

Issue I – The role of Parish Councils

1. The Local Government White Paper recognised that Parish Councils are an established and valued form of neighbourhood democracy and management, with a role in rural and urban areas. Under the White Paper it was proposed that the existing Parish Council structure would be built upon to improve the capacity to deliver better services and represent the community. To achieve this the power of well being was to be extended to all Parish Councils that satisfy the *Quality Parish Scheme*. Currently under review, the *Quality Parish Scheme* is implemented via a locally accredited panel established by the National Association of Local Councils (NALC).
2. This ethos has been reflected in the enactment of the Local Government and Public Involvement in Health Act 2007 (LGPIH Act 2007). The process for creating local councils / Parish Councils has been made easier with the Sectary of State veto being removed.
3. Principal authorities now will have the ability to start the review process to create parish councils. The creation can also be triggered by a community petition. This review will make recommendations as to what new parishes (if any) should be introduced, as well as considering the position of existing parishes. Under the provisions, parishes will be able to call themselves 'neighbourhood, community or village councils'.
4. Guidance on undertaking a review, appointment of parish councillors and electoral arrangements are due to be produced, but were not published at the time of the production of this report.
5. In York coordinated work at a neighbourhood level already occurs with Parish Councils. Some Parishes are involved in Ward Planning Team meetings; Parish Councils apply and receive finding via the Local Improvement Schemes process; and we work on a strategic level with the York Local Council Association (YLCA). However the current arrangements are not consistent across the city and closer working relationships could be further developed, particularly in light of the development of NAP's. Option Two (see later) would therefore be to consider a review of working relationships, working in conjunction with the YLCA to strengthen Ward Planning Teams and coordination at a neighbourhood level.
6. York currently has both parished and none parished areas of the city. The LGPIH Act 2007 gives CYC the potential to 'review' these arrangements. Option Three could be to instigate a formal review of Parish Councils arrangements in the context of the LGPIH Act 2007, following the issuing of guidance from central government on the formal review process. The review could consider, in the context of public demand:
 - o Increasing the number of parish councils in the city.
 - o Amalgamation of parish councils.

- o Support to parish councils.
 - o Roles and responsibilities
7. Members have mentioned in the past the potential to devolve power from ward committees to parish councils in the city. Under this option (Option Four) the council would need to consider the following issues:
- o Legal and constitutional Implications – This option would require a review of the councils constitution concerning ward committees. A review would need to ascertain how much power could and should be devolved in parished areas of the city. The generation of a Service Level Agreement (SLA) with the relevant parish councils would be necessary. It would need to include consultation mechanisms, operating standards and financial controls for the utilisation of budget according to Financial Regulations. It would also need to cover the use of approved contractors, reporting mechanisms, timeframes for utilisation of allocated budgets etc. The review would also need to consider issues over parish councils where councillors are co-opted as opposed to democratically elected, as such individuals may not be considered by the public as truly representative of local issues and the local community.
 - o Financial Regulations – clarification will be needed from Corporate Finance CYC on the impact of the Financial Regulations on this option to ensure compliance.
 - o Impact on devolution and the refreshed model of neighbourhood management – with only part of the city parished, a review would need to take place to analyse how this option would work in practice to ensure that there is consistency across the parished and non parished areas. The review would also need to consider how ward committees would be delivered, if at all, within parished areas of the city, in the context of a desire by CYC to increase and demonstrate effective engagement with the public.
 - o Impact on the role of the frontline councillor – this option does have the potential to impact on the role of elected members as champions in the community. It would be essential to ensure that their role in the community is not diminished.
 - o Impact on NAP's – this option will also impact on the delivery of NAP's within parished areas of the city and determine whose responsibility it would be to produce these documents.
 - o Impact on Double Taxation – under this option should parish councils be required to undertake elements of work of the ward committees, for example public meetings and consultation around the utilisation of budget, there are likely to be resulted double taxation claims. These claims may be difficult to defend and may result in the council making additional payments.
8. In summary Members have 4 options:
- Option One – to continue with the existing arrangements with parishes.

Option Two - to review the working relationships to achieve better coordination at a neighbourhood level.

Option Three – to instigate a formal review of parish arrangements in the city under the LGPIH Act 2007.

Option Four – to investigate devolution to parish councils including the pass porting of ward committee Local Improvement Scheme budget to parish councils.

Indicative Financial Impact

Option One – would be cost neutral.

Options Two - would be cost neutral delivered by the existing resources within the NMU.

Option Three – may require additional budget dependant on the scale of the Parish Council review and the nature of the awaited statutory guidance.

Option Four – this option is likely to result in financial implications to CYC, particularly in light of the double taxation issues. Although on the face of it, staffing resources may be reduced due to a reduction in the number of ward committees being supported, the reality would be that officers from CYC would need to ensure compliance with the parish council SLA and to offer advice to parishes on former ward committee issues. There is likely therefore to be little overall saving in staffing resources.