



Commission for  
Rural Communities  
Tackling rural disadvantage

**Participation  
inquiry:**  
strengthening the role  
of local councillors



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## Who we are and what we do

The Commission for Rural Communities was established in April 2005 and became an independent body on 1 October 2006, following the enactment of the Natural England and Rural Communities Act, 2006. The role of the Commission is to provide well informed, independent advice to government and ensure that policies reflect the real needs and circumstances of people living and working in rural England. We give particular focus to tackling disadvantage and economic under-performance.

It has three key functions:

- **Rural Advocate:** the voice for rural people, business and communities;
- **Expert Adviser:** providing evidence-based, objective advice to government and others; and
- **Independent Watchdog:** monitoring and reporting on the delivery of policies nationally, regionally and locally.

Further information about the Commission for Rural Communities and its work can be found at: [www.ruralcommunities.gov.uk](http://www.ruralcommunities.gov.uk)

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Finally, we extend our gratitude and thanks to the many national, regional and local partners who helped to organise and take part in our programme of research.

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# Foreword

Our rural areas are home to twenty per cent of the English population – that is 9.5 million people. Rural England also supports 5.4 million employees, with over 4.6 million people directly employed in rural workplaces. Rural communities are – and need to be – active and dynamic places catering for the demands of modern 21st century living. Underpinning this is the need to provide effective local government and democracy.

The Government is committed to devolving powers and resources down to local level in order to give communities greater control over the decisions that affect their lives. Locally elected representatives have a key role to play in ensuring that local services are responsive to the needs of their communities and that local people are empowered to make their voices heard. This is all the more important in rural areas where communities are typically smaller and more dispersed.

In February 2007 the Commission for Rural Communities began a national inquiry into the role of rural councillors. Our inquiry explored the opportunities and challenges for rural councillors in bringing decision-making closer to their communities. Our aim was to help rural communities have greater influence over local decisions, by supporting local councillors to become better democratic champions acting on behalf of their communities. Our inquiry found that there is much that is right and healthy in our local democracy in rural England. We found many examples of strong local leadership, proactive town and parish councils and effective community voices. But it has also shown that there is much that still needs to be done.

Community engagement with local decision-making is currently very weak. Our inquiry highlighted that communities feel almost total detachment from decision-making processes. Too many people feel little or no connection with the people chosen to represent them. Confusion about which tier of government was responsible for what dominated our research findings. Councillors themselves at all levels expressed frustration about the constraints that impeded effective working. This is simply not good enough.

This has to change if the government's ambition to see citizen's and communities empowered and fully engaged in local decision-making is to be achieved. The recommendations we have outlined in this report set out the conditions we consider are necessary to achieve this ambition at a local level. We believe it will enable rural councillors to take on an enhanced democratic leadership role and give rural communities a strong and effective voice. Taken together, communities and their elected representatives will become a powerful partnership working collaboratively with their local authorities.

We have not undertaken this inquiry in isolation. In particular we have worked closely with the Communities and Local Government Department and with the independent Councillors' Commission who reported their own findings in December 2007. We welcome many of the recommendations set out in this authoritative report and will be watching the Government's response in March 2008 very closely.

Finally, we would like to extend our personal thanks to the many hundreds of people who took part in our inquiry. It is through their voices that we are able to add momentum to this important government agenda.

**Dr Stuart Burgess**, Chairman, Commission for Rural Communities,  
and Rural Advocate

**Alison McLean**, Commissioner

**Professor Mark Shucksmith**, Commissioner

**Professor Michael Winter**, Commissioner

**Richard Burge**, Commissioner

# 1

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## 1.0 Introduction

Government believes that locally elected representatives should be playing a key role in ensuring local services are responsive to the needs of their communities and communities are empowered to make their voices heard. It also believes that communities will engage more proactively with democratic processes, at all levels, if they are provided with more opportunity to do so.

“Our communities need committed and skilled local councillors who can be the pivotal link between the council and local people and organisations.”

*Local Government White Paper – October 2006*

The Commission for Rural Communities (CRC) supports government efforts to make local councillors the primary ‘change agents’ in the move toward more devolved local decision-making. We believe that it is right to strengthen the role of democratically elected councillors. From our own research, we have seen time and again tangible achievements by combining inclusive and open governance with strong and confident community voices.

In February 2006, the Commission for Rural Communities launched a national inquiry to examine the role of local councillors. The inquiry set out to explore the barriers and challenges that local councillors face in helping their local communities to have greater influence over local decision-making.

Our work has sought to build on government’s aspiration to strengthen local councillors to take on an enhanced local democratic leadership role. But we also recognise that there are difficult challenges that lie ahead in turning these aspirations into tangible realities.



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## 1.1 Are communities and their locally elected representatives ready for change?

Undoubtedly communities and local government will welcome any proposals to bring decision-making down to a more local level. But in recent years, there has been a marked decline in public trust in both local and national democracy. Many commentators link this decline in trust to growing public confusion about local government powers and the roles of councillors. Indeed, local government has become increasingly complex over recent years.

According to the National Association of Local Councils (NALC) for instance, there are, 'some, 8,500, parish and town councils throughout England with approximately 70,000 councillors, serving on those councils'<sup>1</sup>. But communities are also represented by around 20,000 locally elected ward councillors (councillors who work either at district, county or unitary level tiers). Add to this the more participative forms of local democracy such as local strategic partnerships, third sector and community groups. Very quickly choosing the route through which to exert influence can quickly become difficult.

The recently published report from the Councillors' Commission<sup>2</sup> noted that public understanding of local government is low. It found that only 5% of the population claim to know a great deal about what their council does. Our own research, from this inquiry, has shown that around 76%<sup>3</sup> of our respondents had not tried to influence decision-making by contacting their local councillor (in any tier). However many rural residents assert that they would give their views to their local council if they had the opportunity to do so.

The government's own research also charts the loss of trust in politicians from 1983 to 2005. It highlights a generally low level of trust, fluctuating between 15-20% over that time period.<sup>4</sup> This is believed to be fuelling significant public cynicism towards the role and effectiveness of local government and is leading to an increased sense of disconnection between communities and decision-making processes.

There is also a significant degree of cynicism felt toward local councillors. When communities are asked, for example, how they view their opportunities to influence decisions at the local level our research has shown that, 46%<sup>5</sup> of people in rural England feel unable to influence decisions in their local area, with only 25%<sup>6</sup> saying they would channel their views through their local councillor. Contrastingly, the number of councillors who believe they had been 'effective' in their role is 68.6%,<sup>7</sup> with a further 23.5% stating that they believed they had been 'very effective'. Only 7.9% of councillors believed they had been 'not very effective' or 'not effective'.

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## 1.2 Re-establishing public trust: government is changing

The Government is a signatory of the Council of Europe's Charter of Local Self Government in 1997. This represented an important symbolic step on the road to decentralisation of powers from national to local government. Over the last ten years government has deepened this commitment.

<sup>1</sup> Taken from (Morris, G and Nichols, C): *Strengthening the Role of Local Councillors – An overview of Information and policy debate*. Statistics taken from NALC – 2006 (p.11)

<sup>2</sup> *The report of the Councillors' Commission CLG Publications – December 2007* (p.12)

<sup>3</sup> *Participation Inquiry: Public opinion Research, Final Report*. Ecotec – July 2007 (p. 8)

<sup>4</sup> *IpsosMori Opinion of Professions survey*: <http://www.ipsosmori.com/polls/trends/truth.shtml>

<sup>5</sup> *Rural Insights Survey – CRC/IpsosMori, 2006*

<sup>6</sup> *User satisfaction on local government provision: a national survey* DCLG 2006

<sup>7</sup> *National Census of Local Authority Councillors 2006 – LGAR and IDeA* (<http://www.lgar.local.gov.uk/lgv/core/page.do?pageId=23372>)

In October 2006<sup>8</sup> the Local Government White Paper set out steps to revitalise local authorities, working with their partners, to reshape public services around the communities that use them. It highlighted a range of proposals<sup>9</sup> to empower communities to have more influence over decisions that affect them and to hold local decision-makers to account. The white paper signalled that government, at all levels, should empower its citizens and communities to have greater influence and choice over the services within their local area. Central to these proposals is a commitment to devolve more powers from national to local government. It also highlighted a new stage of public sector reform aimed at creating stronger local authorities which are more responsive to their communities and given more flexibility to deliver locally sensitive solutions for their areas.

In July 2007, the Governments' Governance of Britain<sup>10</sup> green paper set out the government position on how it sees local democracy being enhanced. It sought to reaffirm the position of devolving more powers down to the local level. It states that 'power should not just be devolved from national government to the national parliament: power must also rest with communities.'<sup>11</sup> and 'enhance democracy by devolving more power directly to the people.'<sup>12</sup> To do this, the government believes it must find new ways to enable people and communities to engage and influence local decision-making.

Over the last year, therefore, central and local government have been working in partnership to 'bring about radical change in the culture required for successful implementation of the white paper.'<sup>13</sup> The focal point for change has centred around empowering local authority officers and councillors, their local partners and communities. For example, it proposes duties on all public bodies to involve local people to become more active citizens participating more fully with local decision-making. It also proposes new duties on local authorities in England to consult and involve local communities in major decision-making. Currently communities in some local authorities are able to take decisions about how to use local funds through participatory budgeting. This is being piloted to examine how communities can have a greater say over how their local taxation is being spent and how service provision is delivered in their local area.

Central government continues to work with local authorities and public service providers towards creating more transparent means through which communities can both judge the effectiveness of services and influence their delivery. For example, currently efforts are being made to create more accessible information on local service provision and new mechanisms being considered to enable communities to have direct influence over the way services are provided to them. Citizens Juries is one example that has been given attention over recent months.

In October 2007, the Local Government and Public Involvement in Health Act<sup>14</sup> gained royal assent. This Act provided a legislative framework on which a number of proposals in the White Paper are based. Most notably it sets out the establishment of unitary authorities in place of two-tier authorities. It seeks to simplify electoral arrangements by enabling councils to adopt all-out elections every four years and single member wards. It provides a statutory basis for Local Area Agreements (LAAs) and a formal framework for co-operation with local partners. Of key interest to this inquiry are the new powers for councillors to raise issues

<sup>8</sup> *Strong and Prosperous Communities (Vol. 1 of 2)* – Communities and Local Government Department – October 2006. London

<sup>9</sup> For example, the white paper has proposed: Community Call for Action; a power of well-being for Quality Parish Councils; a new participation requirement in Best Value assessments, and, enhanced partnership working between local authorities, other public bodies and service providers

<sup>10</sup> *Governance of Britain*. Ministry of Justice – July 2007 - London

<sup>11</sup> *Governance of Britain*. Ministry of Justice – July 2007 - (Para 169 – page 49)

<sup>12</sup> *Governance of Britain*. Ministry of Justice – July 2007 - (Para 177 – page 51)

<sup>13</sup> *Strong and Prosperous Communities - The Local Government White Paper Implementation Plan: One Year On Communities and Local Government Department* – October 2007. London

<sup>14</sup> Please see: <http://www.publications.parliament.uk/pa/cm/cm200607/cmbills/016/2007016.pdf>



with overview and scrutiny committees as part of expanding Councillors Calls for Action. This will cover all local government services.

To enhance local flexibility the Act introduces a duty on all upper tier authorities to prepare an LAA. It also places a duty on named partners to co-operate in the agreement of targets in LAAs and to have regard to those targets in their work. From April 2008 there will be a new unringfenced area-based grant to provide local authorities and their partners with greater flexibility in the use of funding from central government.

One important proposal, originally set out in the Governance of Britain green paper, is the signing of a Central-Local Government Concordat. This concordat sets out to guide relations between central and local government. Signed on December 12, 2007 the concordat commits central and local government to a new relationship which recognises both as equal partners in delivering services for people. In the concordat government has:

- recognised the electoral mandate of every councillor in the country,
- committed itself to being transparent in its funding of local services and agreed to work towards giving councils greater flexibility in the way councils are funded
- committed itself to subsidiarity,
- acknowledged the need to raise its game if it is to deliver on the new performance framework.

The Government is committed to a Bill to take forward a number of key elements of the Governance of Britain green paper. A draft Bill is expected to be published for pre-legislative scrutiny in early 2008.

### 1.3 Supporting the role of local councillors

It would be remiss of the CRC not to acknowledge the significant attention that has been focused on local councillors in recent months. There have been several studies which have examined the role of councillors. Prominent examples are: The Power Inquiry<sup>15</sup>, the All Party Parliamentary Local Government Group (APPG)<sup>16</sup>, the Joseph Rowntree Foundation<sup>17</sup> and most recently the work of the Councillors' Commission led by Dame Jane Roberts. In developing this inquiry we have sought to build upon this extensive and helpful research base, drawing upon their findings in our evidence where appropriate.

In particular, we have sought to work closely with our colleagues at the Communities and Local Government Department (CLG) and with the independent Councillors' Commission. We have been sharing our inquiry experiences on a regular basis, making our findings and emerging ideas publicly available since September 2007. There is some overlap between our findings and recommendations of the Councillors' Commission. We make no apologies for this. Taken together, our inquiry and the work of the Councillors' Commission have developed an important and authoritative evidence base.



<sup>15</sup> *The Power to the People. The report of Power: an independent Inquiry into Britain's democracy*, March 2006. The Joseph Rowntree Charitable Trust and the Joseph Rowntree Reform Trust

<sup>16</sup> See: [www.lgiu.gov.uk/publication-detail.jsp?id=164&md=0&section=publication](http://www.lgiu.gov.uk/publication-detail.jsp?id=164&md=0&section=publication)

<sup>17</sup> See: [www.jrf.org.uk/knowledge/findings/government/2150.asp](http://www.jrf.org.uk/knowledge/findings/government/2150.asp)

# 2

## 2.0 The inquiry purpose and terms of reference

We began this inquiry in February 2007 to examine the barriers and challenges that currently inhibit:

- Rural communities having greater influence over local decisions, and
- Local councillors from becoming stronger democratic champions acting on behalf of their communities.

Our work sought to build on the aspiration, set out in the Local Government White Paper, October 2006, for councillors to take on an enhanced local democratic leadership role. The scope of the inquiry included:

- Mapping the existing role and practice of rural councillors (within all tiers)
- Exploring the role and interaction of rural councillors with other bodies, including formal partnerships and the voluntary and community sector
- Identifying the barriers, constraints and opportunities for rural councillors in enabling their communities to have greater influence over local decisions
- Exploring aspirations about the potential role for rural councillors in engendering greater local decision-making and influence
- Exploring the current roles and practices of elected local representatives in all types of governance systems (drawing upon national and international models and practices)
- Identifying good practice lessons, from rural and urban England and abroad
- Making policy and practice recommendations



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## 2.1 The inquiry panel

The inquiry was led by a dedicated inquiry panel<sup>18</sup>. This was headed by Dr. Stuart Burgess, the CRC's Chair and the government's Rural Advocate and supported by four of our Commissioners: Alison McLean, Professor Mark Shucksmith; Professor Michael Winter and Richard Burge.

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## 2.2 The expert advisory group

To support our work, we invited a small group of external experts to advise, challenge and support us in the development and implementation of the inquiry, and promotion of its recommendations. The remit of the expert advisers group was to advise the inquiry panel on appropriate issues to explore; identify individuals and organisations for the panel to meet; help the panel assess and challenge information received through the inquiry and advise on the development of the inquiry's recommendations.

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## 2.3 Setting out the parameters of our inquiry

In the planning of this inquiry, the panel working with our team of expert advisers sought to pull together a selection of underlying assumptions about what was felt to be known (at that time) about the roles of councillors and the governance arrangements they work within. We wanted these assumptions to set out some of the existing perceived strengths and weaknesses of both councillors and the environment in which they operate. By undertaking this pre-inquiry planning exercise we were able to come up with five hypotheses; some fairly straight forward ideas based on broadly held perceptions and facts.

In setting out these hypotheses at an early stage the inquiry panel, through their research, were able to test whether the evidence gathered could be used to support or challenge each hypothesis. As such, each of these hypotheses was used to inform the design and delivery of our research programme (outlined in 2.4 below). These helped to formulate the questions in each of our panel hearings and our public opinion research. The extent to which our research supported and/or challenged each hypothesis is outlined in detail below in sections **3.1.1 to 3.5.3**

The hypotheses used were:

- **Hypothesis 1:** Rural councillors fail to make full use of the existing powers available to them.
- **Hypothesis 2:** The relationship between rural councillors and other forms of devolved governance and community influence is ineffective.
- **Hypothesis 3:** Rural councillors do not represent the communities they are elected to.
- **Hypothesis 4:** The working between different tiers of councillors is unproductive.
- **Hypothesis 5:** The effectiveness of rural councillors at helping their communities influence local decisions is constrained by poor communication and information flows.

<sup>18</sup> Inquiry Panel biographies: <http://www.ruralcommunities.gov.uk/files/panel.pdf>

## 2.4 Our inquiry research programme

The inquiry, from the outset, sought to explore grass roots knowledge and experiences. The inquiry was **open to anyone** who had an interest to send us their views e.g. through the website comments page or through the call for evidence. Adverts, for example, were sent out via key trade press journals.

We also sought to target views from a range of individuals and groups who have direct involvement or experience in working towards more devolved decision-making. These were:

- Parish/town councillors and ward councillors (particularly those who work on behalf of the most rural and sparsely populated areas)
- Local Authorities (all tiers)
- Local Strategic Partnerships (all tiers)
- Business groups
- Other local organisations who represent the views of rural communities e.g. voluntary and community groups who often provide other routes for rural communities to get involved in local decision-making.

To achieve this, the inquiry designed a package of four research projects<sup>19</sup> to set about to capture a broad range of views from these groups and individuals: This included a:

**Call for evidence** – We asked a range of questions that helped to explore the challenges faced by locally elected representatives and asked respondents about the proposals set out in the Local Government White Paper. The call for evidence was sent out to a wide range of stakeholders and publicised in a number of journals. We received 169 responses.

**Table 1: breakdown of respondents**

<b>Respondent type:</b>	<b>Number of respondents</b>
National or regional bodies	14
Principal local authorities and councillors of such authorities	39
Parish and town councils and councillors and local associations of such councils	100
Voluntary and community organisations	5
Other local actors and partnerships	4
The general public and others (e.g. academic)	4
Anon.	9

The majority of respondents were parish or town councillors or representatives of such councils, the next largest group being principal authority councillors. However, it was not always made clear what, if anything, a respondent represented and some respondents represented more than one body or interest, hence the figures do not add up to 169.

<sup>19</sup> The full and detailed analyses of each of our research projects undertaken as part of this inquiry can be found on our website [www.ruralcommunities.gov.uk/projects/participationinquiry/overviews](http://www.ruralcommunities.gov.uk/projects/participationinquiry/overviews)

**Inquiry panel hearings** – Over 35 hearings were conducted during March to June. These were hosted by the Inquiry Panel. These hearings invited the views of business groups, local authority officers, local councillors (all tiers), community groups, formal partnerships and campaigning organisations. The Inquiry Panel also took on the views of national and international strategic partners. We held these hearings in the style of select committee hearings.

The locations we visited were selected on the basis of two key criteria:

- They had to be in England, and
- We wanted to visit each type of governance arrangement.

We selected locations on the basis that we would be able to pick up on all types of current governance arrangements<sup>20</sup>. The Inquiry Panel went to:

- **Dorset:** Two-tier moving toward a strengthened two-tier system
- **Somerset County and South Somerset District Council:** Two-tier planning on the basis of moving toward unitary (at the time of visiting)
- **Northumberland:** Two-tier moving toward (at that time) a two unitary model of local governance, but now moving toward a single unitary
- **Hereford:** Established unitary
- **The Chilterns:** Two-tier moving toward strengthened two-tier

In addition, the inquiry wanted to pick up on international, national and academic perspectives on the role of councillors. As such we held a:

- Two day event in London where we heard from a range of international and national partners
- A three day visit to France examining whether any lessons could be learned from their system of local decision-making
- A hearing with the Department of Natural and Social Sciences, University of Gloucestershire

Other criteria were to pick up on good or interesting practices. For example, South Somerset was visited because of its well known good practices in empowering communities leading to its Beacon status, Dorset because it was aiming for Pathfinder status.

**Public opinion research** – This report brings together the evidence gathered by ECOTEC through two survey exercises and goes on to analyse the results of these in terms of:

- People's views of and attitudes towards the local democratic system.
- People's experience of influencing local decision-making through this system or by utilising other ways of bringing influence to bear.
- People's views on what works well and what does not work in the local decision-making process.
- How these processes and systems might be improved in the future.

Locations selected for this public opinion research were Dorset, Northumberland and Somerset, mirroring three of the locations visited during the panel visits noted above.

<sup>20</sup> We strictly made no comments in relation to our policy position on local government reorganisation. However, we were interested to understand if local governance arrangements made councillors roles easier or more problematic to carry out.

### **An examination and overview of current policy and debate –**

The authors, Gordon Morris and Claire Nichols, were asked to review existing academic literature and information from a wide range of other sources, and to highlight relevant themes. The inquiry panel identified a number of specific elements for consideration as part of the review, including:

- the roles and responsibilities of rural councillors;
- the broader policy and governance frameworks in which councillors operate;
- their current support mechanisms; and
- ways in which their roles may be strengthened or hindered.



# 3

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## 3.0 The inquiry findings

The findings presented below draw upon the inquiry's research projects and evidence noted in 2.4 above. Using the views submitted to us, we have sought to highlight areas of challenge and support to each of our pre-determined research hypotheses (set out in 2.3 above). The findings from our collective research have been drawn together into the main messages consistently or commonly asserted by inquiry participants or existing literature. Throughout our findings we have sought to punctuate the views expressed using illustrative quotes of those who took part in our inquiry research.

We have paid equal attention to the problems and solutions that local councillors, their communities, local authority officers, community and voluntary groups and local partnerships have identified. We have sought to illustrate where good practices or solutions have been identified. We have highlighted a small number of case studies and practical solutions which we hope may be helpful to wider audiences. As such, we will leave it to our readers to decide whether our hypotheses have been proved or disproved.

From our research findings we have identified some key recommendations. These are highlighted within the findings and are set out in detail in section 4 of this report.



## 3.1 Our findings by hypothesis

### Hypothesis



#### **‘Rural councillors fail to make full use of the existing powers available to them’.**

The inquiry gained some useful insights from councillors, local communities and community groups regarding their perceptions of how much power and resources local councillors have to use on behalf of their communities. As might be expected there were some notable differences in the perceptions provided both within the different tiers of local government and from local communities, groups and partnerships.

##### **3.1.1 National control can inhibit local autonomy and powers**

Participants suggested that the ability of councillors to respond to local concerns is limited in practice by two factors that are directly linked to powers and resources.

The first concerns national demands and procedures set at central government level to try to ensure that uniform standards of service provision are met. Several participants expressed a view that power is too weighted towards central government control. Councillors and officers felt some degree of frustration that their ability to act locally first is being compromised. Specific examples used to contextualise these concerns were planning and development control issues.

Parish councillors felt frustration that planning decisions appeared to ignore or dismiss their comments when representations were made. This criticism was countered by executive councillors who noted the constraints that planning law imposes on planning decision-making. They were however, frustrated at the centralisation of strategic planning from local authorities to the regional level.

“And I think one of the things that we would all like to see is a return to some degree – a sensible return – to a bit more local autonomy, rather than doing everything slavishly to government dictat.”

*District Councillor – Inquiry Hearing*

Government spending restricts some principal authorities – and it seems to be the smaller rural authorities – to solely providing statutory services with little leeway for innovation. Financial resources were seen as a critical factor in enabling councillors to successfully champion the concerns and needs of their electorate. In addition, the lack of adequate financial resources reported by some participants was directly equated to a limited capacity to act flexibly and responsively to local needs.

Capping, or the threat of being capped, was highlighted by a number of participants as being a major cause for concern. In North Dorset District Council, for example, capping of local rates was directly associated with being unable to raise local precepts and restricting spending on more community focussed initiatives.

“We do the budget which is virtually set by central government through the rate capping system and the various things that we have to do... There is a little bit of local decision-making

on this and that, but not very much... we have become more disconnected from communities in itself I think."

*District Councillor – Inquiry Panel Hearing*

Taxation is a difficult national and local topic to address. Some principal authorities felt their ability to adopt the government's renewed drive towards more inclusive local decision-making is directly constrained by central government controls on local taxation. In several instances the inquiry found that the capacity to deliver statutory services was putting financial pressure on local government. As a result, many councillors and local authority officers felt increasingly powerless to work more closely with communities.

Resources could be made available, it was suggested, by relaxing some statutory obligations, hence freeing up money for other initiatives. However, many statutory obligations already only provide a minimum level of service and could not be cut without having a detrimental effect on local people. A preferred solution was suggested around the relaxation of capping limits, enabling local authorities to fund initiatives through local taxation. But this should be combined with involving communities more directly in local authority resource allocation for example, through 'participatory budgeting'.

#### **Recommendation 1:**

We recommend more 'Double devolution'. Government should extend more trust to local government. And local government should extend more trust beyond the town hall to local communities and neighbourhoods. Specifically:

- Government should embed a statutory principle of subsidiarity in the Constitutional Renewal draft bill during this bill's pre-legislative scrutiny in early 2008.
- Government should end its Council Tax capping regime for high performing and small budget local authorities (such as shire district councils), and for authorities using participatory budgeting and referenda based approaches to the level of their Council Tax.

### **3.1.2 The cabinet system: has the potential to both diminish and enhance the powers of councillors**

The Local Government Act 2000 brought about a transition from committee-based decision-making to the cabinet system. Observations were made on several occasions by participants regarding the powers of executive councillors, those who make up cabinet membership and undertake scrutiny functions. Whilst giving executive ward councillors more direct influence over local policy and decision-making, there is a commonly held view that backbench ward councillor's powers have been weakened. Typical perceptions highlighted backbench councillors as feeling cut-off from the decision-making process.

"...I have had said to me, not just at this authority but at other authorities to, that they [backbench councillors] feel they have been disenfranchised – they don't see a role for non-executive members if they are not the executive or on the scrutiny committee."

*Council Officer – Inquiry Hearing*

This view was also supported by our wider literature review which found that “most councillors have been marginalised by the introduction of the executive and scrutiny function” *Literature Review*.

The increasing powers enjoyed by executive councillors can also come at a cost to their own engagement with their electorate. Our evidence suggests that in some instances the increasing professionalism required of the executive councillors role can leave communities feeling removed from their local councillors.

“If you don't walk in wearing a suit or speaking their language you're never going to get anywhere.”

*Local resident – Public Opinion Research*

“The people that are the ‘educated leaders’ ... they speak to you in words that you don't understand anyway.”

*Local resident – Public Opinion Research*

The inquiry found however, many examples where principal authorities were using the cabinet system well. But where cabinet functions were seen to be working well it was being supported by some effective and collaborative co-governance functions.

### **3.1.3 Enhancing the powers of backbench ward councillors**

In several of the locations visited and through written evidence, participants highlighted that they had been delegated budgets to spend in their communities. Two methods were described. The first related to giving the individual councillor a delegated budget to spend on small scale projects for and on behalf of their community.

“...it's amazing what has been done with relatively small sums of money, and I think it is a very good idea. I have helped local village halls ... even something as simple as putting a disabled door on the local library with my neighbouring councillor who is not of my political persuasion. The positive feedback we got from that was unbelievable.”

*County Councillor – Inquiry Panel Hearing*

The second way in which backbench councillors could spend a delegated budget was through local area working fora. **(See also Section 3.2.2 below)**

Providing delegated budgets to councillors has been an overwhelmingly positive aspect of their role. This was also backed up in our Call for Evidence submissions. Over forty respondents noted support for the provision and delegation of budgets for local authority councillors. A similarly strong argument was also made for the provision of budgets to be allocated to parish councillors. Participants justified their views by referencing the renewed emphasis for more devolved local decision-making. This they believed could not be achieved if ward or parish councillors were not financially empowered to act on their communities behalf. Communities need councillors with real power and influence to exercise.

“Councillor [xxx] attends the monthly parish council meetings in his division ... discussing with his parishes the best way to spend his local enabling budget.”

*Submission 100: Written Evidence*

Some concerns were expressed however, about the allocation of devolved budgets to individual councillors, on the basis that they would need to be accountable in the spending of their budget. Participants universally agreed that spending should be bound to community identified needs. More importantly, budget allocation to individual councillors must be open to public scrutiny and should not lead to councillors enjoying incumbent or unfair advantage over their rivals at election time.

**Recommendation 2:**

We encourage all principal local authorities to allocate neighbourhood budgets to local councillors for expenditure within their divisions and wards.

We also encourage parish and town councils to involve their local residents more directly in spending decisions.

**3.1.4 Parish and town council tier – powers tend to be under utilised**

When parish council respondents commented on the most significant barriers or constraints to their local leadership role, a lack of powers was the most common answer and concern. The range of powers available to parish councils was the subject of much discussion in the hearings, with arguments made both for and against increased powers. On the one hand, many parish councillors were described as having considerably more power than they generally use. Some councillors are, for example, reluctant to increase their precept in order to address locally important issues. Indeed, some councils noted a sense of pride in keeping the precept low. When challenged on this point participants noted that concerns relating to raising the parish precept was because they felt uncomfortable in having to place increased tax burdens on their local community – their friends and neighbours. The need for insurance, the potential loss of economies of scale and the danger of encouraging party politics at parish level were also deterring factors.

“Raising the precept is a major issue for many parishes; many consider it an achievement if they haven’t raised their precept for 25 years!”

*Submission 104: Written Evidence*

It is not surprising then that public opinion is largely cynical about the role and function of parish councils. The inquiry found, for example, that rural communities feel a sense of powerlessness at the most local level of democratic representation. This is because communities feel that their local council is presently very removed from real decision-making or influence. As a result, parish councils are regarded in a poor light by their communities and seen as not generally engaged with their constituents.

“the parish council isn't worth the paper it's printed on – why are they there? – why not go to the top?”

*Local resident – Public Opinion Research*

“if you want action go to the district council ... The parish council have no power.”

*Local resident – Public Opinion Research*

To some extent these views may be justified. Parish councils have considerable powers if they choose to use them. In particular, Section 137 of the Local Government Act allows spending of up to a prescribed amount on anything of benefit to their community. More recently, the Local Government White Paper and the Local Government and Public Involvement in Health Act 2007, extended the power of well-being<sup>21</sup> to the parish tier. This will provide parish and town councils with a general power to spend on any activity which adds to the well-being of its community. There will be new criteria which each council will have to meet if they wish to exercise the power. However, there is much uncertainty amongst parish councillors about what is, or is not allowed.

The extension of this power to the parish sector is a helpful step in clarifying what parish councils should and shouldn't raise money for. There is some merit in aligning the criteria for exercising this power to the existing Quality Parish criteria (e.g. employing a professionally trained Clerk) However, some parishes, more notably the smaller ones felt that the criteria to attaining QPS status was 'setting the bar too high'.

It is important that the Government works with the parish sector to provide clear guidance and examples of solutions and good practice to support local councils in using their new power of well-being. Recommendation 42 (b)<sup>22</sup> as advocated by the Councillors Commission should seek to include advice, training and support to those councils eligible to use this new power.

Somewhat surprisingly, whilst many parish councillors wanted more influence over planning decisions, there was little enthusiasm for planning decisions to be delegated to parishes. Participants highlighted that in small parishes, local councillors were felt to be too close to the situation to make objective planning judgements – potentially over their neighbours! What is abundantly clear, however, is that parish councils wish to have more influence over planning policy. There was a strong feeling toward giving greater weight to the views of parish councils and to give these views greater importance over national policy guidance.

### **3.1.5 Training is key to unlocking the powers of local councillors**

Training schemes may be useful in improving the performance of existing councillors and unlocking the existing powers that are not utilised. More than twenty councillors expressed a wish for more training through our call for evidence. However, most were not specific about the type of training that they would find most useful. Parish councillors appear to have little free time and parish councils are reluctant to pay for training, so courses need to be convenient and affordable.

Some participants noted a concern that it is likely that many councillors, especially those that have been in place for a long time, do not recognise their own need for training.

<sup>21</sup> Power of well being – gives parishes the power to do anything they consider is likely to promote economic, social and environmental well-being of their areas.

<sup>22</sup> Recommendation 42 (b) states that: Councils should support councillors to develop their skills by offering: (b) an option for 'refresher' and 'ongoing' training for all councillors (December 2007)

Training clearly has an important role to play in improving the quality and effectiveness of existing councillors. Participants generally felt that training and support was important for councillors in all tiers. Principal authorities generally provide induction programmes for their own new members, and there are some good examples of training programmes for existing members. However, parish councillors are less likely than principal authority councillors to have undergone training and some parish councils appear to be unenthusiastic about training their members.

### **3.1.6 Parish councils – empowering themselves**

There is a strong counter argument made to the views and perceptions outlined above. Furthermore, this counter argument is most passionately championed and argued by parish councils themselves. During the inquiry a number of participants highlighted the powers they utilise as parish councillors.

“Currently, if we want to do something and it's clearly focussed we do it. Like refurbishing a playground or buying a post office like we did. Once you have got a clear objective, wham! You'll get all the support you need, and you don't enquire quite frankly whether you have got the power to do it or not – you just get on and do it!”

*Parish Councillor – Inquiry Panel Hearing*

A number of parishes took a proactive stance towards wanting more influence over service delivery and principal authority spending. Some participants noted that they had actively sought to raise their parish precept with the specific intention to take-on and maintain some key local services.

The clustering or merging of parishes was considered by some to be a potential solution to the issue of smaller parishes feeling unable to take on more responsibility. Several participants noted the opportunities presented by clustering or even merging parishes. By clustering their skills or even merging with neighbouring or nearby parishes the smaller parishes were thought to be able to punch above their weight in terms of making their influence felt. While clustering of parishes was largely supported, the prospect of merging parishes was less popular.

“We work with our neighbouring parish councils on everything from the library closing to the A35 trunk road ... We support [xxx] Parish Council's initiative to provide transport in [xxx] leisure centre for children in isolated settlements.”

*Parish Councillor – Inquiry Panel Hearing*

Without exception, those parishes that had taken on the delivery of local services were keen to add a financial caveat. Resources, originally allocated to delivering services at the local authority level, should be devolved down to parish level. Double taxation<sup>23</sup> should be avoided at all costs.

<sup>23</sup> Double taxation is a situation in which two or more taxes are being paid for the same service, asset, financial transaction and/or income and arises due to overlap between jurisdictions, e.g. the Parish and/or the District both paying for the same service.

Anecdotally, many of the parish councils who were taking on more powers and managing larger financial resources tended to be those that had invested a good deal of time and effort in working with their communities. Community planning, for instance, was seen by many parish councillors as justification to take on more power and

responsibility. In Northumberland, one parish councillor highlighted that he saw his community plan as 'adding legitimacy to my position and giving my role a clear mandate to take forward'.

## Hypothesis

# 2

### **'The relationship between rural councillors and other forms of devolved governance and community influence is ineffective.'**

Today, councillors in all tiers of government are involved with helping to lead and collaborate within a system of multi-agency partnership working. During the inquiry many participants highlighted the nature of local partnership working with both positive and negative experiences being noted. Participants recognised the need for more participative democracy. In general however, while councillors were almost universally supportive of community projects their relationship with the more formal partnerships was less predictable.

#### **3.2.1 The role of local councillors in participative forms of local governance.**

In the main, councillors in all tiers were supportive of participative forms of governance. One councillor noted that partnership and community working were the catalysts and conductors of more inclusive local decision-making. But the inquiry noted examples of councillors working well with local partnerships in some locations and failing to connect with them in others.

"Our research has revealed both examples of local councillors playing an instrumental role in initiating and leading community partnerships as an extension to their council work; and examples of councillors refusing to co-operate with, and in some cases impeding the work of community partnerships because they perceive their authority and representational role is being challenged by the partnership. In one case members of the town council have taken a leading role in building the regeneration partnership; in another case, fractious relations have developed between certain activists in regeneration initiatives on the one side and town councillors and local county councillors on the other."

*Submission 80 – Written Evidence*

The following explanations were offered where councillors were not seen to be engaging well with local partnership or groups. Firstly, there was a perceived tension between the more participative forms of governance arrangements and local councillors. The professional environment of partnership working left some councillors feeling that their leadership and decision-making role in these organisations was largely redundant. Secondly, many local community-based projects and initiatives have greater flexibility to apply for funding to take their projects forward with financial backing. Many do this with great success. Councillors do not generally have the same ability to attain resources in this way and hence they can feel their democratic legitimacy is eroded. Giving local councillors their own budgets therefore may help to minimise some of these tensions.

“It would be easier if you could talk to people like [xxx] (the Community Centre manger) and they could speak to the council.”

*Local resident – Public Opinion Research*

“There is a conundrum here, namely that rural communities may be establishing ventures (e.g. community buses; development trusts) because the Parish or Town Council is perceived to be weak, ineffective or even obstructive ... it is more appropriate to form community partnerships... with the Parish and Town Council playing a lead or central role.”

*Submission 43 – Written Evidence*

The factor that appeared to be making local partnership working a success lay in making sure that all local strategic agencies, local government officers and local councillors had clear and well defined roles. Where clear roles had been defined, relationships between officers and councillors are very productive.

### **3.2.2 Participative local governance – formal partnership working**

A widely held view noted during the inquiry was that Local Strategic Partnerships (LSPs), particularly those working at the county or unitary level, offer important channels for bringing decision-makers together. There was clear value being demonstrated through this multi-agency partnership working. Participants highlighted that they placed great stock in the formal and informal networking opportunities created by this style of working.

“And you see the really big prize of partnership working and something we are just going to start now, is working with parishes on parish warden schemes for social care, so that we can actually have somebody in an individual village who starts looking out, who knows where everybody over 60 is, or any vulnerable adults are.”

*Local Strategic Partnership Officer – Inquiry Panel Hearing*

Local Strategic Partnerships working at the district level did not always replicate this success. Participants described district level LSPs as helpful local channels adding more localised intelligence into policy and delivery measures – but they did not see how this added value to the county-wide strategic partnership role. In some instances and on quite a negative footing, some described district level LSPs as little more than unnecessary democratic layers and expensive talking shops.

“There has been some sort of tension, which you’ll hear from everybody I’m sure, between what we’re trying to achieve through the local unelected community partnerships and the usual reaction from so called parish and town councils.”

*Council Officer – Inquiry Panel Hearing*

Participants contextualised their views by highlighting confusion around their relationship to these partnerships. Often, negative perceptions were increased where partnership working had failed to communicate or

deliver any tangible or visible outcomes on behalf of their communities. In a number of cases the inquiry found some district LSPs describing very poor representation from both the community and local councillors.

“Why should we expect councillors to be any more motivated to take part in these structures, if officers and volunteers and people from other agencies and so on, are not really buying into any of that.”

*Local group – Inquiry Panel Hearing*

Perhaps of more concern to councillors and their communities however, was the seeming lack of integration between the priorities of local partnership working and that of local communities. In one instance local partnership working was described as too top down and lacking relevance to local councillors and their communities' priorities. Councillors and their communities felt that they are not adequately consulted. They described being given too little time to respond to consultation which prompted speculation that local partnerships were not genuinely interested to hear their views.

On a related point, communities themselves were keen to highlight that an important part of their local councillors role should be working with local groups or partnerships. In Somerset and Dorset for example, ‘81% of respondent suggested that their councillors should participate or liaise with local partnerships’ *Public Opinion Research*. Among their reasons for adopting this view were ‘wanting their local councillors to work more collaboratively to enable them to lobby or influence on their communities’ behalf.

### **Recommendation 3:**

Local Strategic Partnerships should be given greater powers to draw down funding support from public agencies to deliver their Local Area Agreements

### **3.2.3 Area-based working**

A number of those who submitted views or evidence to the inquiry described the format of area working or local area forums. Although participants noted different examples, each was seen as an effective means of bringing communities and their representative groups and councillors together. Local area working tended to operate best at a sub-district scale, often being developed around ‘natural communities’. Participants described that where they tended to operate most effectively was due to the care taken in reflecting local socio-geographic affiliations, historical links or other locally unifying common interests in their set-up.

“we belong to the [XXX] local area partnership and have a place on the steering group. We find this really useful as a networking and discussion forum.”

*Parish Councillor – Inquiry Panel Hearing*

Each practice of area working had varying degrees of devolved powers and resources to address locally identified needs and issues. Participants noted that area working allowed a far better concentration on local issues. Some local area working groups had been assigned delegated budgets

to allow small scale locally-based projects to be taken forward and funded. Area working was also described by a number of participants as helping to better integrate parish councillors views than other forms of devolved governance arrangements. Furthermore, where there was a sense that backbench ward councillors were being marginalised establishment of area committees was seen to provide a sense of greater influence in local decision-making.

It is important to note that each of the local area working practices that had been set-up (or was in the process of being set-up) was designed to reinforce and complement existing partnership and local governance arrangements and not to overlap with them.

### **Case studies:**

**1:** South Somerset District Council has divided the district into four areas, each with an area office and an area development team. Each area has a committee of all of the ward councillors from that area, with the chairs sitting on the council's executive. The committee puts together an area development plan, into which parish plans can feed. Each area is given capital and revenue funding to develop its projects.

**2:** North Yorkshire County Council's area committees comprise the County Councillors for each of the electoral divisions in the District, together with representatives of the District Councils, Parish Councils and other local bodies, who are co-opted onto the Committees. The Committees meet, every three months or more frequently, at venues in their areas. They have responsibilities for promoting key local strategies and over-viewing the effectiveness of public services in their areas; for a range of highways and rights of way matters; and for making grants to local bodies. Area Committees are allocated a small budget with which they can carry out small-scale local projects. Each area committee manages its budget in a different way with some devolving part of its allocation to members for use within their local community.

## **Hypothesis**

# **3**

**'Rural councillors do not represent the communities they are elected to.'**

### **3.3.1 Apathy exists because local government is confusing and complex**

The public opinion research undertaken in Dorset, Somerset and Northumberland revealed a generally poor level of engagement between councillors and their constituents. Participants in this survey described having little confidence in their councillors – a feeling that seemed to apply to both parish and principal authority councillors.

"In Somerset and Dorset for instance nearly 85% of the 386 respondents surveyed had not tried to influence decision-making by contacting their town or parish councillor. The number of participants who had tried to contact a district or county councillor was just over 8%."

Public Opinion Research: Page 7-8

While on the face of it, the above perceptions appear quite negative, it is important that these views are not seen in isolation. When examining this apparent lack of engagement further, it became clear that many of those participants had not actually tried to approach their local councillors. Interestingly, of the very small proportion of respondents who had sought to influence local decision-making through their local councillors, many had been largely happy with the support they had received.

“79% of all respondents [in the Somerset and Dorset survey areas] had never tried to influence a decision in their local community either via a councillor or any other route.”

*Public Opinion Research: Page 12*

More generally, research drew attention to the perception that communities found local government working to be complex and difficult to understand. This in turn was seen as a barrier to residents feeling they could influence local decision-making. This view was seen to be exacerbated in two tier local government. Respondents did equate apathy with simply not knowing who to turn to and at what level of local government. Apathy was therefore seen not in terms of disinterest in local decision-making but more a reflection of community capacity to understand who their councillors were resulting in a feeling of inexperience or insecurity in influencing local decisions.

“I think a lot of people don’t understand which tier of local government is responsible for which decision – and I think it causes a lot of frustration.”

*Local Group – Inquiry Panel Hearing*

Communities do aspire to becoming more engaged with and having greater influence over local decision-making. However, participants commonly highlighted that they would like to see more consultative and proactive councillors. Participants felt that councils and councillors at all levels were not sufficiently proactive about involving and engaging with local people.

“At times you really want to be involved with things especially when you have children – you really should be – you want to be – but no-one asks you about or wants to know your opinions.”

*Local Resident - Public Opinion Research*

### **3.3.2 The representativeness of councillors**

Whilst most councillors saw themselves as representing the interests of their communities well, many participants drew attention to councillor’s ‘representativeness’. The extent to which councillors reflect the communities they serve in terms of gender, age, socio-economic background.

One respondent referred to councillors tending to be ‘male, ‘straight’, white, middle class and older’ (*Submission 43 – Written Evidence*). This point was raised to draw attention to the general shortage of, for example, younger, enthusiastic councillors. A number of comments referred to the current weakness of councillors, such as; their inexperience; lack of time; lack of training; lack of understanding of

their role; powers and duties; lack of will and determination; small-mindedness and their reluctance to do anything outside the boundary of the parish.

“And the system ... at all levels requires more competent and experienced people ... preferably people who are either still in employment or just out of employment, rather than 70-80 year olds.”

*Inquiry Panel Hearing - Anon.*

Few suggestions were made specifically to counter these observations, even by councillors themselves. Although many councillors did generally see themselves representing the interests of their community well, regardless of their age or social background. They can arguably justify this viewpoint given the contradictory public opinions outlined above.

The ability of existing councillors to represent the interest of their communities was frequently associated with a desire to see local councillors more closely reflect the social make-up of the communities they serve. The thinking being that communities would find it easier to approach and engage with people of their own background and interests which would serve to encourage more participation.

“There's too many old people involved at the moment with old fashioned ideas.”

*Anon – Public Opinion Research*

“I think to engage the community you need young mothers with families and people who actually speak to other members of the community.”

*Parish Councillor – Inquiry Panel Hearing*

Participants highlighted that some members of society are more vulnerable to being under-represented than others. This observation was most commonly noted from local community groups who often specialise in representing vulnerable or hard to reach groups. It was felt that councillors within all tiers, but particularly at parish level, needed to strengthen their expertise and professionalism to meet the demands of rapidly changing and diverse rural communities. Even councillors who had been active in their communities for many years noted how rural communities are more diverse than ever before.

Solutions prompted by this issue highlighted the need for a public education campaign relating to the role in rural areas of the three (or two) tiers of local government and of the ward and parish councillors involved.

### **3.3.3 Current election procedures maintain poor representativeness**

Interestingly, the one aspect that communities themselves have greatest control over, in terms of boosting their councillors' collective representativeness, is through election. However, this does not seem to be encouraging greater representativeness at present.

A number of participants highlighted the number of un-contested elections at the parish tier. There is a perception that the costs of parish elections, particularly for the smaller less financially viable parishes, acts as a disincentive in seeking out and attracting new candidates and holding well publicised and open elections.

“The extent to which councils advertise their elections is variable and a significant number of councils do no more than the minimum legal requirement.”

*Submission 80 – Written Evidence*

“If you take [XXX] Town Council I don’t think they have had an election for ten years or so. Well there is exception to this. This time I think they are going to have an election, they have got about 15 people I think who are showing interest ...”

*County Councillor – Inquiry Panel Hearing*

Ward councillors are usually elected but remain just as likely to suffer from a lack of representativeness. A specific barrier was noted to increasing the diversity of ward councillors. This related to multi-hatted<sup>24</sup> councillors who were perceived to be blocking the election of younger more dynamic members. They were also perceived to have competing interests within their respective tiers which was felt to inhibit their effectiveness.

One contributor drew attention to the efforts made in Scotland and Wales where dual hatted standing in more than one election had been an issue. Here severance payments were being introduced to encourage longer standing councillors to retire. The possibility of paying off councillors was discussed and advocated by a few participants but opposed by others.

### **3.3.4 Co-option: engineering stronger representation or reinforcing cronyism?**

Co-option is common-place within the parish tier. The reasons for co-option related to two core issues, numbers of willing volunteers and cost of elections. Some parish councils simply do not seem to have enough willing volunteers to fill all the seats available.

“From 1998 to 2000, there were fewer candidates than seats in 36.2% of parish, town (and Welsh) community council elections and a further 31.8% were uncontested as the number of candidates was equal to the number of seats”.

*Submission 80 – Written Evidence*

“This particular village is still quite feudal and you kind of inherit jobs, rather than earn them!”

*District and Parish Councillor – Inquiry Panel Hearing*

Whilst there was a general sense of understanding for parish councils not holding elections due to cost considerations, participants were far less sympathetic to the prevalence of co-option. A number of points were raised concerning the potential for reinforcing the social and demographic imbalances of parish councils. Moreover, it was been suggested that some parish and town councils prefer to co-opt rather than elect new members to retain influence over the composition of the council. This evoked quite a degree of debate.

<sup>24</sup> Councillors elected to stand in more than one tier of local government (e.g. it is possible to be both County, District and/or a parish councillor at the same time)

“I object to it really and it doesn’t give them much validity really .... On the ground when they are all talking to each other ... it’s always the friend of someone else, and someone is going to get excluded at the end of the day.”

*County Councillor – Inquiry Panel Hearing*

“I was commandeered to join the parish council.”

*Parish Councillor – Inquiry Panel Hearing*

“On the parish council, out of nine of us, I am the only elected member.”

*Parish Councillor – Inquiry Panel Hearing*

The danger with co-options is that co-optees will simply be the people known to existing councillors and will therefore reflect their social background and interest. Weaknesses in the co-opting option were most powerfully described around the potential of village politics. For example, community issues can generate some contentious topics. Without clear and open means to facilitate discussions on those topics community opinions can quickly become entrenched and polarised. Tensions around planning and ‘incomers’ pitched against ‘locals’ were common examples used to contextualise these points. Co-opting could be seen as adding to ‘their’ number to reinforce certain views and not to take on board the views of the wider community.

#### **Recommendation 4:**

The costs of democracy should be met by taxpayers nationally:

- Either central government should set up a ‘democracy budget’ to pay the election costs of the parish tier; or
- Central government should achieve this objective by funding principal local authorities to manage and pay for all local elections.

The potential, therefore, for communities to view co-opting as reinforcing unrepresentative councillors could (and in some cases does) undermine faith in the parish councils to maintain objectivity in their administration of business. On the strength of evidence received this does seem to be a more common consideration for the smallest of parishes.

“The question about representation is a more difficult one because you can’t engineer this unless you are co-opting ... we have tried to co-opt people who might represent the interests not already represented. You have heard of the problem of getting elected members ... co-option has its advantages because you can go out and twist the arms of people you can identify as what I would call the movers and the shakers.”

*Parish Councillor – Inquiry Panel Hearing*

There was an alternative view offered, however, in relation to co-option. Given the challenges to increasing the diversity of new councillors using existing mechanisms (namely through election) co-option was being used positively to redress the social and age imbalances of local councillors in relation to their communities. Furthermore, it was also seen as a means to recruit-in and bolster skills within the local council; identifying individuals with specific expertise. Again, on the strength of our inquiry evidence there

does appear to be more success in recruiting new volunteers to work as co-optees rather than full councillors. Whether this is because more efforts are made by the councils themselves to recruit in this way or whether it is simply a more attractive option for busy volunteers is difficult to say.

**Recommendation 5:**

All possible efforts should be made to support parish councils to become fully elected representative bodies. We wish to create an environment where co-option becomes unnecessary as a substitute for elected parish councillors.

**3.3.5 Heavy workloads inhibit the ability of councillors to represent well**

A contributing factor to a perceived lack of representativeness was linked, often by councillors themselves, to heavy workloads of local councillors. From a local councillor's perspective, time and administrative burdens were seen as a major factor limiting their ability to be effective on behalf of their communities. This appeared to be the case across all tiers of local government, but particularly acute at parish and town level. Red tape and bureaucracy was seen as a major constraint to the abilities of local councillors to be more active within and on behalf of their communities.

“Government is demanding that parish activities be managed using increasingly complex administrative procedures. Current legislation requires small Parish Councils to adopt the same prescriptive administrative and financial measures as apply to large municipal bodies.”

*Submission 84 – Written Evidence*

From a non-councillor perspective the role of a councillor was also perceived as being overly bureaucratic and constrained by too much process. Participants mentioned the slow speed at which local government worked, particularly at parish level.

There is little doubt that these perceptions are damaging to strengthening the role of councillors for a number of reasons. They help to maintain and reinforce the negative stereotypes relating to the role and function of local councillors. It can lead to a high turnover of councillors (most notably at parish and district level tiers) who have become disillusioned by overly bureaucratic processes.

“The time demands for a modern councillor coupled with a lack of reasonable remuneration means that it is often only the retired people and therefore there is a lack of young councillors ... councils ... are kept going by a dedicated old guard that is not replenished.”

*Submission 109 – Written Evidence*

Several participants discussed ways of increasing the diversity of councillors. One helpful adjustment that could be made was the timing of meetings. When meetings are held in the daytime, people with nine-to-five jobs (unless they have sympathetic employers) and mothers of pre-school children (unless they have adequate childcare) are effectively excluded.

“We actually adjusted our parish council meetings times to try and suit people with young children so that they could be parish councillors as well.”

*Parish Councillor – Inquiry Panel Hearing*

Simply being more representative of your community does not necessarily guarantee representation. In one of the hearings, for example, a member of the travelling community was asked if it would help her community if a councillor was from a travelling background. Whilst it was felt that this may be a beneficial factor, making a local councillor more approachable was not as important as having councillors who could extend their reach and understanding of the problems that travelling communities face.

“I suppose yes, in a way, but it doesn't really make a difference what sort of person it is who is a councillor, they have just got to have an understanding of that, you know.”

*Member of the travelling community – Inquiry Panel Hearing*

This also helped to contextualise a broader observation made by several participants. Councillors, particularly ward councillors, are subject to a number of conflicting loyalties, including representations from electors, pressure groups and party political affiliations. Generally these competing pressures tend to increase in the higher tiers and, especially so for executive councillors. Based on the evidence we have received during this inquiry it is difficult to gauge the extent to which councillors succeed in this difficult balancing act. There was a view expressed, for instance, which suggested that councillors gave priority to the needs of “the streets in which they live and not the whole community they were elected to serve”.

This led some to speculate that hard to reach groups, for example young people and businesses, often on the fringes of mainstream community activities were under-represented. Young people were noted on several occasions as having quite specific needs which were consistently being neglected. In the majority of cases, the inquiry found good examples of parish and ward councillors who were working collaboratively and proactively with local groups and partnerships to address young people's needs. But some concerning perceptions, albeit on two isolated occasions, were offered in relation to local councillors who did not see it as their responsibility to reach out to the youth in their local village.

“So through Liveability, for instance, if you had a youth project we wanted to see the youth actually engaged in doing the consultation, designing whatever it was they wanted, being involved in the process – not just saying. And that's why the Liveability was so brilliant; we were able to reward that effort.”

*District and Parish Councillor – Inquiry Panel Hearing*

**‘The working between different tiers of councillors is unproductive.’**

**3.4.1 The nature of relationships between councillors within different tiers**

Many ward councillors placed great value in having good relationships with the parish tier. Working closely with their parish council colleagues was seen as important in gathering local intelligence. Councillors in all tiers were keen to stress the importance of nurturing these relationships. More generally, developing mutual understanding about respective roles of the different tiers of local government was seen as important. For example, there is recognition that there are varying capacities of parish and town councils. As at parish level there is recognition that ward councillors have different roles and powers. These factors were often seen as the triggers or limiting factors in forging successful and strong relationships.

“I do use the parish councils quite shamelessly within my wards, for consultative purposes, and with parish plans coming through ... those consultative bits are going quite deep into the community ... I do make great use of that.”

*District and Parish Councillor - Inquiry Panel Hearing*

Parish councillors, notably the Chair, were deemed to have particularly demanding community participation roles to fulfil especially if there were contentious issues to manage. Emphasis and value was placed in having good relationships with specific county councillors who hold a specific brief e.g. on planning or highways. This was seen as a potentially more direct route toward influencing important local decisions.

“Parish councils have specific roles at the very local level in identifying local pockets of deprivations; the ‘pester power’ they can exert on public authorities; and the power to connect local people with services (welcome packs are one practical way of achieving this). They are also able to join forces and, through their representative bodies, can raise issues nationally.”

*Written Evidence – Anon*

It was noticeable that parish councillors also appeared to see themselves as representatives and advocates rather than as actors in their own right. When asked how they ‘help their local communities have a say and influence over local decisions’ the most common answer concerned contacts with principal authority councillors and MPs. Accordingly, principal authorities seemed to value parish councillors’ knowledge of their local communities.

“Parish councils don’t have the capacity within themselves ... But when they combine, as is the case with the [XXX] Parish Forum, they are able to drive things forward. I have been involved in numerous partnerships and I know it is the only way to go forward.”

*Parish Councillor – Inquiry Panel Hearing*

The relationship between parish and ward councillors was felt to be important to develop, nurture and “get right”. Developing mutual understanding about respective roles and how to work together was seen to bring about more positive impacts for rural councillors. However, there is recognition that there are varying capacities of parish and town councils and this is a limiting factor in forging successful and strong relationships.

#### **3.4.2 The geography and demographics of rural areas can make productive working more problematic**

The size of local electoral divisions is seen to limit the extent to which councillors, particularly those operating in the more sparse rural areas, can realistically engage at parish level. Ward councillors feel particularly affected, often having to communicate across large geographic areas and large numbers of parishes. Many ward councillors expressed a desire to be present at all parish council meetings but in reality this was not feasible given the numbers of parish meetings and the large geographical distance to travel to those meetings. Instead, attending quarterly or annual meetings or meetings of special interest was realistic.

At parish level, the size and scale of parish and town councils was considerably variable. Some parishes cover relatively large settlements, such as market towns. These were deemed to be easier to cover as the population was more contained and with potentially larger budgets. On the other hand some parishes have more sparsely populated areas to cover with only small budgets and weak budget raising potential. Where this was the case, smaller parishes were felt to have greater problems in reaching the qualifying criteria for the Quality Parish Scheme and capacity to take on service delivery.

Solutions prompted by participants were suggested. For example, councils serving small parishes should be encouraged, perhaps with financial incentives, either to merge with their neighbours or to form clusters of parish councils, possibly based around and including a small town or large village. Furthermore clusters of parish councils should be allowed to apply for Quality Parish Status and if successful to have a power of well-being. **(See also: 3.1.5 above and 3.4.5 below )**

#### **3.4.3 Multi-hatted councillors**

There were some interesting differences of opinion concerning the role of multi-hatted councillors. On the one hand multi-hatted councillors were felt to have a more complex role and in some instances competing interests which inhibited their effectiveness. A number of councillors themselves noted the difficulties of balancing their interests between the relevant tiers in which they operated. It was argued that multi-hatted councillors who deal with issues at local strategic level (e.g. planning) should be able to bring knowledge and expertise down to their respective parish level. At present, there is confusion relating to the code of conduct and managing declared interests which prevents helpful two-way communication from happening.

“We have got seven county councillors in the [xxx] district... seven are twin hatted... five of that seven... are triple-hatted. Out of our 30 [district] councillor 15 of them are also parish councillors.”  
*District Councillor — Inquiry Panel Hearing*

An alternative perspective was considered. Multi-hatted councillors were thought to have the opportunity to act as ambassadors forging and creating links between the different tiers of local governance. These points were raised alongside countering views on the code of conduct, which if interpreted and managed correctly, need not interfere with cross tier working. However, this did lead many participants to consider the need for simplifying the code of conduct around conflict of interest. At present it is thought that the code of conduct is unclear and the protocol relating to conflicts of interest can be interpreted inconsistently.

#### **3.4.4 Local governance arrangements: their influence on the relationships between councillors**

There is, in some areas, a sense of confusion over the difference in roles of councillors at the different tiers. This was particularly acute in two-tier local governance arrangements (parish, district and county) structure. Many participants noted their support for a move toward the unitary authority status on the basis that it would simplify the system.

However, moving toward unitary governance arrangements was not universally seen as a helpful solution. Those who were against suggested that geographically large principal authorities containing large numbers of parishes would suffer. Removing the district tier, for example, would remove district councillors leaving fewer councillors overall to cover large geographical and sparsely populated areas.

“I understand that the wards would be hugely enlarged and the number of councillors reduced ... one person would be quite unable to cope and their role would, in consequence, be weakened.”  
*Written Evidence – Submission 17*

An alternative view however, noted that moving toward unitary status was an opportunity to refresh and renew relationships between the proposed unitary councillors and their respective parishes. For example, North Yorkshire County Council’s bid for unitary status was viewed as being one opportunity for improving interaction and engagement at the local level.

“The unitary proposal includes a strengthened role for parish councils, community forums at a local level (like mini LSPs) to engage all local groups and organisations as well as neighbourhood management model that would see improved access to senior officers for local problems solving.”  
*Written Evidence – Submission 104*

Interestingly, in Herefordshire which has been a unitary authority since 1 April, 1998, councillors and officers alike noted that communicating across large geographic areas with large numbers of parishes is seen as a challenge and had led to an increased workload.

“I think the unitary authority would end the confusion over who does what, and enable better working with parishes.”  
*County Councillor – Inquiry Panel Hearing*

While it was accepted that the unitary system had created fewer officers and councillors on the ground, strong linkages had been made with the LSP, local community fora and parish councils to help compensate. Despite these challenges Herefordshire's unitary system was seen as working well – with cohesive partnership working.

**Recommendation 6:**

We want to see a structure of powerful new unitary authorities serving their communities, working closely with a renewed structure of empowered and influential parish and town councils.

**3.4.5 The regional tier: targets and funding distort local priorities**

A number of perceptions were provided to the inquiry in relation to the appropriateness of local priorities. Councillors and local groups alike highlighted a perception that principal authority decision-making was driven by the need to meet targets rather than focussing on more pressing local priorities. Similarly, funding schemes which were managed by national and regional bodies were also felt to distract energies away from addressing local issues in the most appropriate ways. For example, policy processes such as Comprehensive Performance Assessments and Local Area Agreements have too many national targets attached and were felt to be given priority over local issues.

The majority of councillors, particularly those working at principal authority level were feeling somewhat undermined by their experiences of working with regional or sub-regional bodies. There is a clear perception that there can be too much regional influence and interference at local level. Principal authority councillors are increasingly finding that they do need to influence regional tiers of government and not standing by while policy development (e.g. Regional Spatial Strategy) happens around them. Lobbying regional and strategic partners was seen as a means to 'locally proof' regional policy that would have implication for the area.

From a regional tier perspective, there was recognition that councillors could and should be playing a bigger role than they currently do to influence regional bodies. However, it was suggested that councillors don't currently fulfil this role well. Participants who held a specific regional brief cited a mismatch between skills and expertise of councillors in relation to complex and rapidly changing strategic policy frameworks. Those councillors who do engage with strategic partners were said to 'struggle to translate locally important issues into evidence led strategic messages'. However, councillors were said to engage well around thematic issues e.g. housing or transport.

Formal local partnerships play a helpful role in channelling councillor's contributions through to regional level. Again, emphasis was placed on the close working between local authority officers, councillors and non-elected groups working effectively together and being represented by professional officers who had technical and policy knowledge.

**‘The effectiveness of rural councillors at helping their communities influence local decisions is constrained by poor communication and information flows.’**

### 3.5.1 Methods of communication

Methods of communication varied greatly. Newsletters were mentioned most often alongside parish plans, public meetings, and surgeries. In most cases they were produced by parish councils, while in other cases the council or individual councillors wrote their own articles in an existing village newsletter.

As might be expected, informal communication was mentioned by parish councillors who are more likely to be in close contact with their communities. In the smallest of parishes, communication was felt to be unnecessary due to regular contact and the small size of the community. As one submission pointed out, there is a danger in relying exclusively on informal communication even in very small communities.

“... the emphasis on informal communication can be exclusionary in that it gives greater voice to those residents who are part of the same social networks as councillors, and does not provide an obvious point of access for residents who are not. Indeed, the evidence suggests that many councillors are not as well known in their communities as they think they are.”

*Written Evidence – submission 80*

While communicating the role of local councillors was felt to be important it was not seen as the only solution to creating stronger links between the community and their local councils. Many respondents emphasised that communication needs to be two-way, and several councillors complained of a lack of interest on the part of their electors. In fact, at least two councillors had given up holding surgeries because of the lack of public interest. As described in 3.3.1 above, public apathy is not just about poor communication but is interrelated with the perception of the complexity of local government. It was argued, for instance, that there is also a need to educate the public about the role of councillors at different tiers; to encourage them to operate more effectively as citizens and to encourage more people to stand for election.

Generally, there appeared to be considerable differences in the thoroughness of communication, with some parish council respondents citing only the publication of their meeting dates and/or their contact details where others were making strong efforts to communicate through innovative and more approachable methods.

“In our ward my colleague and I hold Borough Council surgeries every other month, in the village church vestry, on a Saturday morning timed to coincide with the market stall held at the same venue. Some residents attend to discuss specific issues but others simply drop-in for a chat when they see us on their way to/from the market stall. Our surgeries are publicised in the village newsletter and local newspapers inviting residents to drop in to discuss their concerns with their

Borough Councillors. On the rare occasion when one of us is absent we invite our County Councillor to come along."

*Written Evidence – Submission 82*

"Burstow Day' was a community event held by Burstow Parish Council in Surrey to aid the council in planning its budget. The event was attended by 'over 80 stakeholders'. 'The attendants were made up of different sectors of the community as well as a good age range.'"

*Written Evidence – Submission 73*

The importance and need for communication to be both innovative and appropriate was highlighted by a number of community groups. It was pointed out that recent population changes in rural communities have made communities more diverse. Some members of society are harder to reach than others – for example – the young or busy working professional. These groups were felt to be particularly disadvantaged by the more informal means of communication; many simply do not engage with the existing media used by local councillors to promote information in their local area.

#### **Recommendation 7:**

We want councillors to communicate more effectively with their constituents. In particular:

- There should be an expectation that all ward councillors and all parish councils to provide an annual report to their constituents. Annual reports can be published in all sorts of different ways, they don't have to be traditional written reports. For example, councillors could use pod-casts or produce short films to place on relevant websites or use web-blogs. Whatever form these reports are in they should be communicated strongly to local people (for example, through council tax bills).

### **3.5.2 Community planning is an underused resource**

Parish and town plan appraisals were seen as a hugely important communication tool. Firstly, they enable local people to come together and articulate local needs and priorities. Secondly, they formalise local needs into a form that can be fed into the local government decision-making processes. Participants noted that community planning activities generate a good deal of community interest around improving the local area. This in turn encourages more communication and interaction between communities and their local parish councils. More generally, community planning initiatives have good potential to highlight open and transparent ways for communities and their local councillors to engage well around common interest issues. In several instances parish planning was described as providing stepping-stones to local involvement and a route to becoming a councillor.

However, there are some complaints about the quality of community planning processes. A frustration noted by parish councillors and communities alike was the apparent lack of feedback they received from the upper tier councillors or their local authority and strategic partnerships. An interesting, perhaps worrying, perception came from an officer in a local strategic partnership. There was a feeling that local

level information (e.g. from community planning exercises) was very difficult to embed into local strategic planning, noting that '*community plans operate at too local a scale to be able to influence strategy*'. This was supplemented by the suggestion that community plans should be brought together to build a bigger 'critical mass' of local level evidence. It was noted that the number of parish councils within a single district makes it hard to respond positively to every parish plan, and this is even harder at the county level.

These observations aside, failing to communicate feedback can be problematic and it can be very dispiriting to communities who put significant efforts into parish plans but no action is followed.

#### **Recommendation 8:**

Both central and local government should commit to supporting very local community plans, such as Parish Plans and Market Town plans. Specifically, we would like to see significant progress (including piloting) made in the following areas:

- Community plans being clearly reflected within the statutory local authority wide Sustainable Community Strategies;
- Local Development Frameworks at the local authority level clearly responding and reflecting the ambitions of local communities expressed in community plans;
- Local Strategic Partnerships and their Local Area Agreements reflecting the content and ambitions of community plans and committing to help the delivery of community plans.
- Further moves being made to encourage and incentivise parish clustering (where there is local agreement) to exploit the links and shared ambitions between neighbouring or linked communities.

### **3.5.3 Dedicated officer support helps to strengthen communication paths**

As regards ability and readiness to champion the concerns of their constituents, the importance of local officer support to improving good two-way communication was stressed by many participants. Ward and parish liaison officers can provide a valuable professional support between councillors and councils. The value of working with local authority officers was highly valued by local councillors. But in particular, where officers are given dedicated roles to support local parish and town councils, there appear to be particular benefits. Parish or ward liaison officers were noted in two areas (Herefordshire and South Somerset) visited by the inquiry panel. Without question, their presence and role was seen as hugely important. They can play a very effective link-up role between local individuals and groups, town and parish councils and their principal local authorities. For example, they can work closely with a range of partners such as local service providers, volunteers and community groups actively engaged with certain sectors of the community (such as young; the old or carers).

### **Case Study: Parish Liaison and Rural Services Officer, Herefordshire Council**

The job is as varied as they come. At the heart of the role is working at parish level with the community and the parish council as leaders of the community, to build vibrant and sustainable communities.

“I am here to either answer questions from Parish Clerks or to signpost them to the relevant person/department in Herefordshire Council. These questions vary from who has responsibility for street lighting to where can a council get signs made up for putting on the village green.”

“I do get involved with parish councillors particularly when it comes to parish planning, an important aspect of my work.”

With regard to working with ward councillors for the Unitary Authority, of which there are 58, the Parish Liaison Officer can be approached on any aspect of parish life and in recent times has been involved with a ward councillor concerned about the potential closure of a village hall and a councillor concerned that they should be helping a new village shop expand.

“I get asked all sorts of questions – whether it's about legislative changes which have come from Government, or queries of how parish councils can reduce the speed limit in their village.”

An important aspect of the role involves supporting local parishes to maintain their local services. To highlight one example, Colwall Post Office closed in June 2007. The parish council clerk contacted the Parish Liaison and Rural services Officer for advice on how to restore the facility to the village. A parish meeting was called by the parish council, which was attended by over 120 people including a representative of Post Office Ltd and the Rural Shops Alliance (both meetings were facilitated by the Parish Liaison and Rural services Officer). Following the meeting a group was established to evaluate options for the re-instatement of a Post Office in the village. The group met regularly together with the parish council resulting in the prospect of reopening a new Post Office in February 2008.

For further details visit:

[http://www.herefordshire.gov.uk/council\\_gov\\_democracy/parish\\_councils/1496.asp](http://www.herefordshire.gov.uk/council_gov_democracy/parish_councils/1496.asp)

### **Recommendation 9:**

We want all local authorities or their associated Rural Community Councils to provide ward and parish liaison officers to advise, inform and support councillors of all tiers in their work on behalf of their constituents, and also to help advise and support the work of parish council clerks.

### **3.5.4 Rural areas can hamper good communication flows between councillors and their electorate**

For many principal authority councillors, day-to-day informal communication with electors emerged in the hearings as of key importance. However, the feasibility of reaching even a reasonable proportion of the electorate in this way declines with the size of the ward or parish. For ward councillors, the number of parishes that exist within their area can hamper good communication flows. Some principal authority councillors emphasised that large rural wards make face-to-face communication with electors very difficult to achieve.

“(we) feel absolutely powerless to do anything, feel we don't count – whole system doesn't take in to account that country people matter.”

*Local Resident – Public Opinion Research*

“People feel a long way away in their parishes – feel a long way away from where decisions are being made, and having a sense of things just happening around us.”

*Local Group – Inquiry Panel Hearing*

Comparisons were drawn with parish councillors in a very small parish who have the advantage of knowing most residents by name. At the principal authority level the type of local communication becomes less practical. Emphasis was placed by many principal authority councillors on the need to use other means to keep in touch with their electorates. However, the practices employed by councillors to do this are inconsistent, in some areas being very good, whilst being non-existent in other areas.

Ward councillors are seen as potentially a key communication link between local people and the relevant council. However, the general confusion over the responsibilities of the different tiers of local authority, which was referred to frequently, makes it difficult for members of the public to know whom to contact when they have a problem. It was felt that moves towards new unitary authorities would simplify the system, it might also be possible for residents' enquiries and views to be channelled through parish councils or some other body as the first port of call.

### **3.5.5 Communities would like more communication**

Some participants highlighted a desire to engage in more proactive discussion and communication. There was hope for a more open and transparent approach that was more consultative of the whole community. Many residents through our public opinion research expressed a desire to have more meaningful participation with parish councillors. A common theme running alongside this suggestion was a desire, particularly at parish level, to have face-to-face meetings and more meetings with targeted groups of the community – such as young people.

Residents also suggested that councillors should make use of local newspapers to highlight how they were tackling prominent local issues, to give feedback and report follow-through on what actions were taking place as a result of their involvement.

“Saying it’s not happened because of whatever is a lot better than just not saying anything.”

*Local Resident – Public Opinion Research*

“The park ... the children in [XXX] had to design it but then they took no notice of the children and built what they wanted anyway.”

*Local Resident – Public Opinion Research*

It was recognised that some local groups have very close relationships with councillors and councils, and it was suggested that this might be considered by some to give the pressure groups too much influence. However, when relations are good, councillors can use voluntary bodies as sources of information and advice. However, there may be other voluntary groups with which councillors may have to work to make fruitful links.

“We have a very close relationship with councillors at county and district level ... [XXX] participates in strategic partnerships, this is the full panoply of the local community.”

*Campaigning Organisation – Inquiry Panel Hearing*

“There was a group of parents that wanted somewhere for their kids and they got a kick about field ... it wasn't the council that started it though it was a group of parents collecting money.”

*Local Resident – Public Opinion Research*

**Recommendation 10:**

We support the Government's proposed 'Community Call for Action', designed to enhance the role of councillors to raise local people's concerns by demanding a formal response from local authorities. But we think this should go further, this 'Call to Action' should be for local people to use directly if they choose to, for example by local petitioning.

# 4

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## 4.0 The inquiry recommendations

In assessing the evidence in its entirety, and drawing upon current government attention on devolving more powers to local level the inquiry panel have developed ten recommendations. These are discussed in detail below. In designing these recommendations the inquiry panel and CRC officers have been mindful of the changes that adopting these recommendations may bring. Devolving more powers and resources down to a local level comes with risks attached. Not necessarily greater risk than existing arrangements bring – but it will be different risk. As such, we have sought to outline what these risks may be.

We believe that local councillors and their communities should have a strengthened role to play in local decision-making. We also believe that local government should be given greater autonomy and power. Taken together, these recommendations attempt to strike the right balance toward strengthening the role of local councillors alongside more enabled and empowered communities. We also recognise the need to ensure that local government has the flexibility to work more closely with and responsively to their local communities.

Importantly, however, we believe that by promoting these recommendations there will be some tangible benefits as a result. We have justified our thinking alongside each recommendation to clarify our position.

We hope these provide the means for some lively and constructive discussion.

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**Recommendation 1:**

**We recommend more 'Double devolution'. Government should extend more trust to local government. And local government should extend more trust beyond the town hall to local communities and neighbourhoods.**

While we recognise and welcome the move towards subsidiarity recently published in the Central-Local Government Concordat, we also encourage greater clarity. We would like to see clear commitment to a statutory, constitutional application of subsidiarity. Specifically:

Government should embed a statutory principle of subsidiarity in the Constitutional Renewal draft bill during this bill's pre-legislative scrutiny in early 2008.

Government should end its Council Tax capping regime for high performing and small budget local authorities (such as shire district councils), and for authorities using participatory budgeting and referenda based approaches to the level of their Council Tax. This should be the first step on a path of ending Council Tax capping altogether – the local authorities' incentive to achieving this goal being enhanced local accountability.

Local government, particularly the new unitary authorities, should extend greater trust and responsibility to local parish and town councils, particularly Quality Parish Councils.

**Why?**

- To give local authorities (including neighbourhood councils) greater influence over their local areas and a greater ability to improve local areas for local people.
- To encourage greater innovation in the planning and delivery of local services and in the local management and shaping of local places.
- To encourage greater connections between local people and the work and value of their local authorities (including neighbourhood councils).

**Risks:**

- Parish and town councils may not all be ready or willing for more devolved responsibilities. There will need to be a further period of parish tier development.
- Community scepticism around the role of their local authority or of their local parish or town council may undermine the ambitions of double-devolution.
- Possible escalation in local Council Tax, beyond what some might deem to be 'reasonable' limits.
- More powerful local decision-making could be overly influenced by vocal minorities (or majorities) at the expense of minority (or majority) groups or areas within an authority.
- The careful balance between 'reasonable' national responsibilities for delivery and 'reasonable' local responsibilities for delivery could be upset.

**Recommendation 2:**

**We encourage all principal local authorities to allocate neighbourhood budgets to local councillors for expenditure within their divisions and wards. We also encourage parish and town councils to involve their local residents more directly in spending decisions.**

These recommendations should build on existing good practice. These neighbourhood budgets should be managed with appropriate guidance (including exploring the scope for co-funding opportunities) and also probity safeguards (e.g. 'purdah' regulations and public scrutiny). They should be managed through participatory budgeting principles, allowing local people a direct say in how some of their tax resources are spent within their neighbourhoods. They should be encouraged as a design feature for councillors in all the new unitary authorities and within the pathfinder authorities seeking to renew the 'two tier' structure where this remains.

**Why?**

- Communities will be able to decide directly how some of 'their' tax revenues are used to improve their local areas.
- Citizens will have a greater incentive to be interested and engaged in the work of their local councillors, including their parish and town councillors.
- Local councillors will feel more empowered and valued in delivering improvements in their local areas.
- It may be that parish and town councils will feel a greater sense of community engagement and buy-in to raising local precepts to deliver local improvements and projects.
- People may be encouraged to stand for election to become local councillors.

**Risk:**

- Councillors are tempted to spend public money in a partisan way to secure personal or political advantage, rather than in the wider interests of their local communities.
- Current public cynicism may make this an unpopular recommendation outside of local government circles.
- Disproportionate increases in Freedom of Information requests may be generated, for example by local media.
- Possible loss of economies of scale?
- Arguments over the size of these budgets; and
- Where does the money come from?

**Recommendation 3:**

**Local Strategic Partnerships should be given greater powers to draw down funding support from public agencies to deliver their Local Area Agreements** (i.e. to deliver the objectives of their Sustainable Community Strategies).

We support the Government's recent legislation placing a duty on a wide range of public agencies to co-operate with local authorities and Local Strategic Partnerships (LSPs) in planning and delivering Local Area Agreements (LAAs). We think this duty needs to go further. In the context of a new constitutional settlement between central and local government **(see also Recommendation 1)**, LSPs must be able to access resources from a wide range of agencies, including, for example, the Regional Development Agencies, the Environment Agency and the Highways Agency, to deliver locally agreed targets and priorities. The mechanisms of how this could be achieved are outwith the scope of this report. Such reforms would be radical and difficult. For example, it could lead to RDAs changing part of their delivery functions into a social and economic investment bank, supporting the objectives within individual LAAs.

**Why?**

- To secure greater local and democratic influence over public expenditure within local areas, better reflecting local circumstances and priorities.
- To make public agencies more aware of and responsive to local, (rather than national or regional) needs, priorities and delivery.
- To increase the power of LSPs to deliver for their local areas, and to capitalise on the considerable investment that has already gone into setting up LSPs and LAA processes.

**Risk:**

- Public agencies, and their parent Government departments and Ministers, could see this as a step too far along the road of decentralisation.
- Destabilisation of the current regional government settlement?

#### **Recommendation 4:**

**The costs of democracy should be met by taxpayers nationally:**

- **Either central government should set up a ‘democracy budget’ to pay the election costs of the parish tier; or**
- **Central government should achieve this objective by funding principal local authorities to manage and pay for all local elections.**

#### **Why?**

At present, the parish tier struggles significantly to encourage enough candidates to take up full parish councillor roles. The potential costs of local elections can discourage the smaller councils with relatively low financial resources from actively seeking to attract candidates. This recommendation would remove disincentives for not holding local elections within the parish tier.

#### **Risk:**

- Additional expenditure burdens, although there are considerable efficiencies to be gained if all local elections are held on the same day.
- This might be seen by some as urban taxpayers subsidising the election costs of thousands of small rural parish councils.



### **Recommendation 5:**

**All possible efforts should be made to support parish councils to become fully elected representative bodies. We wish to create an environment where co-option becomes un-necessary as a substitute for elected parish councillors.**

To help this happen we recommend:

- All local elections (principal local authority and parish elections) should be held on the same day.
- Incentives are offered to combat voter apathy. The Councillors' Commission recently proposed local lotteries as an incentive. We also suggest Government considers making 'Election Day' a national holiday and a car free day.
- The Boundary Committee for England be charged by the Electoral Commission to review the number of seats for parish councils in order to secure an outcome where there is likely to be more competition for seats.

### **Why?**

In our view, parish councils deserve the right to have their mandate renewed and endorsed by their local electorate. These recommendations will help secure an environment where there is likely to be more local interest in local elections and more competition to serve local communities as a parish councillor.

These recommendations will also give parish councils greater confidence in their democratic legitimacy and to convey this to citizens and local authorities. We believe parish councillors will be more effective as a result.

Co-option can be, albeit subtly, undermining of representative democracy. It can encourage a culture of 'gentlemen's agreements', and even 'cronyism', which can exclude some groups and people. Our inquiry evidence has shown that co-opting rather than election reinforces the social and demographic imbalance of parish councils. Co-opted members tend to be drawn from the same social networks as existing councillors.

However, we recognise that there are parish councils who do use co-option to good effect. These councils systematically seek to co-opt new blood onto their councils, e.g. young people or to fill gaps in the skills and knowledge available to them. It is important to encourage parish councils to continue to work closely with local voluntary and community sector bodies and activists and to use whatever skills and knowledge is available locally to help deliver the aims of the parish council. But this does not and should not depend on formal co-options.

Reviewing some of the parish council's seats in some parishes may help to reduce the number of uncontested local elections by reducing the number of seats per head of population.

"From 1998 to 2000, there were fewer candidates than seats in 36.2% of parish, town (and Welsh) community council elections and a further 31.8% were uncontested as the number of candidates was equal to the number of seats."

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**Risks:**

- These proposed reforms do not go far enough in encouraging more interest in standing for election to parish councils and in encouraging more diverse talents to serve as parish councillors.
- Our proposals might scare off keen co-optees who want to help make a local difference, but don't want to make the commitment of standing for local election. However, as we indicate above, we believe parish councils still can and should look to work closely with all within their communities who can help deliver for local people, but without using the mechanism of co-options.

**Recommendation 6:**

**We want to see a structure of powerful new unitary authorities serving their communities, working closely with a renewed structure of empowered and influential parish and town councils.**

We are supportive of the recommendation 1 set out in the Councillors' Commission Report to place duties on Local Authorities to facilitate democratic engagement – particularly in reference to engaging with the Parish and Town Council tiers.

The CRC remains supportive of shire local government re-organisation. We believe that unitary authorities will strengthen and clarify local democracy and local accountability. It will strengthen the Local Area Agreement contracts between central and local government. It will strengthen the statutory land use planning system. It will help shire local government to punch its weight with city regions and regional bodies. We continue to have uncertainties over the sustainability of the remaining two tier structure for these reasons. But Government must provide leadership and certainty on reorganisation. A period of stability followed by robust evaluation of both shire unitary structures and shire two tier structures should be undertaken to enable better decisions to be taken over structures in the medium term. Then decisions should be taken about whether to extend unitary structures and/or to extend other reforms.

**Why?**

- Unitary authorities provide more integrated governance arrangements which provide less complex local government and associated partnership working arrangements.
- There is a clearer role for the parish and town council tier.
- Strong and high capacity unitary authorities present much opportunity to address localised issues – e.g. dispersed pockets of disadvantage.
- Unitary systems of governance are less confusing to the public.
- It would give a clear signal of leadership. Current uncertainties and arguments between district and county councils and others reflect poorly on local government and do not serve their communities well. Further piecemeal reform, beyond the current restructuring programme will destabilise all remaining two tier areas.

**Risk:**

- Factions continue to organise and position themselves in anticipation of further review, to the detriment of effective local government in the meantime

- Potential loss of councillors from the system – as more district tiers and their councillors are removed
- Existing two-tier governance arrangements may feel marginalised when they need support most.

**Recommendation 7:**

**We want councillors to communicate more effectively with their constituents. In particular:**

- **There should be an expectation that all ward councillors and all parish councils to provide an annual report to their constituents. Annual reports can be published in all sorts of different ways, they don't have to be traditional written reports. For example, councillors could use pod-casts or produce short films to place on relevant websites or use web-blogs. Whatever form these reports are in they should be communicated strongly to local people (for example, through council tax bills).**

We support the recommendation in the recent Councillors' Commission report that the Local Government Association and the National Association of Local Councils should provide guidance to local authorities on clear role descriptions explaining to councillors and to local people what the roles and responsibilities of councillors are.

**Why?**

Communities will be able to see the activities local councillors have undertaken on their behalf. Linked to more influential community planning, area working, and partnership working annual reports have the potential to be an open and powerful performance management tool for local people. The public can judge for themselves how their local councillor is performing in relation to the results that are being achieved.

**Risk:**

- There could be some increased costs, for example, relating to training and media equipment, but these are unlikely to be overly burdensome.
- It is possible that some communities and individuals would feel overburdened with information, leading to further confusion.
- These recommendations could be seen as being rather bureaucratic and adding more unnecessary red-tape for councillors to cut through.



### **Recommendation 8:**

#### **Both central and local government should commit to supporting very local community plans, such as Parish Plans and Market Town Plans.**

Specifically, we would like to see significant progress (including piloting) made in the following areas:

- Community plans being clearly reflected within the statutory local authority wide Sustainable Community Strategies.
- Local Development Frameworks at the local authority level clearly responding and reflecting the ambitions of local communities expressed in community plans.
- Local Strategic Partnerships and their Local Area Agreements reflecting the content and ambitions of community plans and committing to help the delivery of community plans. This will require local authority officers to advise and support the delivery of community plan objectives. This might require practical extensions of the 'duty to co-operate' to the local parish and town level. This could also include the development of Neighbourhood Area Agreements, managed by neighbourhood partnerships (including relevant local authorities) at the parish or town level.
- Further moves being made to encourage and incentivise parish clustering (where there is local agreement) to exploit the links and shared ambitions between neighbouring or linked communities and to help create economies of scale, where relevant, thereby helping the delivery of shared community objectives.

We recommend that the Communities and Local Government Department works with the Local Government Association, the Improvement and Development Agency and others to promote and spread good practice in this area.

### **Why?**

The situation – which is surprisingly widespread – where communities expend significant energy on community plans that then remain largely separate from the principal local authority plans, urgently needs to be addressed. The lack of integration between the neighbourhood level community plans and the principal local authorities can reinforce scepticism and mistrust between local people, their councillors and their local authorities. There is good practice evidence that things do not have to be this way. These recommendations would help:

- To create more enabled communities able to see their influence on local decision-making.
- To help re-establish trust in local democracy.
- To reinforce parish councils as recognised and influential channels for communicating between villages and towns and principal local authorities and other public service providers.
- To provide neighbourhood-based management information, for example on the delivery of public services. This would help LSPs to measure the delivery of their LAA targets at a neighbourhood level to ensure that communities and residents were receiving fair access to services and service improvements.

**Risks:**

- Increased administrative burdens (for example on parish councils and local partnerships and area working practices).
- These recommendations could be resource intensive, in terms of financial and officer support. However, there are good practice examples demonstrating efficiencies that can be gained. Our suggestion that piloting may be the right way forward for some of these recommendations will also help to ensure that lessons are learned and that efficiencies are identified.
- Parish level capacity issues may prevent all parishes completing community plans, particularly the smallest parishes, leading to the parishes of the 'haves' and 'have-nots'. The work of local support agencies, such as the county-based Rural Community Councils, in helping all communities to achieve high quality and locally supported community plans should help to mitigate this risk.
- Increased local tax burdens as local communities and parish councillors may want to raise precepts to pay for their ambitions. This should, rightly, be a matter for local people to decide upon.

**Recommendation 9:**

**We want all local authorities or their associated Rural Community Councils to provide ward and parish liaison officers to advise, inform and support councillors of all tiers in their work on behalf of their constituents, and also to help advise and support the work of parish council clerks.**

**Why?**

Ward and parish liaison officers can provide a valuable professional support and link up role between councillors and councils. During our inquiry we have found good evidence to support this. Similar conclusions have been made by the recent Councillors' Commission.

**Risks:**

- This proposal could be expensive for some authorities to implement. However, there are good case examples and some 're-engineering' of current officer roles and responsibilities could help to limit additional costs.
- May be seen as being unnecessary in some areas where councillors don't feel they require any additional support or advice (for example, where good local area working is already in place).



### **Recommendation 10:**

**We support the Government's proposed 'Community Call for Action', designed to enhance the role of councillors to raise local people's concerns by demanding a formal response from local authorities. But we think this should go further, this 'Call to Action' should be for local people to use directly if they choose to, for example by local petitioning.<sup>25</sup>**

We urge the Government to work with the LGA, the NALC and others to bring forward proposals to achieve this outcome.

### **Why?**

The recent 'Governance of Britain' green paper makes it clear that the Government is keen to encourage communities to become more directly involved in influencing local decision-making. However, current plans for a 'Community Call to Action' are limited to interventions via local councillors on behalf of local people. We believe these plans could and should be extended to local people and communities more directly.

This would send a clear signal to communities that they have direct powers to intervene in local decision-making. As the Local Government White Paper indicates 'the evidence suggests that if people feel their efforts will be rewarded by real change in their communities, they will be willing to step forward' LGWP – October 2006.

### **Risks:**

- Increased administrative burdens could be placed upon local authorities and councillors.
- There may be a danger of increased vexatious calls for action, by campaigning groups and others. There is no evidence that current local petition laws cause disproportionate difficulties for local authorities and parish councils (although they are not without their difficulties).
- Communities may be encouraged to be more forceful in their support or opposition to local authority or local parish decisions. This could discourage local people from standing for election.



<sup>25</sup> Petitions can provide an important way for communities to express collectively their views about an issue and generate local debate. They can also improve the connection between residents and local authorities especially when they are taken seriously by local authorities. (Para 175 – page 51: *Governance of Britain* .Ministry of Justice – July 2007



# 5

## Conclusion

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Our findings and recommendations represent more than just a list. They suggest a broader change of direction is needed, towards greater trust and decentralisation to local government (including parish and town councils) and to the councillors that represent rural people and communities.

There are some 'uncomfortable' messages for local authorities. During our inquiry we have found faults with local democracy and with local authorities. Too many people feel absolutely no connection with their local authorities and their local councillors. This is not good enough. We think that rural people deserve better local democracy and better local government! For example, we think there should be an expectation and responsibility on councillors, at all levels, to communicate with their electorates and to be accountable to them for their work. It should be for local authorities to support them in that activity. They should be expected to be proactive (and to be fair many currently are) on behalf of their communities.

Our inquiry has also demonstrated that there is much that is right and healthy in our local democracy in rural England. But it has also shown that this is also much that still needs to be done. Levels of engagement, interest, participation, connection between local rural people and their councillors (at all levels) are very low.

Over the coming months and years we would like to see central and local government continuing to work toward greater devolution of powers. We want to see local government being given greater autonomy and clearer areas of responsibility and flexibility to deliver services and policies that meet local circumstances. We would like to see clear commitment to a statutory, constitutional application of subsidiarity. And likewise, local government devolving more services, resources and powers down to the lowest level of government, the parish and town council.

We also encourage the current moves to enhance the roles of frontline councillors. We believe their strengthened role should focus on enabling communities to articulate their voices clearly and invest their time and efforts in the tools that will enable communities influence change.

Finally the voices presented through this inquiry convey many powerful messages about the state of our democracy. The Government's current Constitutional Renewal draft bill represents, possibly, a once in a generation opportunity. It could achieve, across the political spectrum, a lasting agreement on the balance of powers between the centre, regions, local areas and neighbourhoods.

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