

Cycle Parks



The What, How, Why and Who of Parish & Town Councils



wondered how you
get better facilities
people in your area?

Hampshire's New Green

New ones

Why are things done in a certain way? Who can you go to for further help and advice?

This guide has been developed for people across Hampshire to explore Local Democracy, find out about local councils and create new ones

There are a number of organisations that focus on parish and town councils. Listed below are the main organisations that can provide you with further assistance and support for your parish or town council, or for you as a councillor:

Hampshire Association of Local Councils is a membership body set up in 1948 to support parish and town councils and parish meetings within the geographical county of Hampshire, including the unitary governed areas.

British Youth Council

The British Youth Council (BYC) is the national youth council for young people aged under 25 in the UK. BYC brings young people together to agree on issues of common concern and supports them to take collective action through campaigns and engaging with decision-makers.

Communities and Local Government

This central government department is responsible for developing prosperous and cohesive communities. The department's role is to build the capacity of communities to shape and protect their own future.

The National Association of Local Councils works at a national level to provide a collective voice and represent the interests of the 10,000 local parish and town councils across England. They also have their own legal advice service.

The Electoral Commission

This is an independent body set up by the UK Parliament, to foster public confidence and participation in the democratic process in the UK. Their activities support people to participate in elections for UK institutions (councils, parliament etc). They also regulate political finance in the UK.

Phone: 0333 103 1928
Email: [contact via online form](#)
Website: www.electoralcommission.org.uk

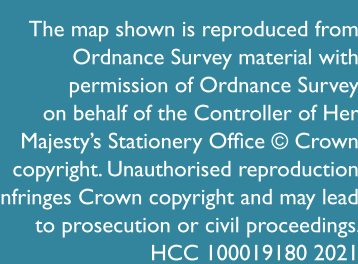
Address: The Castle, Winchester SO23 8UJ
Phone: 0300 555 1375

The Hampshire ALC's Consultancy - LCPD - provides sector specific support, advice and consultancy on everything from recruitment and setting the correct salary level, to a complete restructure of council. We can do this with CIPD qualified personnel and offer professional indemnity. We are cheaper than non-specialist commercial organisations, with a more informed team than generic local government organisations can offer.

In addition, our development team can offer a complete range of learning and development opportunities.

We can also help your organisation with advertising exhibition and marketing opportunities.

Contact us with your needs on:
Phone: 02380 688061
Email: admin@Hampshirealc.org.uk

 Hampshire
County Council

This Guide (v.3) has been adapted from the 2015 version of the document created in 2008 and produced with funding provided by Hampshire County Council.

Thanks go to Avon Local Councils Association who helped with the production of the original document. Thanks also go to the GIS Officer at Hampshire County Council and other individuals who have enabled this document to be produced.

Dawn Hamblet, Chief Executive Hampshire ALC,
February 2021 (all content is correct at the time
Hampshire Association of Local Councils © 2021)

Electoral Services Office

The electoral services within district councils can help you find out if you are on the electoral register, as well as telling you where you can go to vote.

Basingstoke & Deane Borough Council
Tel: 01256 844844 Website: www.basingstoke.gov.uk

East Hampshire District Council
Tel: 01730 26655 | Website: www.easthants.gov.uk

Eastleigh Borough Council
Tel: 02380 688000 Website: www.eastleigh.gov.uk

Hart District Council
Tel: 01252 622122 Website: www.hart.gov.uk

New Forest District Council
Tel: 02380 285000 Website: www.newforest.gov.uk

Test Valley Borough Council
Tel: 01264 368000 Website: www.testvalley.gov.uk

Winchester City Council
Tel: 01962 840222 Website: www.winchester.gov.uk

Hampshire authorities with no parishes at the time of publication are not listed above.

GET INVOLVED : GET INFORMED

Arts and Crafts
Conservation
Public Works
Lighting
Public Lottery
Open Spaces
Transport
Entertainment
Streets
Public Parks
Bridleways
Footpaths
Cycleways
Public Transport
Public Buildings
Public Open Spaces
Public Land
Public Water
Public Air
Public Light
Public Sound
Public Taste
Public Touch
Public Smell
Public Feel
Public Thought
Public Emotion
Public Intuition
Public Instinct
Public Imagination
Public Creativity
Public Innovation
Public Progress
Public Prosperity
Public Well-being

***make a difference* »**

The What

Ever wondered what a local council is or what it does?

1.1 The types of local councils

In England there are many types of local councils - all with different responsibilities (see 1.2 What they do). The thing they all have in common is that any type of local council exists to provide local services for local people.

The bigger picture

There are three different levels of local government in Hampshire. **Parish and town councils** are the **first tier** and most local form of government. At the **next level** are the **district councils**, and above them is the more strategic **County Council**. In **Fareham, Havant and Gosport** there are no parish councils currently. In the cities of **Portsmouth** and **Southampton** there are **unitary councils**. See diagram at 1a for an overview.

Many former county areas now have **unitary councils** (covering all district and county functions), as well as some urban areas. It is possible to have parish councils in unitary areas.

Some towns across Hampshire are **unparished**, but since 1997 there has been a trend towards complete coverage and currently there is **much urban interest in forming local councils**.

Nationally the Department of Communities and Local Government is the Government Department responsible for overall governance of parish and town councils.

Parish or town councils

Parish and town councils are established by the Local Government Act of 1894. There is no legal difference between a parish and a town council. They both have the same functions and powers - the only difference is in the name. In this leaflet we are referring to civil parishes - but for your information there are two different types of parish:

- Ecclesiastical Parishes:** these consist of geographical areas that are centred on an Anglican church, with a parochial church council.
- Civil Parishes:** these consist of geographical areas that are not centred on Anglican churches. Civil parishes form the administrative area for parish and town councils.

Within England and Wales, parish and town councils (nearly 9,000 currently precepting) are looked after by 38 county associations.

1.2 What they do

The main role of the parish and town councils is set out in law and includes spending money from the precept and raising capital or taking out loans to provide a variety of local services.

Parish and town councils also have by law the right to be asked about their view on some services that are the responsibility of other levels of government. They also have the right to be represented at public inquiries.



As well as all of this, parish and town councils have the legal right to be informed or consulted on the following areas:

- Byelaws
- Local Plans (Town, Village, Conservation Area)
- Public Transportation Plans
- Local Planning Applications
- Heavy Lorry Route Proposals
- Sewerage Schemes

1.3 Those involved in local councils

Many people are involved in the work of parish and town councils, each having a different role to play.

	Councillor	Chairman	Clerk	Voters
Who are they?	Local elected representative.	Elected leader of the council. The chairman of a town council may be called the Town Mayor.	Paid member of council staff.	Residents aged 18 or older.
What they do	Make decisions at council meetings on its activities and what areas it should spend its money on - they also check financial procedures.	Oversee and lead council meetings.	Advise councillors on their legal duties and obligations.	Cast their vote to elect councillors.

What this means to you (as a resident)	You have a local representative.	An identified figure-head for the council.	A contact for information on how the council works.	If you are aged 18 or older you can vote.
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1.4 Elections

Knowing how your local council works and ways you can get involved perhaps isn't something you often think about. But if you aren't satisfied with just knowing what your council does, you may decide to take part in it and have more of a say about local services. One way you can do this is by being a Councillor - an elected representative who serves the local community.

Election Jargon Buster

Electoral Register - Names and addresses, together with election identification numbers of all people within a community who are registered to vote.

Electoral Timetable - A calendar of dates for all the activities and deadlines during an election.

Standing - Putting your name forward as a candidate for an election.

Expenses - For example if you produce your own leaflets/pamphlets etc, you have to report how much money you spent on this within 28 days of the election.

Returning Officer - The person who oversees the election.

Ward - Geographical areas within a parish; each ward will then elect a Councillor to represent them within the parish.

The How

Having identified what a parish and town council is and what it does, the next step to consider is how you can get involved . . .

2.1 Becoming a Councillor

Elections of local Councillors take place on the first Thursday in May every four years. Residents in parish and town councils decide who they want to represent them by voting in local elections.

To stand as a candidate you must be:

- ✓ **Aged 18** or over
- ✓ A British subject or citizen of the Irish Republic or a citizen of a Member State of the European Union or a country that is a member of the Commonwealth
- You must also comply with one of the following:
 - ✓ **Registered** as a local government elector for the parish
 - ✓ **Occupied** for the whole of **12 months** preceding the date of nomination as **owner or tenant of land** in the parish
 - ✓ **Your principal or only place of work** during the last **12 months** has been in the parish
 - ✓ **Resided in the parish** or within **4.8km** (3 miles) of it

However you should not have been:

- ✗ **Declared bankrupt** (the terms of your bankruptcy will say if you are able to stand for election, or if there is a time limit attached)
- ✗ **A paid employee of the council** that you are standing for
- ✗ **Convicted of a crime** and sentenced to a term of imprisonment of **not less than three months** within **five years before the day of the election**
- ✗ **Disqualified** under any enactment relating to **corrupt or illegal practices**

Standing to be a Councillor - The four initial steps to take before standing in elections

- Find out when the notice of election is published**
Contact the Returning Officer in your district who has the power to call an election and can provide the timetable.
- Get a nomination form**
Parish and town clerks hold a number of forms. Staff in the Districts Council's Electoral Services Office also have all the papers you need and can give you advice. They may even look over your nomination form to check that it's correct (see further information overleaf). Anyone who is eligible to stand can request these forms.
- Complete your nomination form**
Put all your personal details and those of the two people supporting your nomination on the form - **all three of you must sign it**. All three of you must include your Electoral Register number (available from your electoral services office). This is the district code on the front of the Electoral Register, e.g. A village might be **'SX'**, which is followed by a number that appears next to your name like **'SX 413'**. The technical names for the two people supporting your nomination are Proposer and Secondor.
- Return your completed nomination form**
Don't forget to send your form back by the deadline time and date. If you don't you will not be able to stand in the election!

Remember when taking steps 3 & 4

It may seem obvious but it's always useful to remind yourself that once you have the forms:

- **Everyone** mentioned on the form must sign it
- All addresses are written in **full** with no abbreviations
- The Electoral reference consists of **letters and numbers**

Lastly check when the nomination form has to be returned. The last thing you want is to get people to agree to support your nomination and not hand it in on time.

How you are affected as a Councillor?

Your behaviour should be appropriate, as you will be seen and judged by the public.

Successful Campaigning

Standing for election is one type of campaign. For any campaign to stand the chance of being successful you need to:

- **Be focused** - be very clear about what you want to achieve (i.e. get elected)
- **Get the timing right** - don't start your election campaign until after you are officially a candidate and have sent back your completed nomination form
- **Don't do it all yourself** - having other helpers will share the load of work, it means you can use their skills and expertise
- **Plan** - decide what activities will happen, when, where and who is to be involved
- **Know your stuff** - get facts about the key issues so that you are able to respond to voters' questions
- **Get coverage** - through the local media (newspaper, radio etc) so that others know about your campaign

These tips, adapted from the British Youth Council's *Take Action* pack, will help you run your election campaign.

2.2 Attending council meetings as a member of the public

As a member of the public, you can attend any council meeting, except during discussions of confidential business. In addition to council meetings (which may take place every month), they also hold:

- **An Annual Assembly / Parish Meeting** - held every year, between 1st March and 1st June, where members of the public are allowed to speak if they wish
- **An Annual Parish Meeting of the Council** - held every May where the Chairman and Vice-Chairman are elected - during election years it takes place by or within fourteen days of the election

Regardless of the type of meeting, Councillors should attend all council meetings

There are areas where there are no parish or town councils. This is normally because the electorate is under 151. In this situation you have parish meetings. A parish meeting should be called twice annually at any time of the year and must have 7 days clear notice.

Other meetings

A number of councils have additional meetings which look at specific areas or services. They are often called committees - a permanent meeting that can make decisions. Other meetings may be called working groups created to look at something for a short period of time and put forward recommendations to the council.

Examples include: **Planning Committee** • **Sport and Leisure Services** • **Environment Committee** • **Celebration Event Working Group**

As with the three main types of meeting, members of the public will be allowed to attend all or part of these meetings.

Some common questions

It's all well and good knowing how to become a councillor, yet there are still other things worth knowing about before deciding to stand in an election - such as what they do, how much time it all takes and will you get paid.

How much time do I have to give?

The time commitment varies. At a minimum it will involve attending council meetings which may last 2-3 hours at a time. Many Councillors also hold what are called 'surgeries', where local residents can come and meet them to discuss their issues or concerns.

Do I need to belong to a political party?

You do not need to belong to a political party but in some areas it may help you in your attempt to get nominated as a candidate. In any case, party politics should not feature in the meetings and decisions of parish and town councils. Decisions at this most local level of government should be made solely for the benefit of local residents. Many party members successfully step outside of their 'party positions' when dealing with local issues in parish and town councils. Across Hampshire there are many independent parish and town councillors.

Do I get paid?

The simple answer is 'no'. Councillors can claim expenses and allowances for carrying out their role.

Remember that being "part of the parish council should be an exciting experience - increasing your knowledge of your community and generally getting involved with things that mean a lot to you. Socially it's good too, as you can get motivated by others to do things to help the public"

Don't forget that . . .

Having all this information is useful, however as one young person said, "Councils do not work very fast". This is because they are part of the democratic process and democracy can take time to bring about changes. Whilst it can be frustrating, stick with it and you will see the end results eventually, be it a better community hall or more frequent buses.

Election Jargon Buster

Councillor (Elected Representative) - Someone aged 18 or older who is elected onto the council to put forward people's views to the council.

Council Tax - A tax charged by a local authority to pay for local services. The amount each house is charged is based on its value.

Precept - This is the parish or town council's share of the council tax charged by its local authority. It is the amount of money received by the parish or town council; they set the amount for the precept.

Byelaw - A code or regulation that explains how to deal with things like parking in a set area i.e. village.

Nominator (Supporter) - Someone that signs your nomination form.

Committee Meetings (Committee) - A regular gathering of people to discuss specific issues.

Ward (Area) - The smallest geographical area within a council - people living in each area elect an individual (councillors in local government) to represent their views. As wards are often multi-parish most parish councils do not have wards within them and so councillors are elected to the entire area of the village or community.

Audit (Check) - A check by a financial body on the finances of the parish/town council to ensure there is no corruption or misplacement of funds.

The Why

It is important to look at why certain things happen the way they do in parish and town councils. The main reason is due to the law.

3.1 Information for New Councillors

Having been elected as a Councillor, there are a number of important things that you need to be aware of. This includes:

- **Acceptance of Office** - this is something all Councillors have to sign between 4 and 14 days after their election. Failure to sign the Declaration of Acceptance of Office means you cannot act as a Councillor.
- **Code of Local Government Conduct** - an important document that all Councillors must sign up to and should have a copy of. It advises you on how to behave.
- **Finance** - outlines the tax raising role of the council, as well as the legal duties parish and town councils have in relation to spending money.
- **Non Attendance at Meetings** - the process for informing Councillors of your apologies for non attendance at a meeting. If you fail to do this and do not attend any meetings of the council for 6 months you are automatically no longer a Councillor.
- **Meeting Procedures** - how council meetings are conducted (see *Standing Orders for meetings* Sec. 3.4).
- **Delegation** - what responsibilities councils can give to another body or individual officer.
- **Role of the Clerk** - they are employed by your council; they may also act as the Responsible Finance Officer and provide advice on your legal duties.

3.2 The Law

Parish and town councils are created by law - they are known as a statutory body. They are responsible for a number of things and do not have to answer to any other level of local government (e.g. district council).

For example, by law, they must:

- Make decisions in an open and clear way
- Set a budget each year, showing how much money they expect to receive and spend
- Have instructions on how the activities will be paid for (see 3.5 Financial Regulations)
- Comply with the Transparency Regulations

However, you do not need to know every aspect of the law, as your clerk will support you. The Hampshire Association of Local Councils can provide detailed guidance on the law and legal advice. The ALC also runs a yearly programme of training and development to help you in the role. Every council should have a training budget.

3.3 Councillors' Code of Conduct

This says how parish and town councillors should behave and act in their role. As a Councillor:

- You must not break the law
- You represent the whole local community, even if they didn't vote for you
- You must not take part in a decision where you may receive a personal benefit, or it can be perceived so

The actual code is likely to be written in very formal language. When you start as a Councillor, you will be provided with a copy of it. Make sure you read and understand it.

3.4 Standing Orders for meetings

The Standing Orders tell you how council meetings are run. There are a number of things that take place in any meeting. Your parish or town council may have some amendments to the list below to reflect how it operates.

- **Meetings** - they may vary from the council meeting to the Annual Parish Assembly
- **Chairman of Council** - this Councillor oversees the meetings, if he/she is absent the Vice-Chairman will chair meetings
- **Quorum** - this is the minimum number of Councillors that need to be present of any decisions to be taken, usually 1/3 of the councils total number of seats or 3 whichever is greater
- **Voting** - votes are taken by a show of hands. The Chairman has a casting vote which he/she may use in the event of a tied vote
- **Order of Business** - these are the agenda items
- **Disorderly Conduct** - this relates to the Councillor's code and covers unacceptable behaviour at meetings
- **Interest** - this says how Councillors should act when matters are being discussed that they have a personal connection or interest in
- **Inspection of Documents** - this ensures that all council minutes are available to the public
- **Admission of the Public and Press** - under rare circumstances, the public and press may be asked to leave a meeting when confidential matters are being discussed

3.5 Financial Regulations

As with everything in life, finances and money are important. The financial regulations for a parish or town council explain how the council makes financial related decisions. As a bare minimum, most financial regulations will cover the following areas:

- The accounting records and systems of internal control
- The assessment and management of risks faced by the Council
- The work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually, or details of the Transparency Compliance Process
- Purchasing policies including the setting of values for different procedures where the contract has an estimated value less than £xxx (as appropriate)

It also explains the limit for when the Council needs to go out to tender (get quotes), for the supply of goods or services. For instance when a parish or town council goes out to tender, the financial regulations will usually set out how they are to promote and oversee the tender. For example:

- A public notice of intention to place a contract in a local newspaper
- A specification of the goods, materials, services and the execution of works shall be drawn up
- Tenders are to be sent in sealed marked envelopes to the Clerk by a stated date and time
- Tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of the Council
- Tenders are then to be assessed and reported to the appropriate meeting of the Council or Committee

All parish and town councils are able to raise a small amount per voter through the Local Government Act 1972 s.137, if no other power is relevant. The amount they can raise annually is set by the government and used for 'well being'.

The regulations should be written by someone with financial knowledge, usually the council's Financial Officer. To ensure that they are relevant and up to date, as with the levels for going out to tender, they should be reviewed at least once every four years.

3.6 Agenda

When the Council has a meeting, they use an agenda to let everyone know what the meeting is for and what will be discussed. During meetings, the Standing Orders (see above) will also be used.

An example of the Agenda on the right

Election Jargon Buster

Budget - A list showing what money you plan to spend and what money you plan to receive.

Standing Order (Procedures) - A general rule of how to carry out an activity e.g. finance or meetings.

Tier (Level) - A layer of local government.

Unitary Authority (Unitary Council) - A council that covers a geographical area. They do not have any district councils; they can contain parish and town councils.

County Council (County) - A council that covers a large geographic area such as Hampshire. It contains District Councils in its boundary.

District Council (District) - A council within the boundary of a County Council covering a smaller geographic area. It includes parish and town councils in its boundary.

Local Authority (Council) - A general name used when referring to either unitary authorities or district councils.

Parish Council (Parish) - The most local level of government in England. They cover a small area and are an elected body.

Town Council (Town) - They are the same as a parish council but sometimes they have a mayor.

Elector (Voter) - Someone aged 18 or older who is on the electoral register and can vote in elections.

Code of Conduct (Rules) - A set of rules on how to behave in meetings.

Agenda (List) - A list of topics to be discussed in a meeting.

Tender - To invite suppliers to put forward a quote for goods or services.

Regional - Used to describe a geographical area e.g. South East.

The Who

Hampshire Association of Local Councils is the county association that represents parish and town councils across Hampshire.

4.1 Hampshire Association of Local Councils

The ALC provides advice, services, representation and networking across Hampshire by:

- Promoting lawful and innovative local government
- Protecting and promoting the rights, functions and privileges of member councils
- Assisting in the performance of member councils
- Promoting and developing the social, cultural and recreational life of communities
- Promoting a well-informed interest in local government

The Hampshire ALC works at regional and national level with support from other CALCs and the national body, the National Association of Local Councils. Examples of workstreams include:

- Representing parish council interests at all levels of government and in public life
- Regular meetings with sector colleagues to ensure continuous improvement in membership service delivery
- Promoting Hampshire issues more widely to ensure our voice is heard

The following questions and responses can give you a flavour of what the ALC does, and how it can help

What is the Hampshire Association of Local Councils (Hampshire ALC not HALC) and what does it do? We are a membership services organisation that provides support to local councils. We operate as a not for profit Ltd Company.

Where does it get its money?

The ALC is funded from membership subscription, through partnership and service level agreement with Hampshire County Council, and through earned income given for its learning and development, and other trading activities.

How are subscriptions set?

Each member council pays an agreed fee, set annually at the AGM, by voting councils attending.

How many members does it have?

We have exceptionally high membership levels across Hampshire, which allows us to be a strong collective voice for local councils within the county.

Who runs the Hampshire ALC?

The Chief Executive is responsible for ensuring provision of services to members and the operational management of the organisation. This is overseen by the Board of Directors, who are the Chairmen of the 7 District Associations. There is also a County Executive, made up of 4 members elected by each

of the 7 Districts. The County Executive shape policy and decide on Hampshire-wide responses in relation to national and regional issues. In this way we ensure that the needs and requirements of our member councils are properly reflected throughout the ALC.

How often does the Board meet?

The Board meets quarterly.

How many people work for the Hampshire ALC? Hampshire ALC directly employs a dedicated staff team to provide core services to members. It is a flexible team that works in a proactive and agile way to best support the member councils. This is supplemented with support from external trainers and consultants for specialist services.

Where are the offices?

We are based at offices in central Eastleigh, which have excellent road, rail and bus links.

How do I contact them?

You can contact us by:

Email: admin@Hampshirealc.org.uk
Tel: 02380 688 061
Website: www.hampshirealc.org.uk
Facebook: <https://www.facebook.com/HantsALC>

Meetings and Agenda

All Meetings

The Chairman of the Council shall preside. If the Chairman is absent the Vice-Chairman shall preside. If the Chairman and the Vice-Chairman are absent the meeting shall appoint a Chairman before it proceeds to any other business. As soon as the Chair has been filled and provisions made for recording the proceedings, the minutes of the previous meeting should be taken as read and, if correct, signed by the person presiding at the meeting.

Agenda

After minutes have been signed the order of business at the Annual Assembly could be as follows:

- 1) To receive the Annual Report of the parish council.
- 2) To receive a statement of the parish council's accounts for the year ended the previous 31st March.
- 3) To receive the council's observations on its finances for the current year.
- 4) To receive the observations of the County and District representative(s) for the division or ward that the parish is in.
- 5) To receive the Report of the delegates to the Hampshire Association of Local Councils.
- 6) To receive the statements and reports from representatives of the following voluntary organisations in the parish e.g. Village Hall Committee, Youth Club, WI, Civic Society etc.
- 7) To consider elector resolutions of which written notice has been given.

To Members of Any Village Parish Council

You are duly summoned/required to attend the next meeting of Any Village parish council to be held at 7.00pm on Tuesday 1st October 20xx at Any Village Parish Hall.

AGENDA

1. **Apologies:** To receive apologies and to approve reasons for absence.
2. **Public Participation:** From 7.00pm residents are invited to give their views and question the parish council on issues on this agenda, or raise issues for future consideration at the discretion of the Chairman.
3. **Declarations of Interest:**
 - a. Register of Interests: Councillors are reminded of the need to update their register of interests
 - b. To declare any interests in items on the agenda and their nature.
4. **Minutes:** To consider the approval of the minutes of the last meeting of the Council (attached)
5. **Progress Reports** for information from/on the
 - a. Clerk
 - b. Village