All 146 councillors replying to the survey were white.

**8.3** Councils whose membership does not reflect the diversity of the communities they serve are limited in their ability to engage with that community and fully to represent its interests to external bodies. Inclusive councils have a richer relationship with their communities, greater public interest in, and engagement with, council work and can be more effective advocates of community interests.

### Towards more inclusive councils

**8.4** The narrowness of representation on community and town councils is often connected to the relative openness of a council's meetings and consultation practices (see chapter 6). If a council is perceived to be closed and exclusive, under-represented and hard to reach groups in the community will be discouraged from standing for election. Some factors are shared with other types of political participation, including the relative interest of different population groups in politics and government; available time and resources; the sense of civic duty held by different generations; and the implicit tendency of electors to look for maturity and experience in their community leaders. Other factors are more specific to community and town councils, such as the time and venue of council meetings and the amount of work involved in a voluntary capacity. The tendency of most local-level councils to meet in the early evening, for example, may not be convenient for parents of small children; whilst people in full-time employment may find it difficult to become involved in council activity outside formal meetings, such as participation in planning site visits.

### **Recommendation R8.1**

Action is required to strengthen the inclusiveness of community and town councils. Community and town councils should actively seek to increase representation from women, ethnic minorities, disabled communities and other hard-to-reach groups. Councils should review the influence of their structures, working practices, meeting times and locations, and communication and consultation strategies in facilitating or restricting participation by different groups within the community. Councils that are inclusive are more responsive to the needs and interests of their community and can more effectively serve that community.

**8.5** Community and town councils that have been proactive in attempting to connect with 'hard-to-reach' groups in their community have focused on engagement with young people. Councils have supported the establishment of youth councils and fora, have worked with existing youth councils and have organised public meetings on youth issues. Much of this activity has been directed at young people under 21, who are not currently eligible to stand for election to community and town councils, but who are particularly concerned with a number of councils' areas of responsibility, including recreational facilities and community transport. The development of the Welsh Assembly Government's Children and Young People's Framework partnerships locally presents new opportunities for this type of engagement to be enhanced.

### **Recommendation R8.2**

We recommend that community and town councils should be actively engaged in the development of the Welsh Assembly Government's Children and Young People's Framework, working closely with Children and Young People's Partnerships and with existing and new youth councils and fora. Community and town councils should be encouraged to work with their local youth council or forum to define how they intend to meet the needs of children and young people in their areas, identifying initiatives that may be funded under Section 137 of the Local Government Act 1972.

**8.6** The Commission on Local Government Electoral Arrangements in Wales has proposed that the minimum age for local government councillors should be reduced to 18 as a further means of addressing youth representation. Their intention is that the provision would enable community and town councils to co-opt young people between 18 and 21 as vacancies arise as a 'first step' to participation in local government. We endorse this recommendation, but would additionally suggest that the initiative could be extended by permitting all community and town councils to co-opt two non-voting youth representatives aged between 16 and 25, in addition to their normal membership. Permitting non-voting co-options from the age of 16 would encourage engagement with young people permanently resident in the community, as opposed to those who may be absent for long periods, for example, at university.

### **Recommendation R8.3**

We re-iterate the recommendation of the Commission on Local Government Electoral Arrangements in Wales that the minimum age for candidates in local government elections be reduced from 21 to 18, "not in the expectation that many 18 year old candidates will suddenly emerge, but rather because it will enable community councils to co-opt those aged 18 and over to fill vacancies, and so perhaps persuade such young people in time to move forward to stand for county/county borough councils."

### **Recommendation R8.4**

As a further measure, consideration should be given by the Welsh Assembly Government to legislation to permit all community and town councils to co-opt up to two non-voting representatives from residents of the community aged between 16 and 25. This would enable all local councils to increase youth representation, including those in which elections are fully contested and casual vacancies routinely result in contested by-elections.

## **Councillors' workloads and remuneration**

**8.7** The position of a town or community councillor is often paradoxical. They are members of a statutory authority, yet are unpaid, unrewarded volunteers. They are increasingly required to adhere to professional standards, yet cherish their status as amateurs. Many local-level councillors perceive their role to be that of servant of the community, and do not consider themselves to occupy a political office.

**8.8** In spite of the revered 'amateur' status, the time commitment made by many community and town councillors is considerable. The 146 councillors surveyed for this study spent an average of 13.2 hours per month on council activity, yet this mean figure disguises significant variation between individuals. One in ten of the councillors spent more than 20 hours a month on council business, the greatest commitment being 120 hours per month by a member of a larger urban council (table 8.1). This time commitment includes not just attendance at council and committee meetings, but also preparation and paperwork, reading consultation documents, letter writing, meetings with principal council officers and other outside bodies, meetings with constituents, case work, attendance at civic events, and representation of the council on other bodies and at meetings and conferences.

	Average number of hours per month spent on council business					
	Under 5	5-10	11-15	16-20	Over 20	N/a
Large urban councils (58 cllrs)	16%	34%	19%	10%	19%	2%
Small town councils (59 cllrs)	14%	49%	12%	3%	10%	14%
Small rural councils (29 cllrs)	62%	31%	3%	3%	0%	10%
Total (146 cllrs)	24%	39%	10%	4%	11%	8%

Table 8.1: Average number of hours per month spent on council business by community and town councillors in case studies. (n = 146).

**8.9** The time and costs involved in participating fully in council activity can therefore act as a deterrent to potential councillors, particularly those in full time employment or with family commitments or who otherwise have limited free time or limited disposable income.

**8.10** There is consequently a strong argument for the remuneration of community and town councillors, both as a reward for the increasing demands of the role, and in order to encourage broader participation. Individuals should not be prevented from serving as community and town councillors by financial restraints. However, the introduction of this measure would be highly controversial and is likely to be opposed by a significant number of community and town councillors who regard remuneration as an unwarranted professionalisation of their voluntary role.

#### **Recommendation R8.5**

We recommend that the Welsh Assembly Government amend the Local Authorities (Allowances for Members of Community Councils) (Wales) Regulations 2002 to permit community and town councils to pay an annual 'basic allowance' to members in respect to time spent on council duties outside of meetings and costs incurred (e.g. telephone and postage expenses). The 'basic allowance' might be payable to the chair of the council, or to all members, within a nationally agreed framework, and should be met from locally-generated revenue income (e.g. the precept). We recommend that the introduction of a 'basic allowance' scheme by a council should require the support of a majority of members of the council.

**8.11** Some members of the community are further constrained in their ability to participate as community or town councillors by responsibilities for the care of others. It would be appropriate for councils to be permitted to provide additional allowances to individuals in these situations to cover the cost of childcare or relief care for dependent adults for the periods of council meetings or other appropriate council business.

### **Recommendation R8.6**

We recommend that community and town councils should also be permitted to choose to reimburse costs of childcare and relief care for dependent adults incurred by members for the duration of attendance at council and council committee meetings, or participation in other appropriate council business.

**8.12** The expenses of councillors representing community and town councils on external committees and organisations may be met, depending on the nature of the body, either by the organisation concerned or by the council. If the responsibility falls to the community or town council, this can act as a disincentive for members of smaller councils to serve as the joint representative of a group of councils. Provision could be introduced for such expenses to be paid by the group of councils collectively, funded by a levy on all participating councils.

### **Recommendation R8.7**

Consideration should be given by the Welsh Assembly Government to permitting local groupings of community and town councils, and area committees of One Voice Wales, to reimburse the expenses of councillors representing a group of councils on an external body for which remuneration is not otherwise available. Funds for this could be obtained through a levy on all participating community and town councils.

## **Code of conduct**

**8.13** The increasing role of community and town councils has placed renewed emphasis on the importance of ensuring high standards of integrity and professionalism in the conduct of council business. Since April 2002, the introduction of a new code of conduct for members of community and town councils has brought local-level councillors within the same ethical framework as members of principal authorities. The adoption of the new code has been controversial in many councils and has been perceived by some as a disproportionate measure for the level of business undertaken by many smaller councils.

**8.14** It is appropriate that members of larger community and town councils, and those accredited councils that have drawn down delegated functions, should be expected to adhere to the same standards framework as members of principal authorities. There is a case, however, for re-examining the appropriateness of the present code for smaller councils that do not apply for accreditation under the scheme proposed in recommendation 4.5.

### **Recommendation R8.8**

We recommend that the operation of the Code of Conduct for community and town councillors over its first year of enforcement should be reviewed by the Welsh Assembly Government and, if desirable, revised in so far as the code applies to community and town councillors. These may include relaxing the requirements on the declaration of interest or other elements of the code for councils that do not seek accreditation under the scheme proposed in recommendation 4.5.

**8.15** The implementation of the code of conduct has raised specific issues concerning individuals who are members of both a community or town council and a county and county borough council, and who may therefore be involved in consideration of an issue at two levels. This affects a wide range of topics, but has become particularly controversial with respect to the consideration of planning applications. The code of conduct holds that all decision-making should reflect principles of objectivity and propriety, and that as such, members should consider each issue on its merits as presented at the time of consideration. The code does not prevent councillors from voting on the same matter in a local-level council and in a principal council, providing that each vote is treated as a separate decision and approached objectively and rationally. As such, it should be anticipated that an individual may reach a different decision as to how to vote on an issue in a community council than on the same issue in a county council. However, if councillors have openly campaigned on a particular issue, or if they have publicly declared a position on the issue prior to its consideration by the council, they should declare an interest and not participate in the vote at either local or principal council level. The interpretation of these regulations is complex and more specific guidance from the Welsh Assembly Government may be required.

### **Recommendation R8.9**

We recommend that the Welsh Assembly Government issue guidance to community and town councils and to principal authorities to clarify the requirements of the new standards regulations with respect to the participation of councillors who are members of both a principal authority and a community or town council in decision-making at both levels, notably with respect to planning applications.

## **Clerks and other council staff**

**8.16** The developing role of community and town councils will also have implications for the role and conditions of employment of clerks. Only one in twenty councils currently employ a full time clerk, and a similar proportion have volunteer clerks (table 8.2). The resources available to clerks are also variable. Sixty percent do not have access to a fax machine, forty percent do not have access to a photocopier, and twenty percent do not have access to a computer (table 8.3).

Population	Clerk's Status							
	Full-time	Part-time 15-34 hours	Part-time 10-14 hours	Part-time 5-9 hours	Part-time <5 hours	Volunteer 10 hours	Volunteer 5-9 hours	Volunteer <5 hours
<500	0	0	3	9	49	0	2	9
500-999	1	6	5	20	65	1	2	5
1000- 2499	1	13	25	48	17	1	3	3
2500- 4999	4	22	22	6	3	0	0	0
5000- 9999	3	32	5	1	0	0	0	0
10000- 19999	7	17	0	0	1	1	0	0
>20000	3	2	0	0	0	0	0	0
<b>Total</b>	<b>19</b>	<b>92</b>	<b>60</b>	<b>84</b>	<b>135</b>	<b>3</b>	<b>7</b>	<b>17</b>

Population	Resources available to Clerk							
	Office space	Council computer	Own computer	E-mail	Fax	Photo- copier	Secretarial support	Other
<500	8%	5%	89%	52%	25%	28%	0%	6%
500-999	11%	13%	74%	53%	26%	40%	2%	6%
1000- 2499	13%	29%	63%	49%	31%	63%	10%	5%
2500- 4999	36%	63%	31%	53%	49%	80%	10%	3%
5000- 9999	67%	83%	17%	71%	69%	100%	48%	7%
10000- 19999	100%	100%	4%	84%	100%	100%	72%	0
>20000	100%	100%	0	100%	100%	100%	100%	0
<b>Total</b>	<b>27%</b>	<b>37%</b>	<b>56%</b>	<b>56%</b>	<b>41%</b>	<b>61%</b>	<b>15%</b>	<b>5%</b>

**8.17** The increased involvement of community and town councils in the provision of services and amenities, combined with tighter regulatory requirements across a range of fields, has already increased the burden of work on many clerks. For two-thirds of councils the clerk is the only employee, and even in larger councils the clerk may only be supported by junior secretarial or maintenance staff. As such, many clerks work considerably longer hours than those formally stated by their contracts, and many clerks have been forced to inform themselves of technical knowledge on financial management, insurance, health and safety laws and other issues.

**8.18** If community and town councils are further to expand their role, many will be advised to review the terms of employment of their clerk and the resources made available to them. It may be appropriate for a clerk's hours of employment to be increased and for new resources to be purchased. Larger councils may wish to consider the more fundamental restructuring of their personnel structure, redefining the role of the clerk more as a 'chief executive' of the council, and employing new staff with particular specialist expertise.

## Training

**8.19** The most fundamental requirement for any future development of the role of community and town councils, is for the more comprehensive training of both clerks and council members. At present, only a quarter of clerks have participated in any formal training courses. Of the 146 councillors surveyed for this project, only 36% had received 'training, advice or support' as a councillor – which includes attendance at information sessions organised by principal authorities on topics such as the code of conduct or the new audit requirements.

**8.20** It should become the normal expectation that clerks to community and town councils will have completed a formal training programme, such as that developed by the University of Wales, Aberystwyth, Law Department and the Wales Association of Community and Town Councils, and will attend regular refresher events. The completion of training by the clerk should be a formal requirement of the accreditation process for community and town councils wishing to draw down delegated functions.

**8.21** There is, however, also a need for training of council members, who are increasingly being required to make decisions on a wide range of technical issues. The virtual absence of training for community and town councillors may be compared with the training provision for other participants in community governance such as school governors. There is little need for councillors in general to complete a comprehensive training course equivalent to that for a clerk, however, a package of basic training and optional specialist courses could be developed to support councils foster a range of competences across their membership. The eligibility of councils to participate in certain initiatives might be tied to the completion of training by councillors in specified areas (e.g. planning).

### **Recommendation R8.10**

A comprehensive training package should be developed under the guidance of One Voice Wales for community and town councillors, clerks and other council personnel. The package needs to include provision for a number of specific and different training requirements. These include:

- Induction training for new clerks, covering all aspects of a clerk's work including finance, administration, law, etc.
- Refresher training for established clerks, focusing on changes in law and regulations.
- Induction training for new councillors, including training on the local government system and law, partnership working and the planning system.
- Refresher training for established councillors, focusing on new regulations and policy changes.
- Training for other local council employees, for example finance officers, secretarial staff, community workers.
- Specialist training on specific topics, for example bidding for grants, engaging with young people, and community development.

### **Recommendation R8.11**

We recommend that One Voice Wales should act as a 'clearing house' for accredited training courses, which may be delivered by a range of providers. Funding should be provided by the Welsh Assembly Government to ensure that the opportunity for training is available to all.

**8.22** In addition to the development of a formal training package, a number of more informal initiatives could be promoted. These might include the use of mentoring schemes by councils to support new members; the production of an information handbook for community and town councillors; and the development of internet-based information resources.

### **Recommendation R8.12**

Community and town councils should introduce procedures for the 'mentoring' of new members by experienced councillors. Advice on the form, nature and organisation of such mentoring arrangements could be provided by One Voice Wales.

**Recommendation R8.13**

Additionally, we recommend that One Voice Wales, Welsh Assembly Government, the Society of Local Council Clerks and the principal authorities should collaborate on the production of a range of information resources for local councillors and clerks. These may include a handbook for local councillors and a range of internet-based resources.

## 9. Conclusion

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This chapter emphasises the key conclusions of the study and discusses future monitoring requirements.

**9.1** Community and town councils are a fundamental part of the local government system in Wales and play an important role in the life of Welsh communities. They have considerable potential to develop their role, to play a larger part in the provision of services and amenities and more effectively to represent the interests of their communities. The recommendations contained in this report will help councils to fulfil this potential, whilst protecting the interests of the public.

**9.2** A demonstration of what can be achieved by community and town councils is already provided by the most pro-active councils. There are numerous examples of open, inclusive and professional local-level councils in Wales who are making a real difference to their communities through a wide range of imaginative initiatives. However, there is also a small minority of councils in Wales that are inactive, closed and disconnected from their communities. The central objective of future policy relating to community and town councils must be to promote good practice and to ensure that all communities in Wales are able to benefit from strong local-level councils.

**9.3** The recommendations contained in this report are aimed at three broad objectives:

- To professionalise the conduct of government by community and town councils.
- To formalise relationships between community and town councils and other bodies, including principal councils and the Welsh Assembly Government.
- To encourage and support all community and town councils to take advantage of the opportunities open to them.

**9.4** This report should be understood as a snap-shot study of community and town councils at a particular moment in time. The circumstances in which community and town councils operate, and the challenges that they face, will continue to evolve, and their role, functions and future potential should all be kept under review. It may be appropriate at some future point for a more fundamental expansion in the role of community and town councils to be considered, but such a move would require further research, including an evaluation of any consequential changes for principal authorities.

**9.5** The process of monitoring the future development of community and town councils will require the regular collection and collation of a more extensive range of statistical data relating to community and town councils than is undertaken at present. We envisage that this task could be shared between the Local Government Data Unit, the Welsh Assembly Government and One Voice Wales. The Welsh Assembly Government or Local Government Data Unit should be responsible for collating financial statistics that would enable a more informed assessment of the financial requirements and performance of community and town councils to be undertaken. One Voice Wales should be encouraged to organise an occasional census of its members to monitor the progress of community and town councils in improving the inclusiveness of their membership, increasing electoral participation, and raising standards through participation in training programmes.

#### **Recommendation R9.1**

We recommend that the Welsh Assembly Government or the Local Government Data Unit should collect by means of annual returns from community and town councils, information on the gross income and expenditure of councils, the proportion of income sourced from the precept, direct grants and other sources, and expenditure under Section 137 of the Local Government Act 1972.

#### **Recommendation R9.2**

One Voice Wales is encouraged to undertake a regular census of its members in order to compile information that would permit the on-going assessment of the needs and requirements of community and town councils, including in particular, data relating to:

- election results and turnout; co-options; casual vacancies and the action taken to fill them;
- the participation of council employees and members in formal training courses and workshops;
- the demographic composition of council membership.

**9.6** The future potential of community and town councils will also be influenced by the extent to which public awareness of local-level councils, their activities and their achievements, can be increased. The implementation of the recommendations in this report and the launch of One Voice Wales should be regarded as prime opportunities to celebrate and promote the value of community and town councils to the public at large.

### **Recommendation R9.3**

Consideration should be given by One Voice Wales to finding ways of 'celebrating' the achievements of community and town councils and raising public awareness of councils' work. Possible initiatives that might be explored could include annual awards, special supplements in the Western Mail and Daily Post, and working with broadcasters to develop storylines involving community councils or councillors on Pobl y Cwm.

## **The implementation of the recommendations**

**9.7** The recommendations made in this report will have bearing on a wide range of authorities, agencies and organisations across the public and voluntary sectors in Wales. The report is made to the Welsh Assembly Government and recommendations are made with respect to areas of responsibility of a number of departments and divisions. However, recommendations are also made to a number of other bodies, including in particular One Voice Wales – the new representative association for community and town councils in Wales – but also county and county borough councils, national park authorities, the Welsh Language Board, Assembly sponsored public bodies, and community and town councils themselves. Appendix I details the organisations to which each recommendation is addressed.

**9.8** Some of the recommendations made in this report will have implications for other tiers of government, and particularly for county and county borough councils. In particular, these relate to the procedures for liaison between principal councils and community and town councils, the involvement of community and town councils in the planning process, and the possible delegation of functions to community and town councils. It is proposed that there should be a legislative requirement on principal councils to develop a Charter agreement with the community and town councils in their area, which would cover these issues (see recommendation R4.1). This proposal builds on existing models of good practice and mirrors the development of Quality Parish Charters in England. As the sample Charter in Appendix H indicates, county and county borough councils would retain considerable discretion over the nature of the liaison procedures to be included, and the form and extent of any delegation of functions. The introduction of Charters (along with a number of other specific recommendations in this report) will inevitably involve some start-up costs for principal councils; however, it is our conclusion that the greater transparency and stability that would result in the relationship between county and county borough councils and community and town councils will be of benefit to both tiers of government in the longer term.

**9.10** Where possible, recommendations have been made that do not require primary legislation. These include recommendations that are advisory, recommendations that are made to bodies other than the Welsh Assembly Government, and recommendations that could be implemented within the devolved powers of the National Assembly for Wales. However, the implementation of a number of recommendations would require primary legislation (see Appendix I). These recommendations particularly relate to three issues: (i) recommendations concerning the introduction of Charter agreements between principal councils and community and town councils, and the accreditation of community and town councils to draw down delegated functions under these agreements (recommendations R4.1, R4.5, R4.6, R4.7, R4.8 and R7.3); (ii) recommendations concerning procedures for the establishment and dissolution of community and town councils (recommendations R3.1, R3.2); and recommendations concerning the minimum age of candidature in council elections and the co-option of non-voting representatives (recommendations R8.3 and R8.4). It is envisaged that these proposals could be included in a Local Government (Wales) Bill with proposals arising from the Commission on Local Government Electoral Arrangements in Wales and from the current review of national parks.

**9.11** The recommendations have cost implications for the Welsh Assembly Government at three levels. Firstly, there are relatively minor administrative costs associated with a number of recommendations that for example involve the issuing of guidance to local authorities. Secondly, two recommendations propose that the Welsh Assembly Government should commission further research, on the viability of a third party right of appeal against planning decisions (recommendation R5.11), and on the delivery of concurrent functions (recommendation R7.5). Thirdly, and most significantly, substantive spending commitments would follow from six recommendations that would involve the establishment of new grants schemes or provision of funds to One Voice Wales:

- Recommendation R4.10: Funding for the employment of a consultant/animateur by One Voice Wales to advise community and town councils on identifying and developing initiatives to address local needs, accessing funding and partnership working.
- Recommendation R6.8: Establishment of a 'Local Democracy Fund' to cover costs of elections to community and town councils.
- Recommendation R7.7: Establishment of a 'Business and Community Grant Scheme' to support initiatives by community and town councils that are wholly or principally of benefit to local businesses.
- Recommendation R7.8: Establishment of a Welsh equivalent of the English 'Vital Villages' programme to support community development initiatives led by community and town councils.
- Recommendation R8.11: Provision of funds towards the development and implementation of training schemes for community and town councils.

**9.12** The recommendations also involve a number of significant spending commitments for One Voice Wales. These costs need to be addressed in the new association's business plan and appropriate sources of funding identified. The Welsh Assembly Government may wish to consider the provision of additional funding to One Voice Wales to support the development of these initiatives in the short term.

**9.13** The majority of recommendations in this report are not dependent on either legislation or the identification of significant new funds, and could be implemented over the relatively short-term future. Most recommendations are also 'stand-alone' proposals that are not dependent on the prior implementation of other recommendations. However, there are two 'cornerstone' recommendations – R4.1 and R6.1 – that are critical to the implementation of the full range of recommendations concerned with community and town councils' engagement with principal councils and with the community respectively. Recommendation R4.1, on the introduction of Charter agreements, is a necessary pre-requisite for recommendations R4.5, R4.6, R4.7, R4.8, R5.3 and R7.3, that concern items to be included in the Charter. Recommendation R6.1, on the issuing of guidance concerning community and town councils' engagement with their communities, is a necessary pre-requisite for recommendations R6.3, R6.4, R6.5 and R7.9, that concern items to be included in the guidance. The set of recommendations associated with R4.1 also require primary legislation, as noted in paragraph 9.10. It is, however, anticipated that the implementation of all recommendations could be completed within a 5 year period.



## Appendix A: Membership of the Steering Group

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### **Chairman:**

Professor Eric Sunderland	Former Chairman, Local Government Boundary Commission for Wales; Former Chairman, Commission on Local Government Electoral Arrangements in Wales
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### **Members:**

Andy Butler	Price Waterhouse Coopers
Professor Hugh Coombs	Professor of Accounting, Glamorgan University
Richard Crawshaw Forum	Co-ordinator, South West Wales Economic
Tejay de Kretser	Director, Bridgend Association of Voluntary Organisations
Roger Eagle	Director of Scrutiny & Democratic Services, Powys County Council
Cllr Richard Edwards	Vice-President, Wales Local Councils Forum
Tony Roberts	Former Chief Executive, Cynon Valley District Council
Cllr Mair Stephens	Vice-President, Wales Local Councils Forums
Vivienne Sugar	Former Chief Executive, City and County of Swansea Council
Charlotte Williams	Lecturer in Social Policy, University of Wales, Bangor

### **Observers:**

Daniel Hurford Steve Thomas	Welsh Local Government Association
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### **Welsh Assembly Government:**

Dr Ian Thomas  
Amanda Berry  
Kate Cassidy  
Jennifer Wong



## Appendix B: Detailed Methodology

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**B1** The research methodology for the study was designed in response to the project brief, the identification of data collection needs and the available timescale and resources. It was developed by the research team and refined in consultation with the Steering Group.

**B2** The study involved seven key data collection exercises, undertaken in phases across a twelve month period from April 2002 to March 2003. These exercises included a questionnaire survey of community and town councils; a questionnaire survey of county and county borough councils; detailed case studies of 17 community and town councils; telephone interviews with the clerks of a further three case study councils; telephone interviews with planning officers of the county and county borough councils and national park authorities; telephone interviews with representatives of a range of stakeholder organisations; and four public seminars. Details of each of these research methods are discussed in this appendix. In addition, information was collected through a review of existing literature and information sources relating to community, town and parish councils, and from written submissions (see paragraphs B18-20 below).

### Questionnaire survey of community and town councils

**B3** A bilingual postal questionnaire survey was distributed to all 737 community and town councils in Wales in June 2002. The questionnaire was designed in consultation with the National Association of Local Councils (Wales), the Wales Association of Community and Town Councils and the North Wales Association of Town Councils and piloted by six councils of differing population size. The questions were structured into ten sections covering the constitution of the council; council membership; council leadership; the clerk and other employees; council meetings and business; services provided by the council; council finances; engagement with other bodies and agencies; engagement with the public; and membership of representative associations.

**B4** Survey returns were received from 475 councils. The response rate of 64.6% compares respectably with other surveys of local-level councils undertaken by the Aston Business School (82%) and the University of Wales Institute, Cardiff (72%). As the tables below indicate, the survey responses slightly under-represent smaller councils, whilst the response rate by principal council area varies between 37.5% in Ynys Mon and 100% in Blaenau Gwent and Cardiff. Nonetheless, it is considered that the volume and distribution of responses is sufficient to permit conclusions to be drawn with a high degree of confidence.

**B5** We would like to acknowledge the assistance provided by the National Association of Local Councils (Wales), the Wales Association of Community and Town Councils, the North Wales Association of Town Councils and the various county associations, in promoting the survey and encouraging members to return the questionnaire. It is evident that the timing of the survey over the summer created difficulties for some councils and may have contributed to non-responses in some areas. Difficulties were also created for some councils by transitions between clerks,

or where recently-appointed clerks did not have access to the full range of information required. A number of councils also returned incomplete questionnaires, either through accident or design. In particular, a number of councils withheld financial information.

<b>Population (1991)</b>	Number of councils in population band	<b>As % of all councils</b>	Number of responses in population band	<b>As % of all responses</b>	% of councils in population band responding
<b>&lt;500</b>	149	<b>20.2</b>	83	<b>17.5</b>	55.7
<b>500-999</b>	199	<b>27.0</b>	125	<b>26.3</b>	62.8
<b>1,000-2,499</b>	195	<b>26.5</b>	127	<b>26.7</b>	65.1
<b>2,500-4,999</b>	91	<b>12.3</b>	65	<b>13.7</b>	71.4
<b>5,000-9,999</b>	63	<b>8.5</b>	42	<b>8.8</b>	66.7
<b>10,000-19,999</b>	32	<b>4.3</b>	26	<b>5.5</b>	81.2
<b>&gt;20,000</b>	8	<b>1.1</b>	7	<b>1.5</b>	87.5
<b>Total</b>	737	<b>100</b>	475	<b>100</b>	64.5

Table B1: Responses to survey by population size of councils

**B6** Information from the returned questionnaires was entered into a computer database and analysed using statistical packages. The findings of the survey are presented in detail in the second research paper from the study, which is available on the study's website at [www.aber.ac.uk/communitygovernance](http://www.aber.ac.uk/communitygovernance).

<b>Principal council area</b>	<b>Number of councils in area</b>	<b>Number of councils responding</b>	<b>% of councils in area</b>
<b>Blaenau Gwent</b>	4	<b>4</b>	100.0%
<b>Bridgend</b>	19	<b>12</b>	63.2%
<b>Caerphilly</b>	16	<b>9</b>	56.3%
<b>Cardiff</b>	6	<b>6</b>	100.0%
<b>Carmarthenshire</b>	73	<b>41</b>	56.2%
<b>Ceredigion</b>	51	<b>32</b>	62.7%
<b>Conwy</b>	33	<b>20</b>	60.6%
<b>Denbighshire</b>	37	<b>26</b>	70.3%
<b>Flintshire</b>	34	<b>29</b>	85.3%
<b>Gwynedd</b>	64	<b>33</b>	51.6%
<b>Merthyr Tydfil</b>	1	<b>0</b>	0.0%
<b>Monmouthshire</b>	33	<b>25</b>	75.8%
<b>Neath Port Talbot</b>	19	<b>13</b>	68.4%
<b>Newport</b>	14	<b>12</b>	85.7%
<b>Pembrokeshire</b>	79	<b>46</b>	58.2%
<b>Powys</b>	112	<b>81</b>	72.3%
<b>Rhondda Cynon Taff</b>	12	<b>7</b>	58.3%
<b>Swansea</b>	24	<b>18</b>	75.0%
<b>Torfaen</b>	6	<b>5</b>	83.3%
<b>Vale of Glamorgan</b>	26	<b>20</b>	76.9%
<b>Wrexham</b>	34	<b>21</b>	61.8%
<b>Ynys Mon/Anglesey</b>	40	<b>15</b>	37.5%
<b>Total</b>	737	<b>475</b>	64.5%

Table B2: Responses to survey by principal council area

## Questionnaire survey of county and county borough councils

**B7** A bilingual postal questionnaire survey was also distributed to all 22 county and county borough councils in Wales in October 2002. The questionnaire, which had been designed in consultation with the Welsh Local Government Association, covered the councils' liaison with community and town councils, information collected from community and town councils, standards committees, training and information sessions for community and town councils, local councils' fora, other mechanisms for engaging with communities, delegation of functions to community and town councils, and partnership working with community and town councils. Survey returns were received from 20 of the 22 authorities.

## Case studies

**B8** In order to explore further the current activities and future potential of community and town councils and the backgrounds and experiences of councillors a series of 17 detailed case studies was undertaken. The case study councils were selected as exemplars of councils in different parts of Wales, serving populations of varying sizes, and in different geographical settings from rural through to urban. The selection was informed by the questionnaire survey and discussed with the Steering Group, and in several cases the council was selected as an example of good practice, or because it exhibited a distinctive feature that was of particular interest to the study. For example, Cwm, Waen and Tremeirchion Community Council was selected as a rare instance of a grouped council in Wales. Details of all the case study councils are given in Appendix C.

**B9** A minority of the councils approached were unable to participate in the research. To compensate, three further councils were selected as supplementary case studies to be researched by means of a telephone interview with the clerk. In the seventeen full case studies, in contrast, the research involved four elements:

- An individual interview with the clerk
- A group interview with members of the council
- Analysis of the council minutes for the period since May 2001
- A questionnaire survey of council members

**B10** The case studies were undertaken between November 2002 and January 2003. The group interviews with council members were generally held in an evening and were well-attended. The discussion was loosely structured and led by one of the project researchers, covering themes including the changing nature of council work and activities; the challenges faced by the council and its achievements; attitudes towards the future role of councils; working with other authorities and organisations; engaging the public; and the role perceptions and motivations of councillors. Two group interviews were conducted in Welsh, in Bala and Llangefni, facilitated by Dr Rhys Jones, assisted by Rachel Hughes. All individual and group interviews were recorded, transcribed and coded.

**B11** The questionnaire survey of council members was distributed in advance of the visit to the community through the clerk and returned either at the meeting with councillors or through the post. The bilingual questionnaire covered the councillors' record of council service, their means of joining the council, their perception of the contribution they make, their involvement in training, and their socio-economic background. Responses were received from 146 councillors, or 58% of the total membership of the case study councils (see table B3).

	<b>Town/Community Council</b>	<b>Total Councillors</b>	<b>Total Responses</b>	<b>% Response</b>
<b>Large Urban Councils (cllrs: 58)</b>	Barry	22	9	41
	Cwmbran	20	7	35
	Llandudno	30	13	43
	Hawarden	17	13	76
	Nantyglo and Blaina	16	9	56
	Offa	18	7	39
<b>Small Town Councils (cllrs: 59)</b>	Llandrindod Wells	15	14	93
	Llangefni	15	10	67
	Llanidloes	14	8	57
	City of St David	13	6	46
	Llandoverly	14	13	93
	Bala	12	8	67
<b>Small Rural Councils (cllrs: 29)</b>	Tremeirchion, Cwm and Waen	14	4	29
	Llantilio Crossenny	9	8	89
	Llangattock Vibon Abel	9	8	89
	Ambleston	7	7	100
	Spittal	7	2	29
<b>Total (cllrs: 146)</b>		<b>252</b>	<b>146</b>	<b>58</b>

Table B3: Responses to survey of councillors, by case study.

## Telephone interviews

**B12** Telephone interviews were conducted in October and November 2002 with planning officers in all 22 county and county borough councils and the three national park authorities. The interviews collected information on principal planning authorities procedures for liaising with community and town councils and the quantity and nature of representations received from community and town councils on planning applications, and canvassed opinion on options for developing the role of community and town councils in the planning process.

**B13** A number of telephone interviews were also conducted with a range of other individuals and agency representatives during the course of the study. These included officers of the community and town council representative associations, selected officers in principal councils, representatives of other interested organisations including Planning Aid, the Wales Council for Voluntary Action and the Society of Local Council Clerks, and a number of individual councillors and members of the public with whom we had established contact as a result of the public seminars or other links.

## Public Seminars

**B14** As part of the study, four public seminars were organised in January 2003, at locations in Bodelwyddan, Carmarthen, Llandrindod Wells and Pontypridd. The seminars were designed as opportunities to engage community and town councillors, representatives of stakeholder organisations, and members of the public, in discussion about the various issues addressed by the research.

**B15** Invitations to attend the seminars were sent to all community and town councils and to over 100 community and voluntary sector organisations. Press releases publicising the events were also sent to all local newspapers in Wales. Unfortunately, some disruption to the publicity process was caused by the Christmas and New Year holidays, and some concerns were addressed to us about the limited notice and the venues of the meetings. These comments notwithstanding, the four seminars were each filled to capacity, with around 80 participants attending in Carmarthen, 55 in Pontypridd, 70 in Llandrindod Wells and over 100 in Bodelwyddan (see Appendix D for details).

**B16** The seminars were structured around an agenda, distributed to all participants, which invited contributions on five broad themes: (i) the role of community and town councils in providing amenities and services; (ii) the role of community and town councils in representing local interests; (iii) community and town councils working with other organisations; (iv) community and town councils engagement with their communities; (v) what would a community lose if it had no community or town council? The Pontypridd meeting also directly addressed the issue of creating new community councils in those areas currently without them. At all the meetings the discussion was preceded by a brief presentation of the study's background, aims and initial findings. Three seminars were chaired by Professor Eric Sunderland, and one by Tony Roberts, with other members of the Steering Group present as observers.

**B17** The seminars were tape-recorded, transcribed and coded for analysis. A summary of the points made at each meeting was sent to all councils and organisations that registered their presence and is also available on the study website at [www.aber.ac.uk/communitygovernance](http://www.aber.ac.uk/communitygovernance).

## Written submissions

**B18** All community and town councils were invited by the covering letter to the councils' survey to submit written statements expressing views on, (i) factors influencing the current operation of town and community councils; (ii) the experience of interaction with other bodies; and (iii) the potential for town and community councils to assume additional roles and the issues that might arise. Similarly, invitations to make written submissions were sent to the leaders of all 22 county and county borough councils, to party group leaders on the principal councils and to any unattached county or county borough councils. The invitations particularly guided respondents to comment on the liaison between the two tiers of local government, the delegation of functions, and the establishment of new community councils in areas without them.

**B19** Invitations to make written submissions were additionally sent to over 100 stakeholder organisations and agencies in the public and voluntary sectors and included in the publicity for the public seminars. Individuals contacting us who were unable to attend one of the seminars were also invited to submit written comments.

**B20** Written submissions were received from 47 community and town councils, 2 county associations of local councils, 7 county and county borough councils, 4 county and county borough council party groups, 4 stakeholder organisations, and 13 individual councillors, clerks and members of the public. Details are given in Appendix E. The written statements were analysed using a coding scheme and comments incorporated into the research papers on the role of community and town councils in delivering services and on the representative role of community and town councils.

## Other Surveys

**B21** In addition to the above, we are grateful to the Ceredigion Green Party, the National Association of Councillors (Wales), Powys County Council and the University of Wales Institute, Cardiff, for providing us with data from previous surveys and research and for permitting us to refer to their data and findings in this study.



## Appendix C: Case Studies

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For an explanation of the selection of case studies and details of research methods see Appendix B. This appendix provides pen picture summaries of the 20 case study councils, listed by population size.

### Barry Town Council

The coastal town of Barry is the largest town in the Vale of Glamorgan Council area. With a population of 45,053 in 1991, it also has the largest population of any local council in Wales. The council provides a range of standard services and amenities, including the town's memorial hall. It also manages the town cemetery on an agency basis for the Vale of Glamorgan Council. The precept of £509,285 is the third largest in Wales. The council has 22 members elected from eight wards, all of which had contested elections in 1999. The council is run on party lines, with fifteen Labour councillors, three Conservatives, three Plaid Cymru councillors and one Independent. Five of the councillors are also members of the county council and the council is also involved in a local councils forum with the principal authority, but the relationship with the Vale of Glamorgan Council is considered to be poor.

### Cwmbran Community Council

Cwmbran Community Council is a 'grouped' council covering five communities that comprise the new town of Cwmbran in Torfaen. The town had a population of 36,026 in 1991, the second largest of any local council in Wales. Its precept of £342,900 is the seventh largest in Wales. In 2001-2 the council spent £45,000 under section 137, £25,000 of which was given as grants to 32 local organizations. The council performs only a basic range of statutory functions, but has developed three innovative services that collectively account for £130,000 of its annual expenditure. These include a community taskforce, providing services for the elderly; a drop-in centre for young people; and a summer playscheme that employs 70 seasonal staff. The council's environmental schemes received a Premier Award for Local Authorities in the Queen Mother's Birthday Awards in 1997. The council also supports a number of community festivals, concerts and competitions. It is involved in seven partnership projects with local organizations, agencies and schools, as well as working with neighbouring community councils. The council operates through six standing committees, and has 20 members, elected from 13 wards. In 1999 contested elections were required in only 5 wards, with exactly the right number of candidates nominated to fill the available places in the other wards.

## Llandudno Town Council

Llandudno is a coastal resort town of approximately 20,000 residents on the North Wales coast, falling within the Conwy County Borough Council area. The Town Council is the largest in Wales in terms of number of councillors, its 30 members being elected from five wards, all of which had contested elections in 1999. The council also has the largest number of committees of any local council in Wales, with 18 sub-committees and 1 working group. The full council meets in the chamber of the former borough council in the Town Council, where the council also has its offices, but public attendance at meetings is low. The precept of £244,000 is the eleventh largest in Wales. The council is active across a range of activities, many of which are related to the town's tourism industry, but the only delegated service it provides is footpath maintenance, for which it receives an annual payment from the principal council. The council spent £44,000 in 2001-2 supporting over 50 local organisations, and £72,000 on direct capital expenditure on play equipment and decorative lighting. Administration is undertaken by a full-time clerk and an assistant clerk. The clerk, who had been in post since 1994, had not undertaken any formal training, and was due to leave the council shortly.

## Hawarden Community Council

Hawarden is a community of around 12,000 residents including the villages of Hawarden, Ewloe and Mancot, and the suburban settlement of Aston, between Buckley and Connah's Quay in Flintshire. Prior to the community review in 1985, the former parish of Hawarden had also included the areas now covered by Shotton Town Council and Broughton and Bretton Community Council. Following the review the three councils decided to continue to work together to provide a range of services such as street lighting, playing fields and buildings maintenance, as well as a pooled administration service. Hawarden raises a precept of £164,969. As well as expenditure on services and facilities, it supported 14 local organizations in 2001-2. The council has 17 members, elected from four wards, all but one of which had contested elections in 1999. Of the 17 councillors, 12 were members of the council before 1999, and 5 are also members of the county council. The Labour party has 11 councillors, and six sit as independents.

## Nantyglo and Blaina Town Council

Nantyglo and Blaina are former industrial communities in the Ebbw Fach valley above Abertillery. The former urban district has experienced depopulation with industrial decline and had a population of 9,302 in 1991. The council works closely with a number of local organizations including the chamber of trade and the churches. Its projects include provision of Christmas lighting in partnership with the chamber of trade, and the development of a Chartist Movement Heritage Centre in partnership with a heritage action group. The council undertook a community survey

and action plan with Cardiff University, and held a public meeting in 2001-2 concerning the closure of the police station which was attended by 250 residents. The council would like to take a greater role in economic regeneration, but is frustrated by a lack of resources and limited powers. The relative deprivation of the community restricts its revenue raising capacity and it has set a precept of £30,600 in 2002. In 2001-2 it spent £1,031 under section 137, including support for 17 local organizations. The council has a poor relationship with the local Communities First partnership and with Blaenau Gwent County Borough Council, despite participation in a local councils forum with the principal authority. The council has 16 members, elected from two wards, all of whom are Labour, and all of whom were elected without a contest in 1999 (with no vacancies). The clerk, who has been in post since 1994, has participated in training at the University of Gloucestershire.

### **Offa Community Council**

Offa is one of four community councils created in Wrexham by the community review in 1985. The council covers the town centre and the south eastern suburbs, and serves a population of just under 10,000. The council considers itself to be one of the most innovative and active community councils in Wales. Whilst it is not involved with some of the more traditional functions of local councils, such as streetlighting, it provides a range of services and facilities for the community, including a community resource centre and a youth service. Its employees include a neighbourhood worker, a community resource development worker and an Outreach Youth and Recreation Officer, as well as more conventional positions such as the clerk. The clerk, appointed in 1998, has participated in a NALC induction course. The council raises a precept of £132,000; its expenditure includes over £12,000 on outreach youth projects and £4,500 in grants to local organizations. In total, it spent £23,442 under Section 137 in 2001-2. Offa Community Council is involved in partnership working with the National Trust on environmental projects and the Wales and West Housing Association on the provision of a resource centre, and in the Wrexham Childcare Partnership. The council produces a regular newsletter and conducted a crime survey in 2001-2. Up to 100 local residents may attend the monthly meeting of the council, which are held in one of the community centres. The council has 18 members, elected from four wards, and three standing committees. In 1999, a contested election was required in only one ward – in the other three exactly the right number of candidates were nominated to fill all the positions available.

## **Llandrindod Wells Town Council**

Llandrindod Wells is a small market and spa town in mid Wales, which was formerly the county town of Radnorshire and remains the headquarters of Powys County Council. It had a population of 4,898 in 1991. The town council is directly involved in only a modest number of services and facilities, but supports a wide range of community activities through grant-aid and partnership working. It contributes to the salary of a town co-ordinator through a partnership with the town trust and county council, and grant-aids a town crier, a town newsletter, a summer playscheme and the twinning association. In 2002 it set a precept of £54,022 (lower than the previous year), and in 2001-2 it spent over £9,000 under section 137. Activities supported include a railway signal box museum, festive lighting, flower baskets, a Victorian festival and a taxicard scheme. The council has 15 members elected from five wards, none of which required contested ballots in 1999. In two, exactly the right number of candidates were nominated to fill all available positions, whilst there was a shortage of candidates in the three other wards.

## **Llangefni Town Council**

Llangefni is the largest town on the island of Anglesey, with a population of 4,602 in 1991, 85% of whom are Welsh speakers. The council set a precept of £60,538 in 2002; its expenditure in 2001-2 included spending on tools for use by the Volunteer Bureau, presents to be given by a local choir on a visit to the continent, and land for use by the football club, as well as donations to eight local and national organizations and charities. The fifteen member council has two standing committees, for finance and for cemeteries and playgrounds. In 1999 insufficient candidates were nominated to fill all the seats in any of the three wards. No councillors were elected with a party affiliation. The council has held two public meetings in recent years, on events for the Millennium and the Golden Jubilee, which were attended by 18 people and 15 people respectively.

## **Cardigan Town Council**

Cardigan is an established market town in south Ceredigion, with a population of 4,281 in 1991, 64% of whom are Welsh speakers. It serves as the prime commercial and retail centre for the surrounding area; the economy of the town has suffered from the recent closure of a large local employer and the rundown of RAE Aberporth. The town council and other local organisations have been active in seeking ways to promote local regeneration aided by participation in the Market Town Initiative and Menter Aberteifi. Cardigan has fifteen councillors representing five wards covering the town and part of the neighbouring village of St Dogmaels. It made no return to the questionnaire survey and was, as a result, chosen to be included among the case studies through a telephone interview with the Clerk.

## Llanidloes Town Council

Llanidloes is a small market town of around 2,600 population in the upper Severn valley in Powys. The council is involved in an above average range of functions for a town of its size, including the management of the town cemetery in partnership with Llanidloes Without Community Council. It also manages a number of other properties inherited from the former borough council abolished in 1974, including the town hall, recreation ground, riverside park and Allt Goch woodland. The council set a precept of £48,482 in 2002. In 2001-2 it spent £4,087 under section 137, including donations to eight local and national organisations; and £1,476 on direct capital expenditure on the community centre and parks. In 2000 the council established a Taskforce, which include the local MP and Assembly Members, trade unions and representatives from the WDA, which successfully lobbied against the closure of the town's major employer, and has more recently campaigned on other employment and economic development issues. The council takes involvement in such issues seriously. It has organized well attended public meetings in the past concerning threats to close the post office and the hospital. The council was also a key partner in the Llanidloes LINK Market Town Initiative between 1997 and 2000, contributing office space and administrative resources. The fourteen councillors are elected from three wards. In 1999, exactly the right number of candidates were elected in two wards to fill all the seats, whilst in the third ward there was one vacancy.

## Llandovery Town Council

Llandovery is a small market town of 2,167 population in north-eastern Carmarthenshire on the edge of the Brecon Beacons National Park. The council raises a precept of £30,000 and delivers a typical range of services and amenities for a small town council, including Christmas lighting. It has also developed a Heritage Centre, with some support from the Welsh Development Agency, on which it holds the freehold. Part of the building is let to the National Park as an information centre. The council also supported 17 local organisations in 2001-2 and spent £11,119 in direct capital expenditure on new equipment for a children's play area. The council has nine standing committees, including public seating and police liaison committees, and two working groups. Its fourteen councillors are elected from three wards, but in 1999 only eight candidates were nominated for election. In July 2002 there were three vacancies on the council. The council meets monthly in the Town Hall. Normally, no members of the public are present, but 100 people attended a public meeting organized by the council in 2001-2 concerning flood prevention.

## City of St David's Council

The historic cathedral town of St David's in Pembrokeshire was awarded city status in 1996 and is one of only two local councils in Wales to use the nomenclature 'city council'. Located in the Pembrokeshire Coast National Park, St David's is a popular tourist centre. Its population in 1991 was 2,121, two-fifths of whom are Welsh speakers. The council is one of only four to set a zero precept in 2002, deriving its income instead from the city's tourism industry, in particular from car park revenue. The council spent £4,518 under section 137 in 2001-2, including grants to 25 local organizations. It also spent £13,000 in direct capital expenditure on development of the city hall and on street nameplates. The thirteen councillors were elected in a contested ballot in 1999, but none have a party affiliation. Common items of discussion at council meetings during the last year include anti-social behaviour, a skatepark, a community shop and the council's website. The council has held two public meetings on twinning with a town in France and a village in Africa, which 20 and 12 people attended respectively. It also holds an annual community meeting in addition to the annual meeting of the council, but public attendance is low. During 2001-2 the council conducted two surveys, addressing the viability of proposals for a skatepark and for a community bus.

## Bala Town Council

The small town of Bala in Meirionnydd is a tourist resort and service centre for a large, sparsely populated rural and mountainous hinterland. The town had a population of 1,875 in 1991, 83% of whom were Welsh speakers. The town is in the Snowdonia National Park and the Gwynedd County Council area. The council set a precept of £10,500 in 2002 and undertakes a typical range of functions for a town of its size, including support for 13 local organizations in 2001-2. The council is a partner in the Antur Penllyn economic development partnership and was involved in hosting the 2002 World Sheep Dog Trials in partnership with other local groups. Twelve candidates were nominated for the twelve council seats in 1999, and all had been members of the previous council. Three councillors are affiliated to Plaid Cymru whilst the remainder are non-political. The council chair is elected every two years and the clerk has been in post since 1995. No members of the public normally attend council meetings, but twenty-five people attended a public meeting called by the council in 2001-2 to discuss relations with the town's youth.

## **Cwm, Waen and Tremerschion Community Council**

The council is one of only eight 'grouped' councils in Wales, covering the adjacent rural communities of Cwm, Waen and Tremerschion to the east of St Asaph in Denbighshire. The grouping was formed at the time of the community review in the 1980s and was employed as an alternative to the amalgamation of the three communities as had occurred elsewhere. Waen is the smallest of the three, with a population of 231 in 1991, followed by Cwm (300) and Tremerschion (623). With a combined population of 1,154 in 1991, the grouped council is still below the mean council size in Wales. The council has 14 members, elected from each of the constituent communities independently. Only in Cwm were sufficient candidates nominated to fill all the positions in the 1999 elections, with the four vacancies filled by co-option. The council sets a precept of £3,000 and undertakes a basic range of functions. It spent £160 in 2001-2 supporting nine local organizations and its only capital expenditure was on a mirror for a junction. The council is involved with a 'Countryside Projects' partnership with Denbighshire County Council and has also undertaken a Planning for Real exercise. During 2001-2, it organized one public meeting, on development to the school site, which 100 people attended. Normally there are no members of the public at council meetings, which are held in the school. The council's only employee is a part-time clerk, the present clerk having been appointed in the last year.

## **Llantilio Crossenny Community Council and Llangattock-vibon-Avel Community Council**

Llantilio Crossenny and Llangattock-vibon-Avel are adjacent rural communities to the north-west of Monmouth, along the border with England. Both communities are comprised of small villages and hamlets. Llantilio Crossenny had a population of 639 in 1991, and Llangattock-vibon-Avel, a population of 873. The two councils are both served by the same clerk, who was appointed by Llangattock in 1995 and Llantilio in 1996, but otherwise function independently. Both councils perform a basic level of functions, although Llantilio Crossenny has a working group to publish a Millennium Book. In 2002, Llangattock set a precept of £4,000 and Llantilio a precept of £3,600. Expenditure under section 137 is £376 and £425 respectively. The only capital expenditure for both councils in 2001-2 was the purchase of noticeboards. Llangattock-vibon-Avel is involved in a partnership with the National Trust and CADW to restore a river weir, whilst Llantilio Crossenny is involved in a crime prevention partnership. Public meetings were held by both councils in 2001-2: Llangattock to discuss a major private development, attended by 60 people, and Llantilio to discuss the renewal of the water supply, attended by 40 people. Around 3 people normally attend the meetings of each of the councils. Llangattock has 10 councillors, elected from three wards; and Llantilio has 9 councillors elected from three wards. Both councils had exactly the right number of candidates nominated in 1999 to fill all available places.

## **Trawsfynydd Community Council**

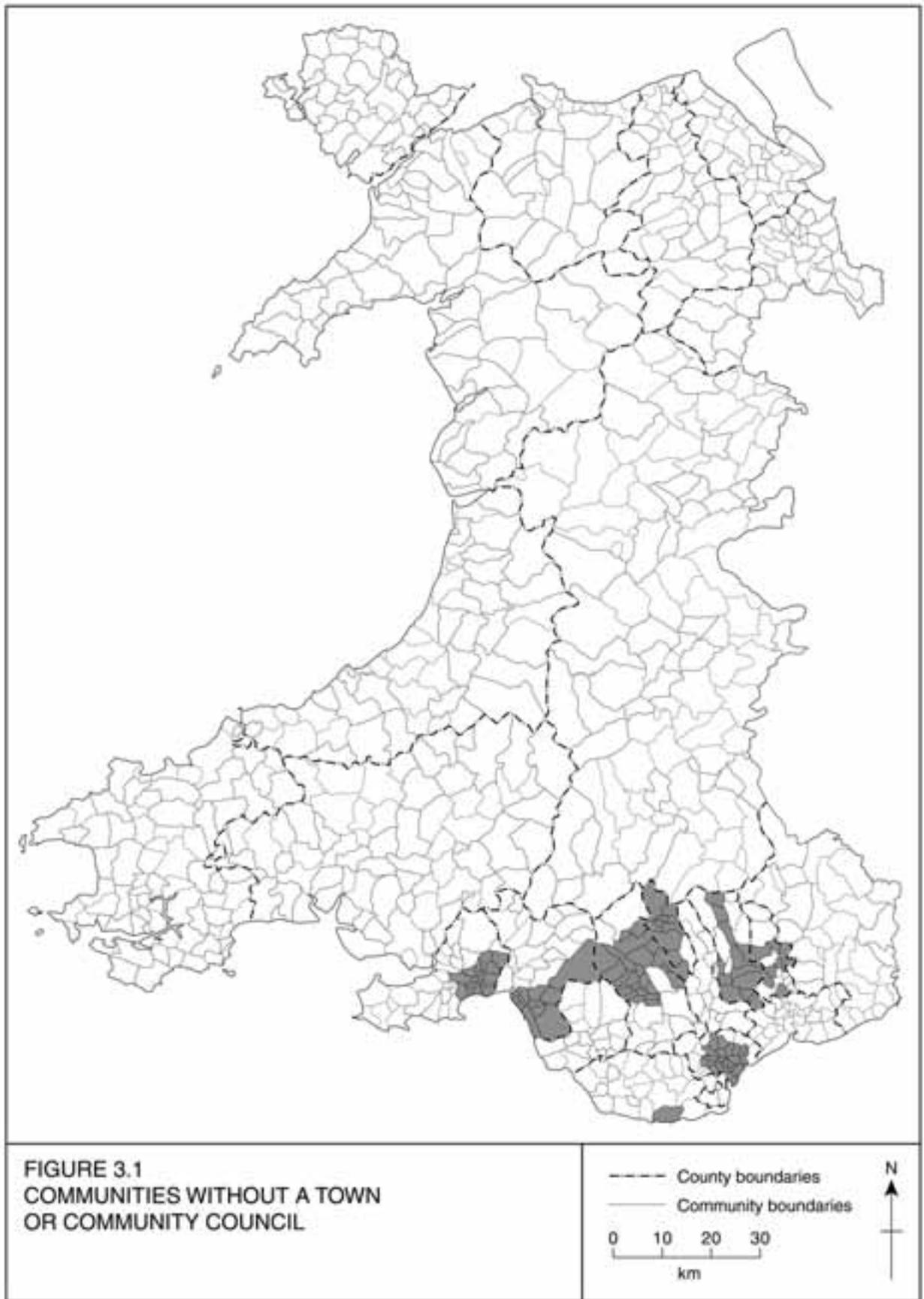
Trawsfynydd Community Council serves a territorially extensive community in central Meirionydd, with a population of 985 in 1991 of whom 69% were Welsh speaking. Twelve members serve on the council which set a precept of £5000 in 2002. Faced with the rundown and de-commissioning of the nuclear power station the community council has worked with other local organisations to find ways to encourage local regeneration, initially through undertaking a Community Appraisal in 1996 and subsequently through participation in the Trawsnewid Community Company. An environmental strategy has been developed and funding obtained through the European Regional Development Fund and other sources. The Clerk provided a detailed outline of the work of the Community Council during the case study phase through a telephone interview.

## **Trelech a'r Betws Community Council**

Trelech is a rural community of 731 population (1991 census) in north west Carmarthenshire. Two-thirds of the population are Welsh speakers. The council was one of only four in Wales to set a zero precept in 2002. Instead the council's income is derived from land that it owns in the village. The business of the council largely concerns the management of the land and the distribution of revenue raised to local societies. Other activities are kept to the statutory minimum. The council is elected as a whole, with the ten councillors elected in a contested, but non-party political, ballot in 1999.

## **Ambleston Community Council and Spittal Community Council**

Ambleston and Spittal are adjacent rural communities in Pembrokeshire, approximately five miles north of Haverfordwest. In the 1991 census, Ambleston had a population of 300 and Spittal a population of 424. Ambleston Community Council set a precept of £1,600 in 2002 and delivers a basic range of functions, including the maintenance of a mill pond. In 2001-2 it made small donations to six local organizations. The seven councillors were elected unopposed in 1999 with one vacancy. Council meetings are normally attended by one or two members of the public, but the council organized four public meetings in recent years: two on speeding traffic (20 people attending), one on the Millennium (20) and one on the Jubilee (9). The part-time clerk has been in post since 1986. Spittal Community Council also set a precept of £1,600 in 2002 and spent £310 under section 137 in 2001-2, including donations to the local cricket club and local senior citizens club. Around 80 people attended a public meeting on the Unitary Development Plan in 2001-2 and a similar number of the public were present at the 2002 annual meeting of the council. Twelve members of the public had attended the 2001 annual meeting. Seven candidates were nominated for the seven seats on the council in 1999.



**FIGURE 3.1**  
**COMMUNITIES WITHOUT A TOWN**  
**OR COMMUNITY COUNCIL**

--- County boundaries  
 — Community boundaries

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## Appendix D: Attendance at Public Seminars

Details of individuals and organisations registering attendance:

	Carmarthen	Pontypridd	Bodelwyddan	Llandrindod Wells	Total
Community and town councils	26	22	42	29	119
Councillors	56	36	65	45	202
Clerks	4	7	14	6	31
Other organisations	8	5	8	2	23
Members of the public	15	12	6	7	40

NB: Some individuals represented more than one council or organisation. A number of participants at each meeting did not register and are not included in these figures. Headcounts estimated the total attendance at 80 in Carmarthen, 55 in Pontypridd, 100 in Bodelwyddan and 70 in Llandrindod Wells.

### Community and town councils registering attendance

#### Carmarthen

Beulah Community Council  
Bronwydd Community Council  
Gowerton Community Council  
Grovesend Community Council  
Haverfordwest Town Council  
Hundleton Community Council  
Johnston Community Council  
Kidwelly Town Council  
Laugharne Township Community Council  
Llanbadarn Fawr Community Council  
Llanddowror Community Council  
Llandovery Town Council  
Llandybie Community Council

Llanelli Town Council  
Llangunnwr Community Council  
Llanrhidian Higher Community Council  
Llansteffan Community Council  
Mumbles Community Council  
Pembroke Town Council  
Pontarddulais Community Council  
Pontlliw and Tircoed Community Council  
Pontyberem Community Council  
St Clears Town Council  
St Ishmaels Community Council  
Walwyn's Castle Community Council  
Ystradgynlais Town Council

#### Pontypridd

Abertillery & Llanhilleth Community Council  
Brackla Community Council  
Bridgend Town Council  
Cowbridge Town Council  
Garw Valley Community Council  
Gelligaer Community Council  
Laleston Community Council  
Lisvane Community Council

Llantrisant Community Council  
Maesteg Town Council  
Nantyglo and Blaina Town Council  
Pyle Community Council  
Radyr Community Council  
St Athan Community Council  
St Brides Major Community Council  
St Brides Minor Community Council

Llangwm Community Council  
Llangynwyd Middle Community Council  
Llanmaes Community Council

### **Bodelwyddan**

Abergele Town Council  
Argoed Community Council  
Bagillt Community Council  
Bay of Colwyn Town Council  
Bethesda Community Council  
Bodelwyddan Town Council  
Bodfari Community Council  
Bro Garmon Community Council  
Caernarfon Town Council  
Caerwys Town Council  
Caia Park Community Council  
Cefn Meiriadog Community Council  
Chirk Town Council  
Cilcain Community Council  
Conwy Town Council  
Denbigh Town Council  
Dolwyddelan Community Council  
Dyserth Community Council  
Flint Town Council

Gresford Community Council  
Gwernymynydd Community Council

### **Llandrindod Wells**

Aberedw Community Council  
Carno Community Council  
Caersws Community Council  
Chepstow Town Council  
Churchstoke Community Council  
Clyro Community Council  
Crickhowell Town Council  
Cwmbran Town Council  
Disserth & Trecoed Community Council  
Felinfach Community Council  
Knighton Town Council  
Llangyniew Community Council  
Llangunllo Community Council  
Llanbadarn Fynydd Community Council  
Llanddew Community Council

Taffs Well Community Council  
Trellech United Community Council  
Welsh St Donats Community Council

Hawarden Community Council  
Holyhead Town Council  
Holywell Town Council  
Llandudno Town Council  
Llandyrnog Community Council  
Llanfairfechan Community Council  
Llangefni Town Council  
Llangollen Town Council  
Llanrhaeadr-yng-Nghinmeirch CC  
Llansannan Community Council  
Llysfaen Community Council  
Mold Town Council  
Mostyn Community Council  
Offa Community Council  
Prestatyn Town Council  
Ruthin Town Council  
St Asaph Town Council  
Towyn & Kinmel Bay Town Council  
Tremeirchion, Cwm & Waen Community  
Cl  
Whitford Community Council  
Ysceifiog Community Council

Llandrindod Wells Town Council  
Llangammarch Community Council  
Llangattock Community Council  
Llanwrthwl Community Council  
Llantysilio Community Council  
Meifod Community Council  
Nantmel Community Council  
Newtown & Llanllwchaiarn Town Council  
Old Radnor Community Council  
Pontypool Community Council  
Rhayader Town Council  
Talgarth Town Council  
Vale of Grwyney Community Council  
Whitton Community Council

Other organisations registering attendance

**Carmarthen**

Carmarthenshire County Council  
Dyfed Powys Police

Family Forum  
Llanfair ar y Bryn Community  
Association

Pembrokeshire County Council  
Pembrokeshire Association of Local  
Councils  
Pembrokeshire Women's Institute  
Welsh Local Government Association

**Pontypridd**

Treharris Chamber of Trade  
NALC Wales  
Vale of Glamorgan Council

Ramblers Association  
South Wales Police

**Bodelwyddan**

Conwy Association of Local Councils  
Denbighshire Area Partnership Team  
Councils  
Denbighshire Association of Local  
Councils  
Conwy County Borough Council

Merched y Wawr  
North Wales Association of Town

Wrexham Assoc. of Voluntary  
Organisations  
Community Routes

**Llandrindod Wells**

Powys County Council  
Wales Association of Community and Town Councils



## Appendix E: Written Submissions

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Written submissions were received from the following councils and organisations:

### **Community and Town Councils**

Abertillery and Llanhilleth Community Council (Blaenau Gwent)  
Ambleston Community Council (Pembrokeshire)  
Bagillt Community Council (Flintshire)  
Bay of Colwyn Town Council (Conwy)  
Buckley Town Council (Flintshire)  
Cefn Cribwr Community Council (Bridgend)  
Churchstoke Community Council (Powys)  
Clydau Community Council (Pembrokeshire)  
Clyro Community Council (Powys)  
Conwy Town Council (Conwy)  
Cowbridge with Llanblethian Town Council (Vale of Glamorgan)  
Flint Town Council (Flintshire)  
Gelligaer Community Council (Caerphilly)  
Graig Community Council (Newport)  
Holyhead Town Council (Ynys Mon)  
Holywell Town Council (Flintshire)  
Hope Community Council (Flintshire)  
Leeswood Community Council (Flintshire)  
Llanarmon yn Iâl Community Council (Denbighshire)  
Llandysilio Community Council (Powys)  
Llanelli Rural Council (Carmarthenshire)  
Llanfihangel Aberbythych Community Council (Carmarthenshire)  
Llangattock Vibon Avel Community Council (Monmouthshire)  
Llanharan Community Council (Rhondda Cynon Taff)  
Llantilio Croessenny (Monmouthshire)  
Llwchwr Town Council (Swansea)  
Llysfaen Community Council (Conwy)  
Maelor South Community Council (Wrexham)  
Mathern Community Council (Monmouthshire)  
Milford Haven Town Council (Pembrokeshire)  
Mold Town Council (Flintshire)  
Nantyglo and Blaina Town Council (Blaenau Gwent)  
Newcastle Emlyn Town Council (Carmarthenshire)  
Offa Community Council (Wrexham)  
Pencoed Town Council (Bridgend)  
Pen-y-fford Community Council (Flintshire)  
Peterston-super-Ely Community Council (Vale of Glamorgan)  
Prestatyn Town Council (Denbighshire)  
Rhyl Town Council (Denbighshire)

Rogiet Community Council (Monmouthshire)  
Rudbaxton Community Council (Pembrokeshire)  
Ruthin Town Council (Denbighshire)  
St Athan Community Council (Vale of Glamorgan)  
Sesswick Community Council (Wrexham)  
Towyn and Kinmel Bay Town Council (Conwy)  
Welsh St Donats Community Council (Vale of Glamorgan)  
Whitford Community Council (Flintshire)

### **County and County Borough Councils**

Bridgend County Borough Council  
Caerphilly County Borough Council  
Carmarthenshire County Council  
Ceredigion County Council  
Denbighshire County Council  
Pembrokeshire County Council  
Powys County Council

### **County and County Borough Council Groups**

Liberal Democrat Group, Conwy County Borough Council  
Liberal Democrat Group, Flintshire County Council  
Plaid Cymru Group, Carmarthenshire County Council  
Plaid Cymru Group, Neath Port Talbot County Borough Council

### **Community Council Associations**

Pembrokeshire Association of Local Councils  
Wrexham Association of Local Councils

### **Stakeholder Organisations**

Glasu, LEADER +  
Planning Aid  
Powys Association of Voluntary Organisations  
Village Retail Services Association

Additionally, written comments were received from 13 individual councillors, clerks or members of the public, who are not listed here for reasons of confidentiality.

## Appendix F: Functions of Community and Town Councils

<b>Allotments</b>	Provision and maintenance of allotments for cultivation.
<b>Arts</b>	<i>Developing and improving knowledge of the arts and the crafts which serve the arts.</i>
<b>Baths</b>	Provision of baths and wash-houses (including launderettes).
<b>Cemeteries</b>	<i>Provision and maintenance of burial grounds, cemeteries, crematoria, mortuaries and post-mortem rooms.</i>
<b>Clocks</b>	<i>Provision and maintenance of public clocks.</i>
<b>Commons</b>	Power to protect any finally registered common which had no registered owner.
<b>Crime Prevention</b>	<i>Installation of equipment and establishment of schemes for the detection or prevention of crime (eg. CCTV cameras; Neighbourhood Watch); making grants to the police authority for these purposes.</i>
<b>Entertainment</b>	<i>Provision of any form of public entertainment and any premises for giving entertainment (this includes maintaining bands or orchestras and provision for dancing).</i>
<b>Halls</b>	<i>Provision of buildings for public meetings and functions, for indoor sports or physical recreation, or for the use of clubs and societies having recreational, social or athletic objects.</i>
<b>Legal Proceedings</b>	Power to prosecute and defend any legal proceedings in the interests of the inhabitants. Power to take part in any public local inquiry.
<b>Lighting</b>	Provision and maintenance of any footway lighting which lights roads or pavements provided the columns are not above specified heights.
<b>Litter</b>	<i>Provision of litter bins in streets and support for anti-litter campaigns.</i>
<b>Open Spaces</b>	Provision and maintenance of public open spaces, pleasure grounds and public walks.
<b>Parking</b>	Provision and management of car and cycle parks.
<b>Parks</b>	Provision and maintenance of public parks and appropriate facilities.

<b>Planning</b>	Right to be notified of any planning application affecting the community and town council area and to make comments that the planning authority must take into account.
<b>Playing Fields</b>	<i>Provision and maintenance of land for any kind of outdoor recreation, including boating pools.</i>
<b>Ponds</b>	<i>Power to deal with ponds, pools or other places containing filth or matter prejudicial to health.</i>
<b>Post and Telephone</b>	Power to guarantee the postal or telephone authorities against a loss on a facility.
<b>Public Lavatories</b>	Provision and maintenance of public lavatories
<b>Rights of Way</b>	Maintenance of public footpaths and bridleways
<b>Roadside Verges</b>	Power to plant and maintain roadside verges.
<b>Seats</b>	<i>Provision and maintenance of public seats on the highway.</i>
<b>Shelters</b>	<i>Provision and maintenance of shelters for general public use and particularly for bus passengers.</i>
<b>Signs</b>	Power to erect signs which warn of dangers or announce a place name, or indicate a bus stop.
<b>Swimming</b>	<i>Provision of indoor or outdoor swimming pools.</i>
<b>Tourism</b>	<i>Provision of facilities for conferences and encouragement of recreational and business tourism.</i>
<b>Traffic Calming</b>	Contribution towards the cost of traffic calming works provided by highway authorities.
<b>Transport</b>	<i>Establishment of car-sharing and taxi fare concession schemes; making grants for community bus services and bus services for the elderly or disabled; investigation of public transport, road and traffic provision and needs; provision of information about public transport services.</i>
<b>Village Green</b>	<i>Powers to maintain the village or town green.</i>

Current powers of community and town councils  
Source: Long 2001, NALC 1997; Italic: may also fund other bodies.

## Appendix G: Functions and Funding of Comparable Local Authorities in Europe

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- Austria **Structure:** Two-tier system of local government: 98 districts and 2,358 communities (*gemeinde*). Communities are the principal tier, districts have only delegated powers. Community councils have between 7 and 100 members elected every 5 or 6 years by proportional representation. Presided over by a Mayor responsible to the council.  
**Functions:** police, public safety, public utilities, health care, cultural institutions, public housing.  
**Funding:** Community councils account for 11% of public expenditure. Councils receive approx. 30% of funds from federal taxes, 20% from local taxes, 21% from income from services, 12% from grants from Länder governments, 11% from loans and 6% from other sources.  
*Source: Austrian Association of Municipalities, www.staedte.at, Library of Congress Country Studies, lcweb2.loc.gov/frd/cs/*
- Belgium **Structure:** 589 communes form principal tier of local government beneath 10 provinces.  
**Functions:** Discretion in local affairs subject to supervision by higher authorities to observance of law and of general interest.  
**Funding:** Central government subsidies; own sources through levy on property, road taxes, personal income, payroll  
*Source: Griffiths, M P & Lawton, A. (1992) Community Councils in Wales*
- Denmark **Structure:** 275 community councils (*kommuner*) as part of a two-tier system of local government with 14 counties (*amter*). 135 communities have a population of less than 10,000, the smallest has a population of 2,400. Councils are elected every 4 years.  
**Functions:** Social security, schools, childcare, care for the elderly, public housing, libraries, sports & recreation, integration of immigrants & refugees, environmental protection, supply of drinking water, planning, fire-fighting, plus power of general competence.  
**Funding:** 58% of income from local taxes, 23% from services, 6% from central government subsidies (including share of VAT). 58% of expenditure is on social welfare and health services.  
*Source: Local Government Denmark (LGDK) www.kl.dk*

- Finland **Structure:** 448 communities (*kommuner*) form a unitary local government system under a tier of regional government. Population size ranges from 128 to 559,718 – 20% have a population of less than 2,000. Councils elected every 4 years appoint a municipal board and a municipal manager.  
**Functions:** Education, social welfare, libraries, cultural services, childcare, care for elderly, basic health services, land use planning, water and energy supply, waste management, road maintenance, environmental protection. Hospitals and some educational institutions provided by partnerships between communities.  
**Funding:** 52% from local income tax, property taxes and share of corporation tax; 25% from income from services; 15% from state subsidies.  
*Source: Association of Finnish Local and Regional Authorities, www.kuntaliitto.fi*
- France **Structure:** 36,433 *communes* are the principal tier of local government. 85% of communes have a population of less than 2,000. Communes have a municipal council and a directly-elected Mayor.  
**Functions:** Water and gas supply, waste disposal, local highway maintenance, nursery and primary schools, social security payments, local police, land use and development, planning permissions, environmental protection, social services, training for the unemployed, registration of births, deaths and marriages, plus power of general competence. Many services are increasingly delivered by partnerships (*syndicats*) of neighbouring communes.  
**Funding:** Current expenditure financed primarily by central government block grant plus local taxes, including land, profession, residence. Capital expenditure financed by tax on building and rebuilding work, VAT refunds, grants from other tiers of government.  
*Sources: Griffiths and Lawton (1992); Howes (1998); Michel (1998); INSEE (1998) Les campagnes et leurs villes.*
- Germany **Structure:** 16,068 communities (*gemeinde*) within a two-tier local government system with 426 counties (*kreise*). Communities have a council and a Mayor (directly-elected in some *gemeinde*).  
**Functions:** Economic development, cultural activities, public utilities, public transport, constructing and maintaining local roads, primary schools, leisure facilities, waste disposal, land use planning. In addition, communities may be delegated functions by federal and Länd governments, including social assistance, health care, road traffic, historical monuments, forestry and fishing, registration of citizens and vehicle registration. Delegated functions may vary between Länder.

**Funding:** Federal and state specific grants (36%), federal and state general grants (29%), local share of federal and state collected trade and income taxes (28%), local funds (5% from local taxes, 2% from service charges).

*Sources: Griffiths and Lawton (1992); Haschke (1997); Library of Congress Country Studies, [lcweb2.loc.gov/frd/cs/](http://lcweb2.loc.gov/frd/cs/).*

Ireland **Structure:** 75 town councils and 5 borough councils in a two-tier local government system with 29 counties, replaced previous system of Town Commissioners and Urban District Councils following 2001 Local Government Act. Population of town council areas range from 474 to 30,000. Town councils have 9 members elected by proportional representation, borough councils have 12 members.

**Functions:** Town and borough councils share concurrent functions with county councils including public housing, highway maintenance, planning and provision of recreational facilities. Involvement of town councils in performing these functions varies.

**Funding:** Grants from central government, commercial rates and charges for local services.

*Sources: Local Government in Ireland, [www.environ.ie/localindex.html](http://www.environ.ie/localindex.html), Irish Government Information Service, [www.oasis.gov.ie](http://www.oasis.gov.ie), Midland Regional Authority, [www.midland.ie](http://www.midland.ie).*

Italy **Structure:** 5,066 communes in a two-tier local government system with 95 provinces. 24% of communes have a population of less than 1,000.

**Functions:** Nursery schools, school buildings, police, care for elderly, general health care, public housing, recreation and leisure, economic development, agriculture, forestry, highway maintenance, public transport, refuse disposal, water and sewerage, cemeteries, environmental protection. Additionally communes may have delegated functions from provinces.

**Funding:** 43% from central and regional state grants, 26% from local taxes, 12% from levies and charges, 13% from fees and rental income.

*Source: Regional and Local Government in Italy, [parders.org/library/euro2/regional\\_and\\_local\\_government\\_in\\_italy\\_7.htm](http://parders.org/library/euro2/regional_and_local_government_in_italy_7.htm)*

Portugal **Structure:** 4,220 parishes (*freuguesias*) in a two-tier local government system with 305 municipalities. An elected parish assembly meets four times a year to appoint a parish board which governs the community.

**Functions:** The parishes are the junior tier, with responsibilities primarily in social assistance and voter registration.

**Funding:** 90% of funds for local government are provided by the central state. Some local taxation and licensing fees.

*Source: Library of Congress Country Studies, [lcweb2.loc.gov/frd/cs/](http://lcweb2.loc.gov/frd/cs/).*

Spain **Structure:** 8,098 municipalities (*municipios*) are the principal tier of local government. Municipal councils are elected every 4 years by proportional representation and chaired by a Mayor. Municipalities over 5,000 population also appoint a municipal commission to oversee local administration.

**Functions:** Can undertake any task not reserved by the state, including parks and gardens, management of municipal property, cemeteries. Health and education are shared responsibilities with the regional governments. The central and regional governments may also delegate additional functions.

**Funding:** Largely through central state grants, supplemented by local taxes on businesses and property, service charges, and since 2002, bond issues.

*Source: Library of Congress Country Studies, [lcweb2.loc.gov/frd/cs/](http://lcweb2.loc.gov/frd/cs/); Griffiths and Lawton (1992)*

Sweden **Structure:** 289 communities (*kommuner*) in a two tier local government system with 18 county councils (*landstig*). Municipal councils are elected every 4 years and appoint an executive committee to lead the administration.

**Functions:** Education, childcare, social services, care for the elderly and the disabled, planning, environmental services, fire and emergency services, cultural activities, leisure facilities, water and energy supply, waste disposal, public housing. Public transport is provided jointly with county councils.

**Funding:** Primarily from local income tax, supplemented by a central government block grant and income from services. Municipalities may receive an additional grant (or may be required to pay into a central fund) under a 'equalisation system'

*Source: Local Government in Sweden, [www.sweden.se](http://www.sweden.se)*

## **Appendix H: Sample Charter between a Principal Council and Community and Town Councils**

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This appendix presents an indicative model of the form and content of a Charter between a county or county borough council and the community and town councils within its area, as proposed in recommendation 4.1. The model presented here is based on the existing Charters developed by Caerphilly County Borough Council and by Staffordshire County Council, and on the proposed Parish and Town Council Charter in England. It is anticipated that those sections in standard text would normally be incorporated into all Charters, whilst those sections in italic text would be included at the discretion of the councils involved in the production of individual charters, or may be amended to reflect local circumstances.

### **A Charter between '*Canolbarth*' County [*Borough*] Council and the Community and Town Councils of '*Canolbarth*'.**

#### **1. Preamble**

**1.1** This Charter has been agreed between '*Canolbarth*' County [*Borough*] Council and the community and town councils within the '*Canolbarth*' local authority area. It reflects the collective resolution of the councils to work together for the benefit of local people, to strengthen the openness and accountability of local government, to maximise the quality of service delivery and to confirm existing good practice. This charter sets out the procedures through which the two tiers of local government will work together to achieve these aims.

**1.2** '*Canolbarth*' County [*Borough*] Council acknowledges and recognises that community and town councils are the grass-roots level of local government. In their role as democratically accountable bodies, community and town councils offer a means of engaging local people, of decentralising the provision of certain services, and of revitalising local communities. By working with them, the County [*Borough*] Council aims to act in partnership with local communities, while balancing the needs of the wider locality.

**1.3** For their part, the community and town councils in '*Canolbarth*' recognise the strategic importance of the County [*Borough*] Council, and the economy of scale and equitable distribution of services which it may achieve.

#### **2. Exchange of Information**

**2.1** '*Canolbarth*' County [*Borough*] Council and the community and town councils of the county are committed to the promotion of open government. They recognise that the exchange of information between the two tiers of local government is an important part of building an open, collaborative relationship.

**2.2** The County [Borough] Council will provide to community and town councils:

- The names, addresses and telephone numbers of all County [Borough] Councillors
- The names, titles, location, telephone and fax numbers of all Directors and Heads of Service
- Named contact points, with addresses, telephone and fax numbers, within all departments
- A timetable of County [Borough] meetings
- Agendas and papers for the community and town council liaison meetings
- Minutes of committee meetings
- Contact details of Chairmen and Vice Chairmen of major committees

**The information will be updated regularly**

**2.3** Community and town councils will provide to the County [Borough] Council:

- The names, addresses and telephone numbers of all community/town councillors
- The name, address and telephone number of the clerk to the community/town council
- A list of meetings
- Agendas and papers for community/town council meetings
- Agenda items for the community council liaison meetings

**The information will be updated regularly**

### **3. Liaison**

**3.1** The County [Borough] Council and the community and town councils recognise that local people are best served when they work together in a mutually supportive and co-operative fashion. This section outlines the agreed procedures for effective liaison between the two tiers of local government.

**3.2** The County [Borough] Council will:

- Nominate a person who will be the first point of *contact for community/town councils for all County [Borough] Council matters and from whom all County [Borough] Council information will be sent*
- Hold *quarterly* liaison meetings to which representatives of all community and town councils will be invited.

- Accept items for the agenda of the community and town council liaison meetings *at least fifteen working days before the date of the meeting*
- Send agendas and papers for meetings to community and town councils at least three clear working days before the community and town councils liaison meeting, unless it is unavoidable that papers are delayed
- Acknowledge receipt of correspondence within seven working days
- Inform the relevant community or town councils within twenty working days of the outcome on issues (requested by the community or town council) requiring action by the County [Borough] Council. If this is not possible, the County [Borough] Council will write to the community/town council(s) informing them of the delay and stipulate a revised date
- On receipt of correspondence written in Welsh the reply will be in Welsh, adhering to the targets for correspondence in English as set out above
- Provide a person to communicate in Welsh with the community/town council(s) if required. If a Welsh speaking person is not immediately available, the caller will be contacted as soon as possible
- *Where appropriate, permit clerks of community and town councils to access the County [Borough] Council intranet system*
- *Organise events and talks to inform community and town councils of County [Borough] Council policy and strategy, and to introduce County [Borough] Council staff to community and town councillors and clerks*

### **3.3 Community and town councils will:**

- Nominate representatives (*one Community Councillor and Clerk*) to attend liaison meetings with the County [Borough] Council.
- Provide the County [Borough] Council with issues for the agenda of the community and town council liaison meetings at least *fifteen* working days before the date of the meeting
- Direct all correspondence (except where instructed differently by the County [Borough] Council) to the officer who has responsibility for community and town council liaison
- Inform the County [Borough] Council within twenty working days of the outcome on issues requiring action by the community/town council(s). If this is not possible, the community/town council will write to the County [Borough] Council informing them of the delay and stipulate a revised date
- *Maintain and promote the availability of e-mail facilities for the clerk and councillors in order to enable the development of electronic communication with the County [Borough] Council as a strategy for speeding-up the liaison process.*

## 4. Consultation

**4.1** The County [Borough] Council recognises the value of the contribution made by community and town councils in representing the interests and opinions of their communities. For their part, community and town councils respect the requirement for the County [Borough] Council to balance the interests of any one community against the wider interests of the *county*.

**4.2** The County [Borough] Council will aim to give community and town councils the opportunity to comment before making a decision which affects the local community in respect to any of the following issues:

- *Corporate Plan*
- *Community Strategy*
- *Welsh Language Scheme*
- *Improvement Plan*
- *Economic Development/Tourism*
- *Structure and local plans; subject plans*
- *Applications for planning permission (via weekly list)*
- *Applications for listed buildings consent; proposals for additions to the listed buildings list*
- *Establishment of conservation areas, tree preservation orders*
- *Advertisement control*
- *Street naming*
  
- *Major changes of use or closure of leisure or sports fields*
- *Major changes of use or closure of community centres or community facilities*
- *Major new arrangements or changes to play areas*
- *Major new initiatives and developments in local arts provision*
- *Opening, closure or alteration or opening times of libraries (including mobile libraries)*
- *Community projects which relate to a specified locality or community*
- *Applications for public entertainment licences (via a weekly list)*
  
- *Proposals for the opening or closure of schools and colleges under local education authority control or funding*
  
- *Major changes and new methods of the provision of domestic refuse collection and disposal*
- *Major changes and new methods of street cleansing or litter clearance*
- *The establishment or abolition of litter control zones*
- *The provision and location of recycling facilities*
- *Establishment of noise abatement zones*
- *Applications for prior approval of construction works*

- *Major highway maintenance schemes; winter highway maintenance regimes*
- *Major traffic management schemes, road safety schemes*
- *Permanent highway closures or diversions (including footpaths, bridleways, cycleways and other minor highways)*
- *Changes in parking (including off and on street) provision*
- *Local authority supported bus services; local authority bus shelters*
- *Alterations in rail services where notified to and supported by the authority*

*[NB: This list is indicative. The areas for consultation should be agreed by the signatory parties locally to reflect local circumstances]*

**4.3** Only in exceptional circumstances will appropriate consultation not take place, in which case a written explanation will be given on request. The County [Borough] Council may additionally consult community and town councils on issues not included in the above list whenever it judges consultation to be appropriate, or when consultation is requested by the community and town councils liaison meeting.

**4.4** In consulting community and town councils, the County [Borough] Council will:

- Send the appropriate information to community/town council(s) at least fifteen working days before the closing date for responses where possible. If this cannot be achieved, the County [Borough] Council will clearly explain the reasons for the shorter timescale
- Include a clear statement on the matters on which the council(s) are being consulted
- Include a closing date for responses
- Include copies of all relevant documents, including plans if requested
- Include an officer contact name and telephone number for specific queries
- Include the name, title and address of the officer to whom responses should be sent

**4.5** The community and town councils will:

- Respond in writing within the time limit set by the County [Borough] Council
- If this is not possible, formally request an extension to the time limit before the original time limit has expired
- Advise the County [Borough] Council if they do not wish to make a full response.

#### 4.6 Following the consultation, the County [Borough] Council will:

- Inform the community/town council(s) in writing of its decision within fifteen days of the decision being made
- Explain, if necessary, why the decision is different from the view put forward by the community/town council(s)
- Consult with community/town council(s) again if the substance of the proposal changes

## 5. Planning

**5.1** The County [Borough] Council acknowledges that community and town councils have an important role to play in the planning process and will work to facilitate their effective participation. The community and town councils, in turn, recognise that the County [Borough] Council must work within the parameters of planning law and agreed planning policy. This section outlines the agreed procedures for ensuring good practice in planning decision-making.

#### 5.2 The County [Borough] Council will:

- Uphold its statutory duty to consult community and town councils on all planning applications in their communities.
- Promote awareness among community and town councils of planning policy and practice, *including the circulation to community and town councils of the County [Borough] Council's planning newsletter.*
- Give due consideration to the representations made by community and town councils in respect to individual planning applications.
- *Permit one representative from a community or town council to address the County [Borough] Council Planning Committee in relation to a planning application in its area, providing that the correct notification procedure has been followed.*
- *Invite representatives from a community or town council to participate in site visits relating to planning applications in its area.*
- Inform a community and town council in writing of the decision made with respect to a planning application in its area within seven days of the decision being made, and, if necessary, explain why the decision is different from the view put forward by the community/town council.
- *Consider the delegation of decision-making for specified, small-scale planning applications to an accredited community or town council (see below) where all members have completed an accredited training course on planning issues.*

### 5.3 Community and town councils will:

- Make appropriate responses to the County [Borough] Council recognising the parameters imposed by planning law and agreed planning policy.
- Respect the principle of objective decision-making. *Community and town councillors will not use opportunities to address planning committees or to attend site visits to advance sectional viewpoints.*
- *Inform the County [Borough] Council of an intention to address a meeting of the planning meeting at least 48 hours before the meeting.*
- *Inform the County [Borough] Council of the intention of councillors to attend a site visit at least 48 hours before the visit.*
- Promote opportunities for members to receive training on planning issues.
- Ensure that appropriate procedures and structures exist to facilitate the submission of informed and considered representations on planning applications within the required timescale.

## 6. Delegation of Functions

**6.1** The County [Borough] Council and the community and town councils recognise that the functions of local government should be performed at the scale at which the public is best served in terms of service quality, public accountability and value for money. For some functions the local control and potential for additional investment that is enabled by delegating responsibility to community and town councils can enhance the service provided to local people. For other functions, economies of scale and strategic considerations make the county [borough] the appropriate scale of delivery.

**6.2** The County [Borough] Council welcomes applications from accredited community or town councils, or from accredited groupings of councils, for the delegation of specified functions and will endeavour to facilitate delegation where it is cost-effective and practicable.

**6.3** In order to be eligible to receive delegated responsibilities, a community/town council, or a grouping of community/town councils, must first pass an accreditation test. Any council or grouping of councils may apply for accreditation, which will be awarded against criteria set by the Welsh Assembly Government, to include:

- *No more than 20% of council members to have been appointed by co-option.*
- *Clerk to have completed an accredited training course, or have more than 10 years experience in post.*
- *Training opportunities to have been made available to council members.*

- *Full council or Finance and General Purposes Committee (or equivalent) to meet at least once every month.*
- *Period for public participation in full council meetings.*
- *Strategy for regular communication with the community (e.g. local newsletter, annual report).*

**6.4** The accreditation test will be self-administered by community and town councils and submitted to the County [Borough] Council for assessment. The County [Borough] Council will inform a community/town council of the outcome of their application within three weeks of receipt of the completed test submission.

**6.5** If accreditation is refused, the County [Borough] Council will provide the community/town council with detailed reasons in writing. *A community or town council may appeal against the refusal of accreditation to the Minister responsible for Local Government in the Welsh Assembly Government within 60 days of notification.*

**6.6** Accredited councils or groupings of councils may apply to the County [Borough] Council for responsibility for any of the following functions to be delegated to them:

- *Control of markets*
- *Street cleaning*
- *Maintenance of highway verges, footways and footpaths*
- *Litter collection and litter control measures*
- *Street lighting*
- *Recycling provision*
- *Street naming*
- *Parking restrictions*
- *Issue of bus and rail passes*
- *Road safety measures*
- *Noise and nuisance abatement*
- *Tree preservation orders*
- *Some aspects of the management of libraries and museums*
- *Some aspects of leisure and tourism provision*
- *Public conveniences*
- *Allotments*

*[NB: This list is indicative not prescriptive. The functions available for delegation should be agreed locally by county & county borough councils and community and town council representatives reflecting local circumstances].*

**6.7** An application for delegated responsibilities will be considered by the County [Borough] Council, with particular attention paid to the implications for the exercise of the function across the *county/borough* as a whole. Where an application is accepted, a contract will be negotiated between the responsible County [Borough] Council department and representatives of the community/town council. Where an application is rejected an explanation will be given to the community/town council in writing within three weeks of the receipt of the application.

**6.8** The County [Borough] Council and community/town council will agree arrangements for the funding of delegated functions. The County [Borough] Council will normally provide a grant to the community/town council based on the mean annual expenditure by the County [Borough] Council on the specified function in the community/town council area during the previous five years.

**6.9** The County [Borough] Council and community/town council will agree arrangements for the staffing of delegated functions. Where the transfer of personnel is involved, the Transfer of Undertakings (Protection of Employment) regulations will apply.

**6.10** Functions will normally be delegated for a renewable fixed period of four years. Where the delegated responsibility relates to a public service or amenity, the community/town council will provide the County [Borough] Council with an outline business plan for the management of the service/amenity over this period, including arrangements for user evaluation and feedback.

**6.11** In exceptional circumstances the County [Borough] Council may revoke the delegation of responsibility for a function prior to the completion of the contract period, if (i) the thresholds for accredited status have been defaulted; (ii) the community/town council is unable to provide sufficient funding to maintain the service/amenity at an independently verifiable acceptable standard; (iii) serious malpractice is confirmed by the Local Government Ombudsman.

## **7. Community Strategies**

**7.1** 'Canolbarth' County [Borough] Council will involve community and town councils in the processes of preparing and implementing the community strategy to improve the economic, social and environmental well-being of the area. The County [Borough] Council will consult and involve community and town councils accordingly about the content and direction of the community strategy as it affects the local communities they represent.

**7.2** Community and town councils shall be represented on the Area and/or theme Partnerships [or equivalent] established as part of the 'Canolbarth' community strategy. [Include statement on the level of representation].

## **8. Standards Committee**

**8.1** Both the County [Borough] Council and the community and town councils have adopted codes of conduct, based on the national model code of conduct. The community and town councils will work with the County [Borough] Council Standards Committee to promote and maintain high standards of conduct.

## **9. Complaints**

**9.1** If a community or town council is dissatisfied with the County [*Borough*] Council's actions, its response to a request for information, or its failure to consult, or if a council is concerned that the terms of this Charter have been broken in any other way, they may initiate the County [*Borough*] Council's formal complaints procedure.

## Appendix I: The Implementation of the Recommendations

Recommendation	Subject	Addressed to	Primary legislation required?
R3.1	Establishment of new councils	WAGovt. Local Government	Possible depending on option followed (Local Government Act 1972, Section 28).
R3.2	Dissolution of councils	WAGovt. Local Government	Yes (Local Government Act 1972, Section 28, para 4)
R3.3	Grouping of councils	WAGovt Local Government & One Voice Wales	Yes - if statutory guidance No - if non statutory guidance
R3.4	Boundary alterations	WAGovt Local Government & training providers	No
R4.1	Charters & delegation of functions	WAGovt Local Government & principal councils	Yes
R4.2	Transfer of employees	WAGovt Local Government & principal councils	No
R4.3	Council structures structures & procedures	Community and town councils	No
R4.4	Training	One Voice Wales	No
R4.5	Accreditation of councils	WAGovt Local Government	Yes (linked to R4.1)
R4.6	Accreditation of groups of councils	WAGovt	Yes (linked to R4.1)
R4.7	User feedback & evaluation of services	WAGovt Local Government, principal councils and community and town councils	Yes (linked to R4.1)

R4.8	Local Government Ombudsman	WAGovt Local Government	Yes (linked to R4.1) (Local Government Act 1974, Section 28)
R4.9	Partnership working	Community and town councils and One Voice Wales	No
R4.10	Advice on accessing funds, partnership working etc	WAGovt Local Government & One Voice Wales	No
R4.11	Job descriptions for new personnel positions	One Voice Wales	No
R5.1	Statutory consultations	WAGovt Local Government	Yes
R5.2	Consultation by principal councils	Principal councils, One Voice Wales, WLGA	No
R5.3	Liaison between principal councils and town councils	Principal councils	Not directly, but linked to R4.1
R5.4	Liaison officers	Principal councils	No
R5.5	Liaison meetings	Principal councils	No
R5.6	Community Strategies	Principal councils	No
R5.7	Involvement in the planning process	WAGovt Planning and principal planning authorities	No
R5.8	Representations to principal planning committees	Principal planning authorities	No
R5.9	Planning committees	Community and town councils	No
R5.10	Delegation of planning decision making	Principal planning authorities	No
R5.11	Third party right to appeal	WAGovt Planning	No

R5.12	Interaction with the Welsh Assembly Government	WAGovt, Local Government and One Voice Wales	No
R5.13	Good practice in consultations	Public agencies and One Voice Wales	No
R5.14	Procedures for responding to consultations	Community and town councils	No
R5.15	Links with the voluntary sector	One Voice Wales	No
R5.16	E-government	Community and town councils and WAGovt	No
R5.17	Representation on secondary school governing bodies	WAGovt Education	No
R5.18	Representation on National Park Authorities	Review of National Parks	Not directly (dependent on outcome of review)
R5.19	Representation on Assembly Sponsored Public Bodies	WAGovt Local Government and ASPBs	No - if non statutory guidance Yes - if statutory guidance
R5.20	Business Improvement Districts	WAGovt Local Government	No
R5.21	Communities First and Rural Community Action Partnerships	WAGovt	No
R5.22	Structure of One Voice Wales	One Voice Wales	No
R5.23	Remit of One Voice Wales	One Voice Wales	No
R5.24	Benefits of One Voice Wales membership	One Voice Wales	No
R6.1	Engagement with the community	WAGovt Local Government & community and town councils	No - for non statutory guidance Yes - for statutory guidance

R6.2	Welsh Language Schemes	Welsh Language Board	No
R6.3	Consultation exercises with the community	WAGovt Local Government & community and town councils	No (linked to R6.1)
R6.4	Dissemination of information to the community	WAGovt Local Government & community and town councils	Not directly but linked to R4.1
R6.5	Annual reports and websites	WAGovt Local Government & community and town councils	(linked to R6.1) R6.5 (i) Yes R6.5 (ii) No
R6.6	One-stop information points	One Voice Wales and WAGovt	No
R6.7	Promotion of 2004 elections	Working Party on Promotion of 2004 Local Elections	No
R6.8	Cost of elections	WAGovt Local Government	Possible (RPA 1983, Local Government Finance (Repeals and Consequential Amendments) Order 1991)
R6.9	Filling of casual vacancies	WAGovt Local Government & community and town councils	No
R7.1	Section 137 expenditure	WAGovt Local Government	Yes
R7.2	Borrowing regulations	WAGovt Local Government	Not directly (dependent on outcome of review)
R7.3	Funding of delegated functions	WAGovt Local Government & principal councils	Yes (linked to R4.1)

R7.4	Double taxation	WAGovt Local Government, WLGA and One Voice Wales	No
R7.5	Concurrent functions	WAGovt Local Government	No
R7.6	Revenue Support Grant and non- domestic rates	WAGovt Local Government	No
R7.7	Business and Community Grant Scheme	WAGovt Local Government	Yes
R7.8	Funds for community initiatives	WAGovt	Yes
R7.9	Annual financial statement	WAGovt Local Government & community and town councils	Yes (linked to R6.1)
R7.10	Audit regime	WAGovt Local Government	Not directly (dependent on outcome of review)
R7.11	Wales Programme for Improvement	WAGovt Local Government & One Voice Wales	No
R7.12	Council action plans	WAGovt Local Government & community and town councils	No
R8.1	Inclusivity of councils	Community and town councils	No
R8.2	Working with young people	Community and town councils and WAGovt Social Justice	No
R8.3	Minimum age of candidates	WAGovt Local Government	Yes
R8.4	Co-option of non-voting youth	WAGovt Local Government	Yes (Local Government Act 1972, Section 35 & Section 79)

R8.5	Basic allowance for councillors	WAGovt Local Government	No
R8.6	Allowances for childcare & relief adult care	WAGovt Local Government	No
R8.7	Reimbursement of expenses by groups of councils	WAGovt Local Government	Yes
R8.8	Code of Conduct	WAGovt Local Government	No
R8.9	Guidelines for dual mandate councillors	WAGovt Local Government	No
R8.10	Training	One Voice Wales	No
R8.11	Funding for training WAGovt	One Voice Wales Local Government	No
R8.12	Mentoring of new councillors	Community and town councils and One Voice Wales	No
R8.13	Information resources	One Voice Wales, WAGovt Local Government & Society of Local Council Clerks	No
R9.1	Collection of financial data	WAGovt Local Government Data Unit	Yes No - if WAGovt pays direct grant to all local councils
R9.2	Collection of information on councils	One Voice Wales	No
R9.3	Promotion of councils	One Voice Wales	No

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