

<b>Report title</b>	<b>Englefield Green Community Governance Review</b>
<b>Report author</b>	Kath Richards, Head of Electoral Services
<b>Department</b>	Law and Governance
<b>Exempt?</b>	No

**Purpose of report:**

**To recommend to full Council**

**Synopsis of report:**

**A request has been received from the Englefield Green Neighbourhood Forum to carry out a Community Governance Review with a view to creating a Parish Council. The purpose of this report is to agree the Terms of Reference and suggested timetable to carry out the review.**

**Recommendation(s):**

**To recommend that Full Council:**

- (a) Approve the timetable and the Terms of Reference as set out at Appendix 3 to this report for a Community Governance Review to be conducted, in accordance with the provisions of Local Government and Public Involvement in Health Act 2007.**
- (b) Approve a supplementary revenue estimate up to a maximum of £100,000 to carry out the review**

## **1. Context and background of report**

- 1.1 A Community Governance Review (CGR) is a review carried out by a principal council and is used to review community governance arrangements in their area.
- 1.2 A community governance review looks at the whole or part of an area to consider:
  - the creation, merger, alteration or abolition of parishes
  - the naming of parishes and the style of new parishes
  - the electoral arrangements for parishes, such as the ordinary year of election, council size, wards, and numbers of councillors
  - the grouping or de-grouping of parishes
- 1.3 The recommendations of any review must:
  - improve community engagement
  - bring communities closer together
  - create better local democracy
  - result in more effective and convenient delivery of local services

- 1.4 The law allows a principal council (which Runnymede is) to use a review to assess and make changes to community governance within its area. The Government's website has guidance on how to conduct a CGR.
- 1.5 A CGR can be initiated by one of the following events:
- a valid petition from electors requesting a CGR and specifying recommendations which the petitioners wish the CGR to make
  - a formal request from a parish council, following which approval is then required from the principal council
  - a decision taken by the principal council itself, usually in circumstances where there have been significant changes in population or in response to changes such as when recommended following a Local Government Boundary Commission review
  - application made only by an organisation or body designated as a neighbourhood forum under section 61F of the Town and Country Planning Act 1990 in respect of an area for which a neighbourhood plan has been adopted.
- 1.6 A CGR will begin with publication of the terms of reference which will apply to its operation, following which consultation with electors and other stakeholders will take place. Once the first consultation has taken place the draft recommendations will be reported to Corporate Management Committee and Full Council. Once endorsed a second round of consultation will take place. Following that consultation final recommendations will be drafted which will then be consulted, at the conclusion of the second round of consultation the recommendations will be put before Full Council.
- 1.7 The recommendations arising from a CGR should deliver improved community engagement, more cohesive communities, better local democracy, and result in a more efficient delivery of local services.
- 1.8 The Englefield Green area of the borough used the powers granted under the Town and Country Planning Act 1990 to establish what is termed a neighbourhood planning forum. In December 2023 a referendum voted to adopt a neighbourhood plan and Englefield Green Village Neighbourhood Plan was adopted on 31 January 2024.
- 1.9 Under the provisions of section 80A Local Government and Public Involvement in Health Act 2007 an organisation or body designated as a neighbourhood forum under section 61F of the Town and Country Planning Act 1990 may submit an application for a CGR to be undertaken.
- 1.10 On the 18 March 2025 a request was submitted by the Englefield Green Village Neighbourhood Forum requesting that a CGR be undertaken in respect of the Englefield Green Village Neighbourhood Forum area. When any such application is received it must set out one recommendation that the person submitting the request want the CGR to consider making and identify the area to be covered by the CGR. The request asked for the CGR to consider establishing a Parish Council covering a specific area. Please see appendix 2 for the area to be considered.
- 1.11 Once a valid request has been submitted the local authority has a legal obligation to carry out the review.
- 1.12 There are several stages to be carried out as part the review process which are:
- 1.13 The Council agreeing the Terms of Reference of the review – once these have been approved the first stage of the Consultation will commence and will be for a total of 6 weeks and views will be sought from:

- Electors within the area
- Local Councillors
- Surrey County Council
- Royal Borough of Windsor and Maidenhead Council
- Relevant organisations

This will be in the form of:

- Mailshot to all properties within the designated area
- Posters on relevant noticeboards
- Council Website
- Email electors who the Council hold email addresses for
- Social Media posts
- Runnymede Talks

- 1.14 Responses will be by way of an online response form on the Council's website and also written responses. Once the first consultation period has passed, the responses will be collated and considered, and draft recommendations will be formulated for approval.
- 1.15 The draft recommendations will then form the second tranche of consultation and a repeat of the methodology in contacting those affected and interested parties will be repeated.
- 1.16 The final recommendations will be submitted for approval by Corporate Management Committee and full Council.
- 1.17 If the outcome of a CGR is to recommend the creation of a parish council, then the legal process to achieve that will be for Full Council to resolve to make what is termed an Order to give effect to the recommendations. That power is contained in section 86 Local Government and Public Involvement in Health Act 2007. There are procedural steps that the Council will have to follow in relation to the making of any such Order. Those steps are set out in section 96 Local Government and Public Involvement in Health Act 2007 and are as follows:
  - As soon as practicable after making the Order, the Council must deposit at its principal office—
    - (a) a copy of the reorganisation Order, and
    - (b) a map which shows the effects of the Order in greater detail than the map included in the order.
  - The Council must make the copy of the Order and the map available for public inspection at all reasonable times.
  - The Council must publicise that the Order and map are available for public inspection.
  - As soon as practicable after making the Order, the principal council must inform all of the following that the Order has been made—
    - (a) the Secretary of State;
    - (b) the Local Government Boundary Commission;
    - (c) the Office of National Statistics;
    - (d) the Director General of the Ordnance Survey;
    - (e) any other principal council whose area the order relates to.

1.18 An Order may, in addition to establishing a Parish Council also make provision for:

- (a) provision with respect to the transfer and management or custody of property (whether real or personal)
- (b) provision with respect to the transfer of functions, property, rights and liabilities

1.19 It will then be necessary to agree the number of councillors to be elected to the Parish Council and when the election to elect them will take place. Due to the timing of the review this will be too late to coincide with the postponed County Council elections to be held on 7 May 2026.

## 1.20 Cost to the Council Taxpayer – Parish Precept

1.21 A Parish Council precept is a tax that a Parish Council charges their local electors to meet their budget requirements. It is added to the Council Tax bill and is shown alongside other precepts such as county council, police, fire and social care. The precept is based on the number of properties in a parish that are liable to pay Council Tax, and the amount varies depending on the spending plans and needs of each Parish Council.

- **How is the precept calculated?** The precept is calculated by multiplying the council tax base (the number of properties in a parish that are liable to pay council tax) by the precept rate (the amount per property that the Parish Council decides to charge).
- **How is the precept spent?** The precept is spent on providing services and facilities for the benefit of the parish, such as maintaining public spaces, supporting community groups, or funding local projects.
- **How can a person find out how much precept a parish council charges?** A person can find out how much precept their Parish Council charges by looking at their Council Tax bill, or by contacting their Parish Council directly.
- **What is the Council Tax Base?** The Council Tax Base is effectively the number of properties in a particular area that are liable to pay Council Tax.
- **When is the Council Tax Base determined?** The Local Government Finance Act 1992 requires every billing authority to calculate its Council Tax Base in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012 and must do so at some point between 1st December and 31st January leading up to the next financial year.
- **Why is it expressed as Band D equivalents?** The legislation referred to above dictates that the Tax Base must be expressed as Band D equivalents, as a single measure of the number of properties liable to pay Council Tax.
- **How is it calculated?** All properties are valued by the Valuation Office Agency (an Executive Agency of Her Majesty's Revenue and Customs) into 1 of 8 Bands, A to H. The number of properties in each Band after taking account of discounts, exemptions, and the Local Council Tax Support Scheme in a particular area are converted to Band D equivalents using a prescribed formula:
- **What factors influence the movements from one year to the next?** As referred to above, not all properties are liable to pay the full amount of Council Tax as they may be entitled to a discount, exemption, or help through the Local Council Tax Support Scheme. Changes in discounts, exemptions & Local Council Tax Support, as well as new build properties and demolitions, all affect the level of the Council Tax Base.
- **Can the Council Tax Base change even if no new houses have been built in the Parish?** Yes – the Council Tax Base could change as a result of changes in discounts, exemptions & Local Council Tax Support.

- **Why is the Council Tax Base important when setting the Parish Precept?** The Council Tax Base is important as, in effect, it will be the number of properties the Parish Precept is levied against.
- **How is the precept reflected on Council Tax Bills?** The Parish Precept will be divided by the number of Band D equivalents in the Council Tax Base and then applied to Council Tax Bills in the proportions previously referred to. Both the old and new precept figures applicable to the relevant Band will be reflected on the face of Council Tax bills with a percentage increase from one year to the next rounded to 1 decimal place.
- **What factors should be considered when setting the total Parish Precept?** A Parish Council will need to consider what funding is required to pay for the provision of services it is proposing to undertake in the forthcoming year. It will also need to consider the number of Council Tax payers (Council Tax Base) that the precept will be levied against. A combination of these two factors will determine the impact upon individual Council Tax bills.
- **Is there a limit as to the annual increase in a precept?** Local Authorities have for a number of years been restricted to the amount they can increase Council Tax levels for Band D equivalent dwellings before which a referendum would be required to agree anything higher. No such restriction applies to Parish Councils although the Government has stated in past Local Government Financial Settlement Consultations that it would keep this under review and take action if necessary.
- **What information is required in support of the precept?** Parish Councils are required to complete the formal Precept demand form, which quantifies the precept required and will contain an authorising signature, and a Budget pro forma statement. The latter provides an estimate of expenditure and income which should balance back to the precept requested and will also require an authorised signature.
- **Is there any indication as to how much a precept will be?** The Society for Local Council Clerks produced figures to show the average Band D precept charged by local precepting bodies (including local councils) for 2024/25 which was £85.88, an increase of £6.74 or 8.5%.

## 1.22 What a Parish Council can do

- 1.23 Compared to higher tiers of English local government, parish councils have very few statutory duties (i.e. things they are required to do by law) but have a much more extensive range of discretionary powers which they may exercise voluntarily. For this reason, there are large variations in the activities of parish councils, depending on their size, resources, and abilities. If a Parish Council were established Runnymede would have to agree what functions might transfer to the Parish Council.
- 1.24 In the event of a new Parish Council being created, the full list of possible powers and duties are attached as Appendix 4. As is the case with all local authorities Parish Councils will carry out certain functions. There are certain functions a Parish Council is required to carry out and there are a number of functions that they have a discretionary power to carry out. The vast majority of functions a Parish Council can carry out are discretionary and will require the Parish Council to enter into agreements with the principal council for its area to take on the functions. Examples of the type of discretionary functions a Parish Council might take on would be the management of Open Spaces, looking after street furniture and looking after bus shelters. The number of functions a Parish Council takes on will dictate the level of precept it raises. Clearly the more functions the higher the precept. If a principal council agrees to transfer a function to a Parish Council it will not transfer its budget for that function but rather the Parish Council will have to meet the costs of carrying out the function via its precept.

## 2. Policy framework implications

- 2.1 The Council's Corporate Business Plan has a number of themes in it. One of those themes is Empowering our communities. As mentioned above, there are a number of possible outcomes for a CGR i.e. improve community engagement, bring communities closer together, create better local democracy and result in more effective and convenient delivery of local services. If a Parish Council were established, it could deliver outcomes that align with the Empowering our Communities theme.

### **3 Resource implications/Value for Money**

- 3.1 A CGR is difficult to predict in terms of required manpower resource. There are clear decision points and controllable activities within the timetable (such as preparatory work, drafting consultation documents and writing reports).
- 3.2 An analysis of the anticipated demands on services will be undertaken and allowing for unknown items via a contingency provision, it would be prudent to allocate £100,000 to fund stages one to four as set out in the terms of reference and timetable of the review process.
- 3.3 As stated in the report, it is difficult to predict the resource implications of a CGR, however, the assumptions made in this report have been informed following discussions with relevant services and drawing upon previous experiences. There is a risk that the allocated resource may be insufficient, but this will be closely monitored and highlighted where necessary.
- 3.4 If a Parish Council were to be created there would be an additional cost to each household within the area to cover the costs, this is known as a parish precept. Please see para 1.20 above which explains what a Parish Precept is.
- 3.5 There are currently no resources set aside for a Community Governance Review and therefore if approved, a supplementary revenue estimate would need to be approved by members to cover the costs. This additional cost will need to be taken from General Fund reserves

### **4. Legal implications**

- 4.1 The Local Government and Public Involvement in Health Act 2007 (Part 4) devolved power from the Secretary of State to principal councils to carry out CGRs and put in place or make changes to local community governance arrangements. This CGR will be undertaken in accordance with the Local Government and Public Involvement in Health Act 2007 and published guidance.

### **5. Equality implications**

- 5.1 Equalities issues associated with this activity are listed below:
- The CGR is an exercise of a function of the Council for the purposes of the Equality Act 2010 (as amended) requiring the Council to have due regard to the need to;
  - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The CGR will be carried out in compliance with the Council's public sector equality duty and where appropriate an

equalities screening or full impact assessment will be undertaken and submitted for review.

## **6. Environmental/Sustainability/Biodiversity implications**

- 6.1 In reaching out to the people who reside in the area, it is inevitable that posters and letters will be sent to every household so this could have an environmental implication. To mitigate this, we intend to encourage consultees to submit their responses via the website so that the responses can be collated easily.

## **7. Risk Implications**

- 7.1 As stated in the report, it is difficult to predict the resource implications of a CGR. There is a risk that existing resources will be insufficient to deliver the review. The sum of £100,000 has been allocated as a contingency.

The main risks for the carrying out of the CGR are:

- Timescales
- Legal obligation and a breach of legal duty
- Reputational risk
- Managing engagement and expectations
- LGR and the bringing together of multiple different processes

## **8. Other implications**

Not applicable

## **9. Timetable for Implementation**

A CGR has a strict timeline and must be completed within one year of the request being received. Below is the suggested timeline to carry out the review.

<b>Stage</b>	<b>Approximate Duration</b>	<b>Description</b>
1	Month 1-4  18 March – 18 July	<b>TERMS OF REFERENCE</b>  The Terms of Reference set out the extent and framework of the review. These must be approved by the Council and then published. Once published, the CGR can then formally start.
2	2 August - 15 September	<b>INITIAL CONSULTATION</b>  Following publication of the Terms of Reference, the Council undertakes a consultation. Residents in the affected areas, along with elected representatives at all levels, are invited to respond and give their views of community governance in the affected area.
3	CMC – 16 October - Council 23 October	<b>DEVELOPMENT OF DRAFT RECOMMENDATIONS</b>  Following the consultation, Officers will develop draft recommendations and present these to Council for approval. These will take the consultation responses into

		account, along with the statutory criteria, government guidance and best practice.
4	3 November – 15 December	<b>CONSULTATION ON DRAFT RECOMMENDATIONS</b>  Once approved by Council, the Draft Recommendations are published, and a second public consultation commences. This sets out the specific recommendations and invites responses to support or disagree with them. Respondents are invited to give additional evidence to support their views where relevant
5	15 December – 7 January-	<b>FORMULATION OF FINAL RECOMMENDATIONS</b>  Taking responses to the consultation into account, the Final Recommendations are developed by Officers.
6	CMC – 22 January Council – 26 February	<b>FINAL RECOMMENDATIONS APPROVED</b>  The Final Recommendations must be considered by Full Council.
7	18 March	<b>REORGANISATION ORDER MADE</b>  This legal Order puts any changes into place
8	TBA	<b>CONSEQUENTIAL MATTERS</b>  Establish an implementation steering group
9	TBA	<b>ELECTIONS</b>  date to be agreed as per CGR and Order

## 10. Conclusions

- 10.1 A CGR has to be carried out by a principal council, and it is used to review community governance arrangements in their area. Once a valid request has been submitted the local authority has a legal obligation to carry out the review and this report requires the committee and Full Council to endorse them.

## 11. Background papers

None

## 12. Appendices

- Appendix 1 - Application for a CGR – Englefield Green Neighbourhood Planning Forum
- Appendix 2 - Map of area to be covered by the CGR
- Appendix 3 - Terms of Reference and suggested timetable
- Appendix 4 - List of possible full powers of a Parish Council





Mr Andrew Pritchard  
Chief Executive Officer  
Runnymede Borough Council  
Civic Centre  
Station Road  
Addlestone  
KT15 2AH

18 March 2025

Dear Mr Pritchard

**Application for a community governance review to be undertaken in accordance with section 80A of the Local Government and Public Involvement in Health Act 2007.**

The application is made by the Englefield Green Village Neighbourhood Forum designated under Section 61F(5) of the Town and Country Planning Act 1990 (as amended).

The request is made based on the fact that a neighbourhood development plan passed at referendum exists for the area.

The area is as per the Englefield Green Village Neighbourhood Forum area which is attached at Annex A.

The applicant wishes the community governance review to consider making the area covered by the Englefield Green Village Neighbourhood Forum into a Parish Council. This application is made in the light of the English Devolution White Paper and the reorganisation from the current two tier system into a single tier system. The application takes into account the comments in the letter dated 12 February 2025 from the Minister of State for Local Government and English Devolution (attached at Annex B) "We will therefore want to see stronger community arrangements when reorganisation happens in the way councils engage at a neighbourhood or area level".

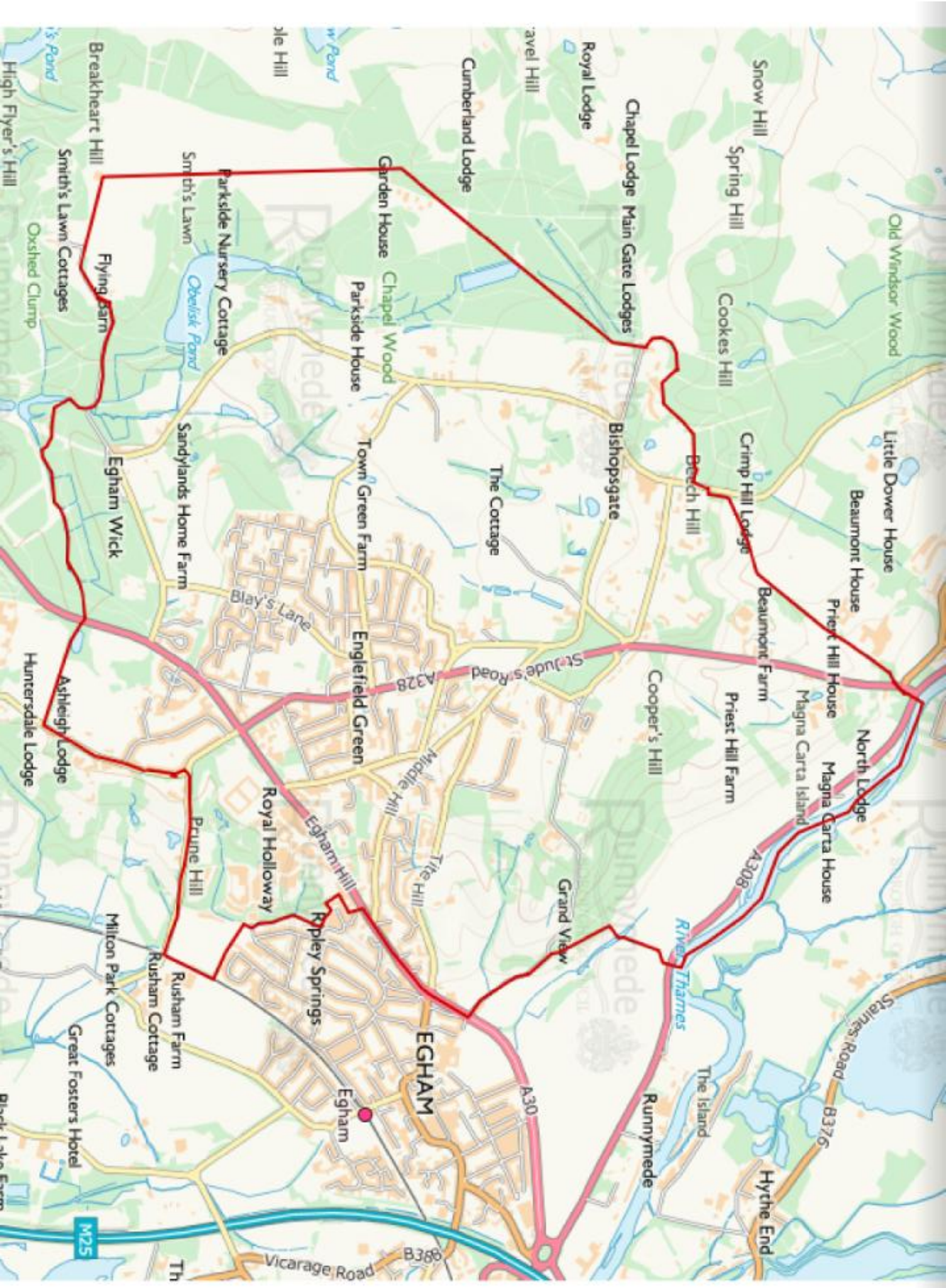
The progression from a Neighbourhood Forum to a Parish Council in Englefield Green therefore appears to be an appropriate course to take to achieve the objective of "stronger community arrangements".

Yours sincerely

Mike Kelly

Chair  
Englefield Green Village Neighbourhood Forum Steering Committee

Appendix 2 – Map of area to be covered by CGR



## Appendix 3 – Terms of Reference and Timetable

Terms of Reference and Timetable	
For a Community Governance Review	
Of the Englefield Green Neighbourhood Forum area	
July 2025	

### Introduction

Runnymede Borough Council has been approached by the Englefield Green Neighbourhood Forum to undertake a Community Governance Review (CGR) under the provisions of the Local Government and Public Involvement in Health Act 2007, to consider the creation of a parish covering the Englefield Green Neighbourhood Forum area.

### What is a Community Governance Review

A CGR is a review of part of the Runnymede Borough to consider one of more of the following:

- Creating, merging, altering or abolishing parishes
- The naming of parishes and the style of new parishes
- The electoral arrangements for parishes (the ordinary year of election, council size, the number of councillors to be elected to the council, and parish warding), and
- Grouping parishes under a common parish council or de-grouping

### Why undertake a Community Governance Review?

A CGR provides an opportunity for principal authorities to review and make changes to community governance within their area. Such reviews can be undertaken when there have been changes in population or in reaction to specific, or local, new issues to ensure that the community governance for the area continues to be effective and convenient and it reflects the identities and interests of the community.

The government has emphasised that ultimately, recommendations made in a CGR ought to bring about improved community engagement, more cohesive communities, better local democracy and result in more effective and convenient delivery of local services.

### Considerations of a Community Governance Review

Considerations of a Community Governance Review Section 93 of the 2007 Act requires principal councils to ensure that community governance within the area under review will be:

- a) reflective of the identities and interests of the community in that area; and
- b) effective and convenient to the community in that area. In doing so the review is required to take into account:

- a) the impact of community governance arrangements on community cohesion; and
- b) the size, population and boundaries of the local community or parish

### Terms of Reference

To consider the creation of a parish council to cover the Englefield Green Neighbourhood Plan area.

### Timetable for the Review

Stage	Approximate Duration	Description
1	18 March – 18 July	<b>TERMS OF REFERENCE</b> The Terms of Reference set out the extent and framework of the review. These must be approved by Corporate Management Committee and Recommended the Council at its meeting on 17 July and then published. Once published, the CGR can then formally start.
2	2 August - 15 September	<b>INITIAL CONSULTATION</b> Following publication of the Terms of Reference, the Council undertakes a consultation. Residents in the affected areas, along with elected representatives at all levels, are invited to respond and give their views of community governance in the affected area.
3	CMC – 16 October - Council 23 October	<b>DEVELOPMENT OF DRAFT RECOMMENDATIONS</b> Following the consultation, Officers will develop draft recommendations and present these to Corporate Management Committee and Recommended to Council for approval. These will take the consultation responses into account, along with the statutory criteria, government guidance and best practice.
4	3 November – 15 December	<b>CONSULTATION ON DRAFT RECOMMENDATIONS</b> Once approved by Council, the Draft Recommendations are published, and a second public consultation commences. This sets out the specific recommendations and invites responses to support or disagree with them. Respondents are invited to give additional evidence to support their views where relevant
5	15 December – 7 January-	<b>FORMULATION OF FINAL RECOMMENDATIONS</b> Taking responses to the consultation into account, the Final Recommendations are developed by Officers.
6	CMC – 22 January Council – 26 February	<b>FINAL RECOMMENDATIONS APPROVED</b> The Final Recommendations must be considered by Corporate Management Committee and Recommended by Full Council.
7	18 March	<b>REORGANISATION ORDER MADE</b> This legal Order puts any changes into place
8	TBA	<b>CONSEQUENTIAL MATTERS</b> Establish an implementation steering group
9	TBA	<b>ELECTIONS</b> date to be agreed as per CGR and Order

### Consultation

Before making or publishing Final Proposals, in line with legislative requirements, Runnymede Borough Council will take full account of the views of local people and will comply with legislative requirements by;

- a) consulting local government electors for areas under review;



- b) consulting any other person or body (including a local authority or elected representative) which appears to the principal (County and Borough) council to have an interest in the review;
- c) taking into account any representations received in connection with the review.

When taking account of written representations, the Council is bound to have regard to the need to secure that community governance within the area under review is;

- a) reflective of the identities and interests of the community in that area; and
- b) effective and convenient to the community in that area.

In order to ensure that this review is conducted transparently, as soon as practicable the Council will publish its recommendations and take such steps as it considers sufficient to ensure that persons who may be interested in the review are informed of the recommendations and the reasons behind them. This will consist of two phases of consultation. The first will seek initial views and desires of local residents, groups and stakeholders, and will form the basis of the draft recommendations. The second phase will seek views upon those draft recommendations, to allow final recommendations to be formed.

Consultation and awareness raising will consist of various communication methods, such as direct mailings, media posts (digital and printed), on the ground workshops where viable, and each will explain how residents and stakeholders can submit their views.

### The value of local councils

Local parish and town councils play an important role in terms of community empowerment at a local level and want to ensure that local governance in the areas subject to this review continue to be robust, representative and enabled to meet the challenges that lie before it.

### Electoral arrangements and councillor representation

An important part of the Review will be to consider the 'Electoral Arrangements' and will cover the how a council is constituted for the parish comprising the following:

- The ordinary year in which elections are held;
- The number of Councillors to be elected to the council;
- The division (or not) of the parish into wards for the purpose of electing Councillors;
- The number and boundaries of any such wards;
- The number of Councillors to be elected for any such ward; and
- The name of any such ward.

The Local Government Act 1972 states that ordinary election of Parish Councillors shall take place in 1976, 1979 and every fourth year thereafter (i.e. 2007, 2011, 2015, etc) However, parish elections may be held in other years to coincide with the cycle for the principal Council, so that the costs of elections can be shared. If the CGR finds that it will be appropriate to hold an election for Parish Councillors, for a newly formed parish, at an earlier date than the next scheduled ordinary elections, the terms of office of any newly elected Parish Councillors will be so reduced as to enable the electoral cycle to revert to the normal cycle in the district at the next ordinary elections.

Runnymede Borough Council notes that the number of Parish Councillors for a parish council shall not be less than five. There is no maximum number and there are no rules relating to the allocation of Councillors. There are, however, guidelines produced both by the National Association of Local Councils and by the Aston Business School and Runnymede Borough Council will be mindful of these during the review. The Government's guidance is that "each area should be considered on its own merits, having regard to its population, geography and the

pattern of communities.” Therefore, Runnymede Borough Council is prepared to pay attention to existing levels of representation, the broad pattern of existing council sizes and the take up of seats at election time.

### How to contact us

If you would like to say how you view potential future arrangements under these Terms of Reference please respond to the online consultation on the Runnymede Borough Council Website Community governance reviews – Runnymede Borough Council or in writing to the Elections Office, Runnymede Borough Council, Civic Offices, Station Road, Addlestone, Surrey KT15 2AH:

## Appendix 4 – List of possible full powers of a parish council

### **The role of a Parish Council**

Their activities fall into three main categories: representing the local community, delivering services to meet local needs, and improving quality of life and community wellbeing.

Parish councils have the power to tax their residents to support their operations and to carry out local projects, and this is done through the Council Tax system. Although there is no limit to the amount that can be raised, the money can only be raised for a limited number of purposes, listed below, as defined in the 1894 Act and subsequent legislation. Compared to higher tiers of English local government, parish councils have very few statutory duties (i.e. things they are required to do by law) but have a much more extensive range of discretionary powers which they may exercise voluntarily. For this reason, there are large variations in the activities of parish councils, depending on their size, resources and abilities. The "General Power of Competence" is a power awarded in 2012 to eligible councils, which further broadens the scope of activities that councils can be involved in.

#### **Duty to provide facilities**

Allotments- Duty to consider providing allotment gardens if demand unsatisfied. [https://en.wikipedia.org/wiki/Parish\\_council\\_\(England\)](https://en.wikipedia.org/wiki/Parish_council_(England))

#### **Powers to provide facilities**

Parish councils may exercise powers to provide, maintain and manage certain facilities. There are large variations in the facilities provided by parish councils, but they can include any of the following:

- Buildings for community use, such as village halls, town halls or community centres
- Recreational facilities such as parks, playgrounds, playing fields and swimming baths
- Cemeteries and crematoria
- Litter bins
- Public seats
- Public toilets
- Public clocks
- Cycle and motorcycle parking
- Maintenance of rights of way
- Guardianship of common land (such as village greens)
- Maintenance of war memorials

They may also provide the following, subject to the consent of the county council, unitary authority council of the area in which they lie.

- Bus shelters
- Lighting of roads and public places
- Off-street car parks
- Certain traffic signs and other public notices
- Provision, maintenance and protection of roadside verges
- Establishment or acquisition of markets, and provision of marketplaces and market buildings

#### **Consultative powers**

Parish councils have the statutory right to be consulted by the local district, borough, county council or unitary authority.

- All planning applications in their areas
- Intention to provide a burial ground in the parish
- Proposals to carry out sewerage works
- Footpath and bridleway (more generally, 'rights of way') surveys
- Intention to make byelaws in relation to hackney carriages, music and dancing, promenades, seashore and street naming
- The appointment of governors of primary schools

### **Miscellaneous powers**

Parish councils may also exercise the following powers:

- Sponsoring public events
- Support of the arts and provision of entertainment
- Encouragement of tourism
- Providing grants to local voluntary organisations
- Funding crime prevention measures
- Providing grants for bus services, and funding community transport schemes
- Contribution of money towards traffic calming schemes
- Cleaning and drainage of ponds, watercourses and ditches
- Power to obtain water from any well, spring or stream
- Creation of a neighbourhood plan
- Power to acquire or dispose of land
- Withholding of consent to stop up unclassified highways and footpaths
- Appointing trustees of local charities
- Power to make byelaws regarding pleasure grounds, cycle parks, baths and washhouses, open spaces and burial grounds, and mortuaries and post-mortem rooms.
- Under the 2021 Environment Act, public authorities (including town and parish councils) operating in England must consider what they can do to conserve and enhance biodiversity.

### **General power of competence**

Under the Localism Act 2011 eligible parish councils can be granted a "general power of competence" (GPC) which allows them within certain limits the freedom to do anything an individual can do provided it is not prohibited by other legislation, as opposed to being limited to the powers explicitly granted to them by law. [https://en.wikipedia.org/wiki/Parish\\_council\\_\(England\)](https://en.wikipedia.org/wiki/Parish_council_(England)) To be eligible for this a parish council must meet certain conditions, such as at least two-thirds of the councillors being elected as opposed to being co-opted or appointed, and having a clerk with suitable qualifications. [https://en.wikipedia.org/wiki/Parish\\_council\\_\(England\)](https://en.wikipedia.org/wiki/Parish_council_(England)) However, such activities cannot use precept funding, and specific funding must be obtained from other sources.

[https://en.wikipedia.org/wiki/Parish\\_council\\_\(England\)](https://en.wikipedia.org/wiki/Parish_council_(England))

In principle the GPC can allow councils to engage in a range of activities such as setting up a trading company or co-operative to operate commercial activities, such as lending or investing money, or running a local shop, post office or energy company. Or allow it to contribute towards the provision of a service by another authority.