

A HISTORY OF  
PARISH COUNCILS  
AND THEIR  
REPRESENTATIVE ASSOCIATIONS

1894 - 1970

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PREFACE

This is a history of the part played by parish councils in English and Welsh local government and of the part played in the work of parish councils by their associations, with particular emphasis on the period since 1945 and the present National Association of Parish Councils.

The history is divided, for convenience, into three periods, separated by the two World Wars. For each of these periods the work of parish councils, attitudes to parish councils and the work of associations of parish councils are examined.

In describing how the work of parish councils has developed since their first establishment, this history is not restricted merely to chronicling the changes in the legal constitution and powers of parish councils, but also describes, as far as is possible, what activities parish councils actually undertook at various periods, for their statutory functions have always been permissive not obligatory and some of their activities have not depended on any legal sanctions. On account of this and the differences in parish population and resources, the variety of parish councils' work is described, not just that of a hypothetical 'typical' parish council. Other aspects of parish councils' part in local government such as their relations with other local authorities, their finance, the role of the parish clerk and the sort of people who have served on parish councils, are also examined.

The way in which parish councils have developed has been influenced by the changing ambitions which it has been hoped parish councils would be a means of realising. They were first advocated, and opposed, as organs of local democracy and secularisation of church powers, especially over charities, and a means of emancipating the rural labourers who could control their local councils and obtain allotments. After compromises in legislation and the actual performance of the first parish councils disappointed the more exaggerated expectations, new hopes began to be placed on parish councils as they came to be regarded less as a means of emancipating a section of rural society and more as a means of organising the cooperation of the whole community, working with voluntary groups to provide village halls or sports grounds. From this have developed the present attitudes that generally regard the role of parish councils as the collective expression of local opinion to other authorities and the provision of a variety of minor amenities.

Linked to this is the history of parish council associations. Early attempts to inform and assist parish councils with journals and an association gradually failed. In the 1920s an association founded to act as a pressure group swiftly collapsed, but the sponsorship of an outside body enabled the growth of another organisation which in 1947 became the N.A.P.C. The organisation of the N.A.P.C. is described and its work, both in attempting to influence the

Government and Parliament and in giving advice and assistance to parish councils. The former chapter may also be read as a case study of the work of a national pressure group, the latter shows the particular importance of such assistance to parish councils, with their limited finance and staff.

The history is continued to the present day, when parish councils are on the brink of what might be their biggest single change since 1894, and so concludes with a description of the part proposed for parish councils in the envisaged reform of local government.

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CONTENTS

	<u>page</u>
CHAPTER 1 The Creation of Parish Councils	10
CHAPTER 2 Parish Councils in their First Two Decades	38
CHAPTER 3 The First Association of Parish Councils and the First Magazines for Parish Councillors	73
CHAPTER 4 Parish Councils in the Inter-War Period and the Attempts to Form Associations of Parish Councils	98
CHAPTER 5 The Structure and Organisation of the National Association of Parish Councils	145
CHAPTER 6 The Influence of the N.A.P.C. on Government and Parliament.	195
CHAPTER 7 The N.A.P.C. and Parish Councils	255
CHAPTER 8 Parish Councils since 1945: the Structure and Organisation of Parish Government	279
CHAPTER 9 Parish Councils since 1945: the Work of Parish Councils	331
EPILOGUE The Position of Parish Councils in Proposals for the Reform of Local Government	362
Appendix: The Sample Survey of Parish Councils, 1966	378
Tables	382

LIST OF TABLES

<u>Table</u>	<u>page</u>
1 Occupations and Social Class of Parish Councillors, 1894	382
2 Number of Active Parish Councils, 1896-1915	384
3 Average Rates Raised by different types of Rural Local Authority, 1895-1920	385
4A Parish Councils' Expenditure by subject, 1896-9, 1934-5 and 1964-5	386
4B Parish Council Loan Sanctions, 1895-1915, Loan Debt 1935, and Loan Debt 1965, by subject.	388
5 Parish Councils' Expenditure, Precept and Average Rates Precepted, 1895-1969	390
6 Enactments that the N.A.P.C. claims to have influenced, 1948-1965	392
7 Powers conferred on parish councils by enactments promoted by county councils, 1935-1968	396
8 Number of Requests made by Parish Councils to their Association of Parish Councils in the year 1965-6, by population of parish	399
9A Contested elections for parish councils, 1964-6, by population	400
9B Contested elections for local councils, 1964-6, by type of council	400
10A Parish Councillors (1966) and other local councillors (1964), by age	401
10B Parish Councillors (1966) and other local councillors (1964), by sex.	401
10C Parish Councillors (1966) and other local councillors (1964), by occupation	402
11 Id. Rate Products of Parish Councils, 1956 and 1963	403
12 Income and Expenditure of Parish Councils and Meetings, 1964-5	404
13 Uses to which the 'Free Fifth' has been put	405
14 Pressure Group Activities of Parish Councils, by population and subject	410
15A Voters' Turnout in Parish Council Elections, 1964-6	411
15B Voters' Turnout in Local Elections, 1964-6	411
16A Attendance at Parish Meetings, 1966	412
16B Attendance at Parish Meetings, by population, 1966	412

<u>Table</u>	<u>page</u>
16C Average Attendance at Parish Meetings, by population, 1966 & 1967	413
17A Frequency of Parish Council Meetings, by population, 1966	414
17B Duration of Parish Council Meetings, 1966	415
17C Starting Time of Parish Council Meetings, 1966	415
18A Number of Parish Council Committees, by population, 1966	416
18B Frequency of Meetings of Parish Council Committees, 1965-6	416
18C Subjects of Parish Council Committees, by population, 1966	417
19A Age of Parish Councillors, by population of parish, 1966	418
19B Sex of Parish Councillors, by population of parish, 1966	418
19C Occupations of Parish Councillors, by population of parish, 1966	419
20A Length of Service of Parish Councillors, by population of parish, 1966	420
20B Length of Service of other local Councillors, 1964	420
21A Parish Councillors also sitting on other councils, by population, 1966	421
21B Other Local Councillors also sitting on parish councils, 1964	421
22A Nomination of Parish Councillors by Political Parties, by population, 1966	422
22B Nomination of Councillors by Political Parties, by type of council, 1964	423
23A Occupations of Parish Council Clerks, by population, 1966	424
23B Extent of Sharing Services of Parish Council Clerks, 1966	425
24A Pay of Parish Council Clerks, 1956 and 1966	426
24B Pay of Parish Council Clerks, by population of parish, 1966	427
25 Expenditure of Parish Councils, by population, 1966	428
26 Precepts of Parish Councils, by population, 1966	429
27A Exercise of Certain Powers by Parish Councils, by population, 1966	431
27B Parish Councils Appointing Charity Trustees, 1966	431
28 Use of 'Free Fifth' Power by Parish Councils, by population, by 1966	432

<u>Table</u>	<u>page</u>
29 Subject of Parish Council Meetings (Administration or Representation), by population, 1956-6 <del>1965-6</del>	433
30 Delegation of R.D.C. Powers to Parish Councils or Parochial Committees, by population, 1966	434
31 Number of Voluntary Bodies with whom Parish Councils cooperate, by population, 1966	435
32A Size of Parish Councils, 1966	436
32B Average Size of Parish Councils, by population, 1966	436
33 Form of Parish Government, by population, 1965	437
34 Changes in the 'Real' Financial Limits on Parish Councils' Precept Power, 1895-1968	438
35 Use of New Powers by Parish Councils, by 1963	439
36 Expenditure and Rate Income, actual and per head of different types of local authority, 1964-5.	441

CHAPTER 1

THE CREATION OF PARISH COUNCILS

The parish had been historically the most important local government unit below the county, but from 1834 onward powers were increasingly conferred on a variety of ad hoc authorities. Boards of Guardians for the relief of the poor were established by the Poor Law Amendment Act, 1834, local Boards of Health by the Public Health Act, 1848, and Highway Boards by the Highway Act, 1862. After the abolition of the church rates in 1868, the parish was described as 'a historical organisation without any administrative work'.<sup>1</sup> Though the vestry became a shell, the parish retained significance as the rating unit for poor law and other purposes.

Goschen's Rating and Local Government Bill of 1871, which was dropped, attempted to reform parish government. This bill proposed parochial boards, elected annually by the ratepayers, endowed with the powers of the vestry, the overseers, the surveyor and the lightening inspector, but the main function of the parish was to have been the basic rate-levying unit of which the various ad hoc areas were composed.<sup>2</sup> A particular feature of Goschen's plans was the role he proposed for the chairman of the parochial board as the clearly identified and easily accessible officer and spokesman of the parish, a role more similar to that of a French village 'maire' than to anything in English local government. Goschen hoped that the chairmanship

1. Redlich, J. and Hurst, F.W. - 'Local Government in England', Vol. 1, 2nd ed., p.168.

2. Speech by Goschen - Hansard (H of C) Debates -  
3 Apr. 1871, Col.1115-1141

of the parochial board would be 'an important and desired post, the organ and mouthpiece of the board'.<sup>3</sup>

Goschen's bill was dropped but the chaos of functions, chaos of areas and chaos of franchises in local government on which he had remarked, led to the reform of local government soon becoming a perennial proposal. Such reform was promised in the Queen's Speeches of 1882, 1883 and 1884, yet time was never found to introduce the necessary legislation.<sup>4</sup> The radical wing of the Liberal Party especially favoured the extension of local democracy outside the boroughs. The 'Radical Programme' of 1885, an anonymous work but with a preface by Joseph Chamberlain, said that 'the power of local self-government ((was)) in the interests of the rural labourers second only in importance to the Parliamentary franchise'.<sup>5</sup> Chamberlain became the President of the Local Government Board in the Liberal Cabinet of 1886 and began preparation of a bill for the reform of local government<sup>6</sup> but he very soon resigned in opposition to the Home Rule Bill. Before such a Local Government Bill was introduced, the Home Rule Bill was the occasion of the defeat and resignation of Gladstone's government.

3. Goschen, G.J. - 'Reports and Speeches on Local Taxation 1872 pp.195-7.

4. Speech by Ritchie - Hansard (H of C) Debates - 14 Apr 1891, Col. 574.

5. The Radical Programme -- 1885. Pamphlet.

6. Collings, J. and Green, J.L. - Life of Jesse Collings, 1920, p. 192.

The subsequent Conservative government did achieve a measure of local government reform. Ritchie, the 'progressive' Conservative who was Salisbury's President of the Local Government Board, was responsible for the Local Government Act 1888, which established county councils and county borough councils and, contrary to the Conservative proposals of 1868, 1878 and 1879, established these as elected bodies. Ritchie's reforms were, however, only partially accomplished. He had proposed the establishment of district councils. Further legislation to reform the lower tiers of local government was promised then by the government, but the matter was postponed each year.

After 1888 it was widely agreed that there ought to be reform of local government below the county level. Opinion differed, however, on the relative powers that should be given to parish or district authorities in the rural areas, radical opinion favouring the parish and conservative opinion the district in general. What divided opinion thus was not so much differences in the estimations of the efficiency of parish or district authorities, or differences in the extent of loyalties to any traditional pattern of local government organisation, but the generally agreed expectation of the effects of the alternative reforms on the relative powers and influence of landlord and tenant, farmer and labourer, in the rural areas. Radicals hoped and conservatives feared that parish authorities could offer more scope than district authorities for working class participation in local government.

The Conservative Party was the more inclined to

emphasise the position of district councils in their proposed reforms. If Lord Salisbury considered that it had been 'a special doctrine ((of the Tory Party)) for many a generation that people in their own localities should govern themselves',<sup>7</sup> it was not parochial self-government he envisaged. The postponed portion of the 1888 bill had dealt with district not parish councils and it had been asserted by some of the opponents of the bill that its enactment would have destroyed the position of the parish in local government.<sup>8</sup> Although Ritchie said that the Conservative government would have been 'glad to have proposed a reconstruction of parochial organisation',<sup>9</sup> this would have been more an administrative reform than a transfer of important powers.

The Liberal Party emphasised the position of parish councils in their proposals for the reform of local government. A resolution in favour of a Parish Councils Bill was regularly passed by the National Liberal Federation.<sup>10</sup> The 1891 Newcastle Programme, on which the Liberal Party fought the 1892 General Election, included the establishment of 'district and parish councils popularly elected, with compulsory powers to local authorities to acquire and hold land for allotments, small holdings, village halls, places of worship, labourers' dwellings' etc.<sup>11</sup>

7. Quoted by Dilke in a Speech at Halifax, printed as a pamphlet - 1885.

8. For example a Speech by Dyke-Acland - Hansard (H of C) Debates - 14 Apr 1891. Col. 534.

9. Quoted by Fowler - Hansard (H of C) Debates - 21 Mar 1893, Col. 679, and by Lord Ripon, Hansard (H of L) Debates - 24 Jan 1894, Col. 1570

10. Redlich, J. and Hirst F.W. - 'Local Government in England', 1903, Vol. 1, p. 206

11. The Newcastle Programme, a Declaration of the National Liberal Federation - Oct. 1891, Liberal leaflet No. 1589

The position of Liberal Unionists, such as Joseph Chamberlain and Jesse Collings, was nearer to that of the Liberals than the Conservatives on the issues of rural local government.<sup>12</sup> Their secession on the issue of Irish Home Rule did not destroy their former radical sympathies.

There were three basic features of the Liberal plans for the reform of the rural local government; the establishment of elected parish councils as well as district councils, the endowment of these councils with power to establish allotments, if necessary by compulsory purchase of land, the transfer to these parish councils of the residual non-ecclesiastical powers of the vestries. These proposals were naturally of concern to the rural parliamentary electors and members of parliament; the adduction of wider principles of local democracy, welfare of the labouring classes, and secularisation of Church powers in support of the reforms gave an interest in the matter to radicals and nonconformists in the towns.

Advocates of local self-government included not only radicals such as Dilke, who said that it was the rural areas that most lacked democracy and that local government would 'restore a healthier local life, bring all classes nearer together and make the country a happier one for the rural poor',<sup>13</sup> but also Gladstone himself who believed that

12. Garvin, J.L. - 'Life of Joseph Chamberlain' - 1932 etc., Vol. 2 p. 580

13. Speech at Halifax, printed as a pamphlet - 1885.

parochial self-government would 'carry home to the mind of the peasant and the agricultural labourer the principles and obligations of, and secure fully to them the benefits of, local government'.<sup>14</sup> A Liberal Rural Reform Conference in 1891 urged the importance of the proximity and accessibility of local government offices and places of meeting to the governed, in order to enable full democratic participation, and for this reason considered parish councils to be preferable to district councils.<sup>15</sup> An 1892 Liberal election pamphlet said that Liberals wanted parish councils in order to put the rural labourer in a position to improve his condition and take a useful interest in the affairs of his village'.<sup>16</sup>

As many of the rural working class had been given the parliamentary vote in 1834, few explicitly denounced rural local self-government in itself, although contempt was clearly visible in such statements as that of Salisbury in the 1892 election campaign that 'the rural population would be more amused by a circus or something of that kind than by having village councils'.<sup>17</sup>

There were, however, more serious doubts about the possibilities afforded by the parish council as the epitome of local democracy and also about the capability of any local government reform in itself to cause revolutionary social change.

14. Speech at Manchester - 1889. The Times - 3 Dec. 1889

15. Speech at the Rural Reform Conference - 1891, printed as a pamphlet, p.5.

16. Pamphlets of Liberal Speeches - 1892.

17. Kennedy, A.L. - 'Salisbury (1830 - 1903). Portrait of a statesman', 1953, p.199

The former doubts were perhaps best expressed by Sir Henry Fordham, later to be Chairman of Cambridgeshire County Council and a leading figure in the County Councils Association, who thought that 'in parishes there ((were)) neither enough important or interesting matters to attract people nor enough people to give a representative council' (meaning apparently that the councils would be dominated by a few), whereas 'district councils ((would)) attract the interest of the elite and ((be)) good training grounds' for county council and parliamentary membership.<sup>18</sup> A more important criticism was his view that enthusiasts of the parish ignored contemporary social change, 'the decay of the village in population, in prosperity and in public spirit and even in public independence and freedom ... and the growth of towns', as well as the disadvantages due to the varied population and acreage and crazy boundaries of parishes.<sup>19</sup> Another author agreed with the advocates of parish councils that a social revolution was desirable in the countryside, but insisted that this had to be gradual as 'for so many centuries the village ((had)) been under the thumb of parson and squire that the attainment of an independent position ((seemed)) almost impossible and indeed wrong.'<sup>20</sup>

Parish councils were to be a means of emancipating rural labourers not simply as organs of local democracy,

18. Fordham, H.G. - 'Rural Municipalities and the Reform of Local Government', 1887, pp.5-6.

19. Ibid., p.14.

20. Knight, W.S.M. - 'Practical Parish Politics', 1894, p.2.

but more specifically as means of bringing, as Chamberlain had hoped to do in 1886, the 'labourers into closer connection with the land',<sup>21</sup> by providing them with the three acres, if not the cow, of Jesse Collings' slogan. (A magazine was to suggest later that parish councils should take on the additional work of acting as cow-hire agencies.<sup>22</sup>). The connection of a healthy democracy with an independent peasantry was an idea going back at least to the Chartists' land settlement schemes. When it was claimed that landlords were the 'greatest enemy of the human race',<sup>23</sup> the rage was against the diffuse, wide ranging powers that they were considered to derive from their economic position. The suffrage might afford farm labourers the appearance of political power, but some land of their own or rented from a council controlled by themselves would help to free them from the economic powers of their employers who might otherwise influence their exercise of their democratic rights. Labouchere, the radical Liberal M.P., was even to see the modest allotments powers proposed for parish councils as the beginning of a gradual transference of all land to public ownership.<sup>24</sup> Others stressed the economic importance of allotments; Gladstone in 1892 claimed that it was 'the small holdings of France that ((had)) brought that country's wealth to a point so marvellously large'.<sup>25</sup> To those who

21. Collings, J. and Green J.L. - op. cit. p. 192.

22. Parish Councillor - Nov. 1894.

23. For example Morrison, J.D. - 'The Villagers' Magna Charta,' 1894.

24. Speech at Northampton, quoted in Thorald, A.L. - 'Life of Henry Labouchere', 1913, p.433

25. Pamphlets of Liberal Speeches - 1892.

sympathised with the view that we owed 'our Colonial Empire and our place among other nations' to the health of our country life<sup>26</sup> and who felt, with the poet, that 'a bold peasantry, their country's pride, when once destroyed, can never be supplied',<sup>27</sup> the contemporary rural depopulation was ominous and it was hoped that the political, economic and social emancipation of the rural labourers, by, amongst other things, the Liberal local government reforms would arrest that decline. That would have been indeed a vast task for the number of agricultural labourers and shepherds had fallen from 1,110,000 in 1851 to 757,000 in 1891 in a period when the total population had risen rapidly.<sup>28</sup>

Landlords naturally opposed all proposals that parish councils should have compulsory powers to purchase their lands for allotments, in spite of suggestions that such allotments might benefit them if they did indeed attract workers to stay in the villages.

In the English, and Welsh, villages there was often hostility to the parson as well as to the squire and the two were often linked. A West Country member of Parliament claimed a desire in that region 'to get rid of the dominating influence <sup>of</sup> ~~on~~ both squire and parson in parish matters'.<sup>29</sup>

26. Stephens, H.C. - 'Parochial Self-Government in Rural Districts' - 1893, p. 19

27. Goldsmith, O. - 'The Deserted Village'

28. Harben, H. - 'The Rural Problem', 1913, pp. 2-3

29. Speech by Seal-Hayne - Hansard (H of C) Debates - 14 Apr. 1891, Col. 554.

The Liberals proposed that new councils should take over the non-ecclesiastical powers of the vestries and finally dis-associate the established Church from the new, wholly secular, local government system. The importance of the parish vestries in local government had in fact already been largely destroyed by earlier nineteenth century local government reform measures. The control of parochial charities remained, however, in the hand of the vestries, and it was proposed that this control insofar as the charities were secular in object, should pass to secular local councils. It was claimed that the vestries discriminated in the management of such charities against nonconformists and Roman Catholics. For instance, Joseph Arch, the Warwickshire Labourer M.P. and President of the National Union of Agricultural Labourers, claimed that often in his experience 'decent and honourable men could not get a fraction from charities because they were Liberals or nonconformists'.<sup>30</sup> Some Anglicans denied this, others implicitly admitted it in arguing that Anglican testators would expect such preference to be given to other Anglicans. Some others who argued in favour of parish council control of parish charities, objected to the right of the Charity Commissioners to intervene in the direction of smaller charities, as they felt the Commissioners were biased against doles and treats and in favour of secondary education and libraries, of which many of the labouring classes

30. Papers relating to the passing of the Local Government Act 1894, collected and bound and kept at present in the Library of the Ministry of Housing and Local Government (now part of the Department of the Environment), hereafter referred to as 'Local Government Act, 1894, Papers MHLG'.

were less appreciative.<sup>31</sup> Some Liberals desired that control of National (Anglican) Schools should likewise be transferred to the secular local councils, a proposal that was even more vehemently opposed by Anglicans, and the strength of the objections was such that the Liberal bill was to include a clause specifically stating that Church Schools were not to be treated as secular parish charities.

Other aspects of the proposed reforms that attracted nonconformists especially included power for parish councils to establish village halls which could be hired as meeting places by those refused the use of church halls.<sup>32</sup> The 1891 'Newcastle Programme' proposed that one function of parish or district councils should be to acquire land for places of worship, presumably where local landlords, of another denomination, refused to sell.<sup>33</sup>

Another, though less important, source of enthusiasm for parish councils and, more especially, parish meetings were those who saw them as a return to some golden age of Saxon democracy. Toulmin Smith in the 1850's had campaigned for the parish as an important English Common Law Institution (which gave it seemingly a sanctity denied to statutory bodies established by 'Perpetually shifting legislation') and against 'ecclesiastical usurpation and bureaucratic encroachment'.<sup>34</sup>

31. Collings, J. and Green J.L. - op. cit., pp. 218-299.

32. Speeches at the Rural Reform Conference, 1891, printed as a pamphlet, p. 10.

33. The Newcastle Programme, a declaration of the National Liberal Federation - Oct 1891, Liberal leaflet no. 1589.

34. Smith J.T. - 'The Parish', 1954, p. 10.

He was nothing if not whole-hearted in propounding these views: 'He who pretends to sneer at or despise the Parish, instead of showing his own intelligence or superiority only shows, then, that he is a sneerer at and despiser of the Laws and Institutions of his country; that, heedless of his own duties, he heeds as little the welfare of his neighbours. He proves himself alike unconscious of the spirit of religion and morality and of that temper which constitutes the highest characteristic of the freeman'.<sup>35</sup> Amongst other things parish government improved the 'moral, social, physical, intellectual and industrial condition of the people'.<sup>36</sup> Toulmin Smith was popular for a time with opponents of Chadwick and centralisation,<sup>37</sup> but few wholly supported his position. Gneist's work was to throw doubt on the historical accuracy of some of his claims, for example, the secular origin of the parish and the democratic nature of the Anglo-Saxon village.<sup>38</sup> However, echoes of Smith's views could still be found, especially among those who cherished England's Germanic origins in the heyday of Teutonicism towards the end of the century, when a writer on local government could begin his exposition with the day 'when the first fair-haired warriors strode ashore on the Kentish soil'. Sir Charles Dilke who believed that 'freely elective and representative institutions' were a general

35. Smith, J.T. - op. cit. pp. 5-6

36. Smith, J.T. - op. cit. p. 552

37. Redlich, J. and Hirst, F.W. - op. cit., vol. 2 pp. 413-4.

38. ~~Gneist~~, R. - 'The History of the English Constitution'.  
Gneist

possession of the Indo-European races,<sup>39</sup> said in Halifax in 1885 the Liberal proposals for local government were that they should 'revert to those (institutions) which would be as suitable to England now as they were suitable to England in the early Saxon times'.<sup>40</sup> When the 1888 Local Government Bill was introduced, some complained of the absence of any attempt to 'revivify' the parish.<sup>41</sup> The parish which such people sought to revive was generally not the vestry of more recent times, held on all sides to be corrupt and ineffective, but the supposed democratic folk-moot of ancient times.

It is probably significant that amid the various reasons put forward for the establishment of parish councils, claims that they would be the most efficient units of administration were rare. This was more usually an argument for district councils. Typical of this approach, perhaps, was the criticism of those authors of a local government textbook who admitted that parish government had the charm of antiquity and the ability to interest all classes in its administration but considered this outweighed by the fact that most parishes were too small for some functions and some parishes too small for most functions and so, rather than endow parishes with minimal functions or group small parishes (and so lose their natural advantages), recommended the adoption of the Poor Law Union as the main local area.<sup>42</sup>

39. Speech at Halifax, printed as a pamphlet, 1885.

40. Ibid.

41. Gwynne, S. and Tuckwell, G.M. - 'Life of Sir Charles W. Dilke,' 1917, Vol. 2 p.271.

42. Rathbone, W., Pell, A., and Montague, F.C. - 'Local Government and Taxation,' 1885, p. 102

In the 1892 general election the Liberals together with their Irish Nationalist allies gained the majority of seats and Gladstone became Prime Minister again. His choice as President of the Local Government Board to put through the proposed Liberal reforms was H.H. Fowler. Despite the fact that his career had been mainly in the municipal politics of Wolverhampton, where he had been mayor thirty years earlier (at the age of thirty-two), and that he had not previously held Cabinet office, Fowler was very disappointed with his new appointment. According to his daughter, this appointment was 'one of the hardest blows he had ever received'.<sup>43</sup> It was to turn out that Fowler was in fact particularly suited both by character and political leanings to piloting the bulk of a Liberal reform through a Parliament, where the Unionist House of Lords was notorious for the killing of such reform legislation. Fowler was a devout Wesleyan (which he felt prejudiced Gladstone against him), but a very moderate Liberal, far removed in language and sentiment from the radicals of that party. In character he was careful and thorough, determined and persevering, serious and humourless. (His daughter did indeed defend his sense of humour, but on the grounds that though he might not laugh at a joke, he unfailingly did so when the joke was pointed out to him.) His patience and assiduity were to be a dominant feature of the debates on his bill, in contrast to the more aggressive attitudes of some of his supporters. He was to speak eight hundred times on the bill

43. Fowler, E.H. - 'Life of Lord Wolverhampton,' 1936, p. 254

and never move the closure.

The first drafts of the bill for a reform of local government were being circulated within the Board in November 1892.<sup>44</sup> These suggested initially that all parishes should have parish meetings (the heirs of old open vestries), and be grouped, where necessary, to obtain a population of 200 and with it a parish council. This would have power to appoint overseers, give emergency relief, provide for wandering lunatics, provide a fire-engine, provide parish offices, hold and sell property, keep up closed burial grounds, manage allotments, receive parochial charity accounts, appoint trustees to non-ecclesiastical and non-educational charities, veto the closure of rights of way and adopt the Lighting and Watching, Burial, Libraries, Baths and Wash-houses, or Recreation Grounds and Walks Acts,

By the time of the first reading several more powers for parish councils were added, and rural district councils given the rights to delegate powers to parochial committees.<sup>45</sup> The <sup>m</sup>Minimum population for which a parish council was compulsory rose to 250, then 300, but the Board left this blank in several drafts. It was proposed that parish councils, with Local Government Board consent, should be able to hire land compulsorily for allotments if none was otherwise available; this was to rouse the ire of landowners as well as opponents of the delegation of authority to the Board. The parish

44. Local Government Act 1894 Papers, MHLG.

45. Ibid.

councils were not only liable to be vetoed in their borrowing, but their general expenditure was also limited to the product of 1d. rate, except with the consent of the parish meeting and rural district or county council. This limitation of rating power had not been previously featured in discussions of the reforms. It would seem quite likely that the suggestion may have originated with the Local Government Board. Such limitation was not unprecedented. The maximum rate that could be levied under the Public Improvements Act was 6d. and under the Libraries Act was  $\frac{1}{2}$ d. In all the early drafts of the Bill, the rate limit was  $\frac{1}{2}$ d. without the consent of the parish meeting and the rural district council, and as the parish council would appeal against an R.D.C. veto to the county council, at one stage it was suggested that electors should be able to appeal to the county council against an R.D.C. consent. Only in the 26th draft in March, 1893 was  $\frac{1}{2}$ d. amended to 1d.

Fowler, in his introduction of the bill, explained its outline and stressed the value of the democratic element. He quoted French and American experience of such small units of government (the communes and townships), as well as the American aphorism that a man who never made a mistake never made anything, for in aiming at the vitality that municipalities had achieved he hoped parish councils would be adventurous.<sup>46</sup> Walter Long, speaking for the Conservatives in Ritchie's absence from Parliament in these years, gave

46. Hansard (H of C) Debates - 21 Mar 1893, Col. 679-702

the bill a general welcome, but was concerned to ensure effective checks on parish extravagance or anti-landlord feeling.<sup>47</sup>

So on March 21st, 1893, The Commons gave a first reading to the Local Government Bill, popularly known as the Parish Councils Bill. This name, as well as the subsequent debates, showed that it was the part of the bill dealing with parish government, rather than that dealing with rural and urban districts which was regarded as important, despite the greater financial responsibilities of the latter. Fowler felt it necessary to say that the government thought that the part of the bill dealing with district councils was 'of quite as much importance as that relating to parish councils' and so he would not, as some had urged, drop the second part of the bill.<sup>48</sup> While one legal textbook was to refer to the popular title of the bill as 'most misleading',<sup>49</sup> another went so far as to say in its 1894 edition, though not later editions, that 'so far from the district council having efficient powers of control over the parish councils, it would be more correct to say that the smaller authority controlled the larger'.<sup>50</sup>

Whatever they called the bill, politicians' attention was taken from it for the next seven and a half months by more controversial issues such as Irish Home Rule.

47. *Ibid.* - Col. 703-712

48. Hansard (H of C) Debates - 2 Nov 1893, Col. 15

49. Jenks, E. - 'An Outline of English Local Government.' 1894, p. 25

50. Wright, R.S. and Hobhouse, H. - 'An Outline of Local Government' 1894, p. xvii

When the bill came up for a second reading on November 2nd, Fowler presumed his audience to be generally acquainted with the bill's provisions and devoted much of his speech to assuaging Anglican fears about ecclesiastical charities, parish rooms and the National Schools, assuring them that this was not a bill for the 'spoliation of the Church of England'. He expressed a general readiness to accept amendment from both sides of the House and, in particular, a willingness to accept a reduction in the minimum population for which a parish council would be necessary.<sup>51</sup> Walter Long denied that the Conservatives were opposed to the bill but afraid to say so, and expressed the hope that he would hear no wild charges against landowners and clergy. He opposed compulsory grouping and desired tighter controls on the parish in several matters.<sup>52</sup> In the general debate, grouping and charities gained most attention. Almost all the speakers on the subject, from both sides of the house, were, in varying degrees, hostile to any compulsory grouping, whether as too undemocratic in removing the parish councils from local interest or, perhaps, because of an unexpressed wish to weaken them by restricting their size. Dilke remarked on the oddity that several M.P's opposing the grouping of parishes for a parish council were the strongest advocates of district instead of parish councils.<sup>53</sup> While some, such as Williams, a Congregationalist and Chairman of the Parliamentary Committee of the Society for the Liberation of Religion from State Patronage and Control, wished a

51. Hansard (H of C) Debates - 2 Nov 1893. Col. 3-17.

52. Ibid. Col. 17-22

53. Ibid. Col. 40-50

wider transference of powers from the Church to the parish councils,<sup>54</sup> spokesmen for the Established Church, though opposing the secularisation of charities, were in general content to warn and, for the time being, accepted Fowler's assurances. To claims of discrimination against nonconformists and, according to Dilke,<sup>55</sup> more especially Roman Catholics, alternative defences were put. On the one hand it was said that such cases were rare and should be taken to the courts;<sup>56</sup> on the other hand that such would be the desires of Anglican testators, even if they did not explicitly express them.<sup>57</sup> The other topics to arouse attention were allotments, the probable level of rates levied, the opportunities opened to women and the failure to provide elective overseers for urban parishes.<sup>58</sup>

After the second reading a Cabinet Committee reconsidered the bill.<sup>59</sup> In view of the opposition to grouping, it was decided that this should only occur with the parish meetings' consent and the minimum population that required a parish council should be lowered to 200 in compensation. Parish councils were to be given power to hire land compulsorily and the Charity Commissioners the power to decide if charities' buildings were wholly ecclesiastical in purpose.

54. Ibid. Col. 82-85

55. Ibid. Speech by Dilke, Col. 49-50

56. Ibid. Speech by Powell, Col. 53.

57. Ibid. Speech by Griffith Boscawen, Col. 87

58. Ibid. Col. 3-108, 119-211, 235-326, 356-445

59. Local Government Act 1894 Papers, MHLC.

The Committee Stage in the Commons lasted from November 11th to January 9th, and occupied thirty-four of the fifty-seven sittings that the bill took<sup>60</sup>. Five new clauses were added and most of the others amended, a great many amendments being moved by Fowler himself, which 'The Times' claimed as evidence of the hasty, careless nature of Liberal legislation.<sup>61</sup> The other amendments varied from a member's attempt to preserve the parish boundaries of his own area to another member's attempt to give the parish more powers and have these directly exercised by the parochial electors.<sup>62</sup> This latter proposal necessitated amendments to nearly every clause. The time taken on the parish councils and meetings clauses (cl. 1-18) was  $137\frac{1}{2}$  hours, on the district councils and Guardians clauses (cl. 19-29)  $53\frac{1}{2}$  hours, and on the rest (boundaries, supplemental and transitory provisions) only a few hours. The single clauses in the parish section which occupied most time were those on public property and charities ( $40\frac{1}{2}$  hours), parish meetings (17 hours) and the constitution of parish meetings and establishment of parish councils ( $14\frac{1}{2}$  hours).<sup>63</sup> Fowler's proposal of 200 as the minimum population for a compulsory parish council was passed, reducing the number of parishes potentially without a council from 6,356 to 4,413.<sup>64</sup> Grouping was made dependent on the consent of the parish meetings, but Fowler refused to consider

60. Ibid.

61. The Times - 12 Jan 1894

62. Local Government Act 1894 Papers MHLG

63. Ibid.

64. Ibid.

sub-division of parishes. The House was as suspicious as the Local Government Board of uncontrolled rating power,<sup>65</sup> though some, like Chamberlain, objected to excessive 'leading strings'. Fowler waited until the end of the debate before suggesting 6d. in the £, exclusive of Adoptive Acts expenditure, as a more realistic limit. It had been pointed out that 1d. rate might not suffice even for expenditure on stationery and meetings. Liberals were allowed a free vote between 4d. and 6d. and the latter won.

The allotment clauses aroused strong feelings. Collings called them the electioneering clauses, but, as President of the Rural Labourers League, a Liberal Unionist organisation, he could not afford to be much less enthusiastic than the leader of the Liberal farm workers, Joseph Arch. Arch said the labourers would not quietly starve each winter while the Land was misused. For their part the Tories demanded extra payment, as was customary, for the element of compulsion in the hiring. There was indeed, now, little in the bill to justify the claim of Labouchere, the radical Liberal M.P., that its aim was 'to slowly and quietly nationalise the land by throwing property little by little into the hands of the parish councils' who would let it to the villagers.<sup>66</sup> The Charities clauses led to the expected complaints of Anglican discrimination, with Joseph Arch denouncing Church 'despotism and trickery', and the counter claims that the bill discriminated against Anglican

65. Ibid.

66. Speech at Northampton, quoted in Thorald, A.L. - op. cit. p. 433

charities. A variety of additional powers were unsuccessfully suggested for parish councils. These included subsidising postal facilities, housing the working classes, providing markets, providing clocks, control of disfiguring advertisements and even School Board powers.

The length of the debate led to a compromise on January 2nd by the two front benches on schoolrooms, allotments and Boards of Guardians<sup>67</sup>. Radical M.P's were disturbed that the government should compromise thus to get the bill out of Committee.

Apart from two minor amendments the Report and Third Reading in the Commons involved only a Government amendment altering the rating limit to 3d. in the £ or 6d. with the parish meeting's consent, excluding Adoptive Acts expenditure.<sup>68</sup>

The bill received its First Reading in the House of Lords on January 15th, 1894, and ten days later Lord Ripon proposed it be read a second time in a moderate speech, where he presented it as a continuation of the Conservatives' work and remarked on the 'very proper limitation' on expenditure.<sup>69</sup> Lord Ripon proposed the bill because it had been decided that its importance merited a Cabinet member to propose it, not Lord Monkswell, the Under-Secretary at the Local Government Board. Lord Salisbury gave the bill the usual Tory guarded welcome, but claimed a breach of faith on the secularisation of charities and objected to the compulsory

67. The Times - 2 Jan 1894

68. Local Government Act 1894 Papers, MHLG.

69. Hansard (H of L) Debates - 25 Jan 1894, Col. 1574

hiring of land. The Archbishop of Canterbury added his weight to those who criticised the charities clauses.<sup>70</sup>

As Lord Salisbury denied Lord Monkswell's claim that the Lords were bound by the Commons inter-party compromise, the Upper House made several important amendments in Committee.<sup>71</sup> The <sup>m</sup>Minimum population requiring a parish council was raised to 500 from 200, where it had been put when the proposal for compulsory grouping was dropped. The other amendments were favourable to the Church in the clauses about charities and schoolrooms, to the landowners in the allotments' clauses and to the larger local authorities in matters of supervision and control.

At this stage Joseph Chamberlain wrote in confidence to Fowler, asking what the vital points of the bill were and offering to help find a settlement, and, on being told these were allotments, non-ecclesiastical charities, the use of schoolrooms, and another matter in the parts of the bill that did not concern parish councils, said he would do his best but was doubtful about the charities and schoolrooms as 'churchmen ((were)) sensitive now'.<sup>72</sup> The personal views of Chamberlain were of course much nearer those of Fowler than to those of most of the Conservatives on this bill, in addition to the fact that they were both nonconformists who had made their initial contributions to public life in municipal

70. Ibid. Col. 1567-1624.

71. Local Government Act 1894 Papers, MHLG.

72. Fowler, E.H. - op. cit. pp. 271-2 and Garvin, J.L. - op. cit. pp. 587-8.

government in the West Midlands. Chamberlain had, in fact, already written to Salisbury warning that the Lords might endanger themselves by being too insistent, and he was to embarrass the Conservatives next month by his criticism of that House's actions.<sup>73</sup>

At the Lords' Report Stage there was a technical amendment on boundaries which Lord Kimberley, leader of the House, had forgotten to move in Committee when he 'got into a fog'.<sup>74</sup> The Tory hostility to the bill did not extend to supporting Lord Wemyss' attempt to have it recommitted, an attempt which consequently failed.

The Commons rejected all the Lords' substantial amendments: the rating on the grounds of the financial privilege of the Lower House, the prohibition of subletting as already accomplished, and the rest, which had largely been specifically rejected in the House of Commons Committee, on the grounds of policy. The Lords' reaction was to persist, with slight modifications, in four matters: 500 as the minimum parish population requiring a parish council, land valuation, charity trustees and the method of compulsory hiring. On the allotments points the Commons complied but stood out for 200 as the minimum population and elective trustees as potentially a majority on a charity. The Lords offered that 300 should be the minimum population and that one third of the trustees for small charities, should be elective, and for

73. Garvin, J.L. - op. cit. pp 588-9.

74. Local Government Act 1894 Papers, MHLG

larger ones at the Charity Commissioners' discretion. This the Commons grudgingly accepted, despite threats to give up the bill as the Government had the Employers Liability Bill two months previously or to dissolve, (which presumably was what the Lords were challenging them to do). The final Commons debate on the bill on March 1st 1894, was the occasion of what turned out to be Gladstone's last speech, when he strongly warned the Lords against continually thwarting the elected House.<sup>75</sup>

Thus, forty-nine weeks and fifty-seven sittings after its First Reading in the Commons, the much amended Local Government Bill became law. Parish meetings were to be established in every rural parish and parish councils in those parishes whose population was 300 or more, and those whose population lay between 200 and 299 where the parish meeting desired a parish council. The principal functions given to the new parish councils were the provision of allotments, the election of trustees of non-ecclesiastical charities, the care of footpaths, the provision of recreation grounds, burial grounds, street lighting and public halls. Their expenditure, apart from that under Adoptive Acts on such objects as street lighting or burial grounds, was restricted to the product of a 3d. rate, without the consent of the parish meeting, or a 6d. rate without the consent of the Local Government Board.

75. Quoted in Morley, J. - 'Life of W.E. Gladstone,' Vol. 3, 1903, pp.511-2

Reactions to the Act were such as might have been expected. The only surprise is that the numerous amendments to the Bill and the modest provisions of the Act do not seem to have mitigated the more extreme expectations of its effects on village society. A Committee of the Congregational Union welcomed the Act as 'giving labourers for the first time in their history a share in the administration of their own local affairs', as enabling 'the peasantry to take wide steps to obtain access to the soil from which they ((had)) been cut off', and allowing hope that a 'long series of acts of (( Church)) injustice cruelty and bigotry (( would)) pass away for ever'.<sup>76</sup>

A Liberal Party handbook for parish councillors called the Act the 'Charter of the peasant's liberty' that would bring 'the mightiest change in the conditions of rural life that our country has known' and continued thus, 'Great as the powers given by this Act are, and great as the material benefits may be, there are indirectly greater blessings still in store. It will abolish patronage and banish privilege. For the rule of the few it will substitute the responsibility and cooperation of the many.'<sup>77</sup> On the other side a Lady Baker wrote a short story with a moral, describing how in a few years an

76. Committee of the Congregational Union - 'Parish Councils,' a pamphlet.

77. Grant, C. - 'The Parish Councillor's Handbook,' 1894 pp. 3-4 (Preface by R. Spence-Watson).

incompetent parish council offended the paternal landlord and brought financial collapse and economic ruin to the village, which had previously flourished happily under the benevolent patronage of squire and parson.<sup>78</sup> <sup>pecta</sup> Exceptions such as these stood in contrast to the provisions of the Act at least as much as they did to the actual results of the Act.

78. Baker, A.S. - 'Parish Problems' 1895.

CHAPTER 2

PARISH COUNCILS IN THEIR FIRST TWO DECADES

After the passing of the Local Government Act in 1894, the interest of Parliament and the newspapers turned to Irish Home Rule and other questions while the rural areas of England and Wales prepared for the new parish meetings and the first parish council elections.

For the purpose of the new law, a parish was ' a place for which a separate poor rate is or can be made or a separate overseer is or can be appointed'<sup>1</sup>, and those parishes that lay within a rural sanitary district were entitled to parish meetings and, depending on their population, to parish councils. There were in 1894 13,112 such rural parishes<sup>2</sup> although estimates varied as the widespread rationalisation of parish boundaries in the previous decade had reduced the number of parishes by 2,000 or so.<sup>3</sup> As might be expected in such a large number there were a few absurd results from the legal definition. A small portion of roadway near Bromsgrove became a separate parish because of a slight deviation between the parish and rural sanitary district boundaries.<sup>4</sup> In the parish of Creslow (Buckinghamshire) there was only one elector to form the parish meeting.<sup>5</sup> Two parishes, in Cheshire and Buckinghamshire, with minute electorates found that they were obliged to elect a parish council because at the time of the

1. As defined by the Interpretation Act 1889.
2. Annual Report of the Local Government Board for 1894.
3. Redlich, J. & Hirst, F.W. - Local Government in England, 1903, Vol. 2, pp.165-7
4. Councils Gazette - 12 Sept. 1896.
5. Parish Councillor - Dec.1894.

1891 Census their population had temporarily been so augmented by camps of navvies as to exceed the 300 limit.<sup>6</sup>

Including these two, there were 7,054 parishes which were to elect a parish council in 1894.<sup>7</sup> Of these, about 3,000 had under 500 inhabitants, over 2,000 between 500 and 1,000 and under 2,000 over 1,000.<sup>8</sup> The size of parishes varied considerably over the different areas of the country. For instance over 94% of the parishes in the North Riding of Yorkshire, but under 16% of Surrey parishes, had under 500 population in 1901.<sup>9</sup> By the following year, over 300 more parishes had opted to have a parish council.<sup>10</sup> After this increase, about half the parishes whose population of between 200 and 300 entitled them to the option, had chosen to have a parish council.<sup>11</sup>

The Local Government Board set December 4th as the date when parish meetings were to assemble and, where necessary, elect a parish council by a show of hands, and perhaps subsequently demand a poll. The press speculated on the results. The Bishop of Worcester asked for prayers for the good guidance of electors and councillors.<sup>12</sup> Electors were variously besought to remember the general merits of labourers, women,

6. Councils Gazette - 4 Apr. 1896.

7. Annual Report of the Local Government Board for 1894.

8. Approximate figures calculated from those given in the Annual Reports of the Local Government Board and Saville, J. - Rural Depopulation in England and Wales 1851-1951, 1957, p.71

9. Saville, J. - op. cit. p. 72.

10. Annual Report of the Local Government Board for 1895.

11. Calculated from the Annual Report of the local Government Board for 1895 and Saville, J. - op. cit. p. 72.

12. Parish, District & Town Councils Gazette - Nov. 1894.

or members of particular religious denominations. One radical weekly magazine published a list of questions that it recommended be put to parish council candidates on their attitudes to village amenities and services, to holding evening meetings open to the public and to the rate of pay of parish council employees.<sup>13</sup>

At a large number of these first parish meetings the clergyman was voted to the chair.<sup>14</sup> The number of contests for seats on a parish council was high. At Hawarden (Flintshire) there were 90 candidates for 15 seats.<sup>15</sup> For about 3,000 of the 7,000 elections, a poll was held.<sup>16</sup> It would seem that a poll was more likely to be demanded in the larger parishes.<sup>17</sup> Thus 73% of Middlesex parishes held polls, but only 24% of Suffolk ones.<sup>18</sup> One important consideration was the cost involved in a poll. This encouraged candidates to withdraw when a poll was demanded. Sometimes all those who would not have been elected on the show of hands, agreed to withdraw to make the election uncontested.<sup>19</sup> In other villages there was less harmony. In one parish, when a candidate who got one vote demanded a poll, a wealthy farmer withdrew, although he had 56 votes, on the grounds that a seat on the parish council was not

13. Yeoman - Nov. 1894

14. Parish Councillor - Dec. 1894 & Minutes of several parish councils seen by the author.

15. Parish, District and Town Councils Gazette - Dec. 1894.

16. Parish Councillor - Dec. 1894

17. Ibid., quoting the Local Government Board

18. Ibid.

19. Minutes of Sturry (Kent) Parish Meeting - Mar. 1896

worth the extra pound that a poll would add to the rates he had to pay.<sup>20</sup> Such concern for the rates was not limited to the largest ratepayers. In a Northumberland parish the drastic action was taken of keeping the candidates under lock and key until they agreed which one should withdraw to avoid the necessity for a poll.<sup>21</sup> As its advocates claimed, however, the results of a secret poll often differed from those of an open show of hands. At Offerton in Devon the combined votes for the farmer candidates fell from 184 to 154 in the poll, whereas their opponents' rose from 174 to 229.<sup>22</sup> It would seem that without a poll farmers and landlords benefitted from the reluctance of labourers to hold up their hands in public against an important local employer or property owner. In the smaller parishes it might be feared that a mere demand for a poll might be considered equally dangerous.

The opportunity of rural democracy does not appear to have resulted in any widespread defeats of farmers by labourers, or of Anglicans by nonconformists or in the introduction of many women to parish councils. Although the papers noted the more startling results such as the defeat of Mr. Rowntree and the incumbent at Dringhouses near York,<sup>23</sup> and the election of a chimney sweep and a Rothschild to Wing parish council in Buckinghamshire,<sup>24</sup> the predominant

20. Parish, District and Town Councils Gazette - Dec. 1894

21. Parish Councillor - Dec. 1894

22. Parish Councillor - Feb. 14, 1896

23. Parish Councillor - Dec. 1894

24. Parish Councillor - Dec. 1894

occupations of the new councils were farming and trade.

The Local Government Board received returns for 53,561 of the estimated 57,000 parish councillors and published the occupations of 3,227 of these who composed 410 parish councils.<sup>25</sup> A slight reservation should be made about their figures in that the sample of Unions where they chose to examine the parish councils, gave a bias to the South East and against the Midlands and East Anglia.<sup>26</sup> Also, the three Welsh Unions selected were all in anglicised, border areas,<sup>27</sup> whereas it was those in the nonconformist Welsh-speaking areas that might be expected to be different from the English ones to judge by the first county council election results.<sup>28</sup>

Labourers and other unskilled workers made up only 9% of parish councillors in the sample, less than even the 12% who had occupations of Social Class I<sup>29</sup> or who described themselves as 'gentlemen'.<sup>30</sup> In no Union in the sample did labourers account for a quarter of the councillors, the highest proportion being 23% in Biggleswade (Bedfordshire) and Risbridge (Suffolk) Unions. The aggregate figures of course conceal

25. Annual Report of the Local Government Board for 1894

26. The sample contained 4 of 146 Midlands and Eastern Unions, but 10 of 145 Unions in the South East. S.E. Parishes made up 15% more of the sample than might be expected. Midlands and East Anglia 13% less.

27. Chepstow, Knighton and Newtown Unions.

28. See Dunbabin, J.P.D. - 'Expectations of the new county councils and their realisation' in the 'Historical Journal' 1965 pp. 353-379.

29. Occupations were classified by the author according to 'The Registrar General's Classification of Occupations 1966'.

30. Annual Report of the Local Government Board for 1894.

the results of individual parish elections. The press reported that labourers had taken all the seats on Horspath Parish Council in Oxfordshire,<sup>31</sup> and that Sawston Parish Council in Cambridgeshire was entirely composed of non-ratepayers.<sup>32</sup> On the whole, however, the number of labourers on the new councils was regarded as surprisingly low.<sup>33</sup> Contemporary commentators suggested that attendance even at evening meetings might be difficult for them<sup>34</sup> or that employers regarded such candidatures unfavourably. Perhaps such commentators could also have considered long accustomed habits of deference as a hindrance, although at Hatfield two railwaymen stood for the parish council in spite of the Great Northern Railway's reported ban on this.<sup>35</sup> 26% of the councils was made up of skilled and semi-skilled manual workers, prominent among whom were the miners.<sup>36</sup> These latter were naturally concentrated in certain areas. In the mining areas in Cumberland and South Wales they composed half the parish councillors.<sup>37</sup> Farmers obtained 32% of the seats noted by Local Government Board.<sup>38</sup> In no Union in the sample did they form less than 10%, and in Knighton Union (Radnorshire) they formed over 70% of parish councillors.

31. Parish Councillor - Dec. 1894

32. Parish, District and Town Councils Gazette - Dec. 1894

33. Parish Councillor - Dec. 1894

34. Ibid.

35. Parish, District and Town Councils Gazette - Dec. 1894

36. Annual Report of the Local Government Board for 1894

37. Parish Councillor - 1 Mar. 1895.

38. Annual Report of the Local Government Board for 1894

The next largest group after the farmers were tradesmen, in particular grocers and publicans. Clergymen composed 3% of parish councillors and ministers  $\frac{1}{2}\%$ .<sup>39</sup> This was considered by one magazine to be an unexpectedly poor performance, especially by the nonconformists.<sup>40</sup> There is no record of how many parish councils used their right to coopt a chairman or what were the occupations of those coopted, but the frequency of the election of clergy as chairmen of the parish meeting may suggest that they also provided many of the coopted chairmen. The middle class nature of the first councils is shown by the fact that Social Class II occupations accounts for half the councillors.<sup>41</sup> This category includes farmers, tradesmen, schoolteachers and most executive positions.

Women were qualified to vote in parish council elections and sit as councillors, if they were full age, occupiers of land or premises and had paid their rates.<sup>42</sup> Unlike men, they did not qualify for the parochial electoral roll as owners, lodgers or servants.<sup>43</sup> Women could not qualify by the occupation of the same premises as their husbands,<sup>44</sup> but otherwise distinctions between single and married women were specifically excluded by the 1894 Act.<sup>45</sup> One might expect women to have comprised a tenth of the parochial electors, as in 1872 they formed this proportion of the

39. Ibid.

40. Parish Councillor - 1 Mar. 1895

41. Annual Report of the Local Government Board for 1894.

42. Local Government Act 1894 s.2(1)

43. Ibid. s. 2(1)

44. Ibid. s. 43

45. Ibid. ss. 43 & 3(2)

voters listed on the municipal registers prior to the judicial exclusion of married women.<sup>46</sup>

Influential voices had been raised in the correspondence columns of the press urging wide female participation in parish councils. The Archbishop of Canterbury, Mr. Fowler (who introduced the Local Government Act), Mr. Stansfield (a former President of the Local Government Board who had dedicated himself to the cause of advancing women's status by the abolition of the Contagious Diseases Act), Thomas Huxley and Florence Nightingale pressed this point of view,<sup>47</sup> but the voters ignored their advice. In the sample of Unions chosen by the Local Government Board, 15 women were found among 3,227 new parish councillors.<sup>48</sup> Even this proportion of 0.5% may have been higher than the national average, for it would suggest 250 to 300 women parish councillors in all, whereas the Women's Local Government Society said in 1898 in a leaflet of 'Women and Parish Councils', that about 100 women had sat on parish councils.<sup>49</sup> Women were even rarer on Welsh councils than English ones,<sup>50</sup>

From the controversy that surrounded the passing of the 1894 Local Government Act one might expect that there would be several contests fought on denominational lines. The strength of such antagonism appears in odd incidents such

46. Keith-Lucas, B. - English Local Government Franchise, 1952, p.166.

47. Parish Councillor - Dec.1894

48. Annual Report of the Local Government Board for 1894.

49. Parish Councils Journal - Mar. 1898 .

50. Parish Councillor - Dec.1894 .

as that when the chairman at a Denbighshire Parish Meeting, who was a nonconformist minister, tried to disqualify all the Conservative candidates on the grounds that their nomination papers gave name and address when only the name was required.<sup>51</sup> The local papers apparently reported the results of parish council elections with reference to the occupation and denomination of candidates<sup>52</sup> but there are no useful aggregate figures for the relative success of nonconformists or Anglicans nor for the number of councils composed entirely of one denomination, only references to the estimated degree of success of each denomination in various parts of the country.

The use of party labels by candidates seems to have been rare, although of course party and denominational loyalties often correlated.

There were occasional complaints of the problems caused by the illiteracy of some councillors,<sup>53</sup> or of the election of someone with twelve criminal convictions at the head of the poll,<sup>54</sup> or of the drunken behaviour of a 'Socialist workingman' at the first council meeting,<sup>55</sup> but these were isolated incidents. A more accurate representation of the new councils was given in a letter in 'The Times', which said the elections had been 'non-revolutionary and fair-minded'

51. Councils Gazette - 2 May 1896

52. Parish, District and Town Councils Gazette - Dec. 1894

53. Reports quoted in the Parish Councils Review, Autumn 1961, p. 97

54. Parish, District and Town Councils Gazette - Dec. 1894

55. The Times - 16 Feb. 1895.

and had put many squires on their parish councils.<sup>56</sup> In some places members of the vestries that preceded the parish councils soon formed a majority on the latter.<sup>57</sup>

Although the new parish councillors may have formed a less representative cross-section of village society than some hoped, they seem to have approached such ideals more nearly than other rural local government bodies. The first parish councils had a wider range of occupations represented on them than the first county councils. The predominant social class was higher on those than on the parish councils or district councils; landowners or industrialists instead of farmers and small businessmen. Landowners or industrialists formed three quarters of the first Cheshire County Council<sup>58</sup> and almost as high a proportion in Durham,<sup>59</sup> and the position seems to have been similar in most English counties, except for a few farmer-dominated county councils as in Rutland or the Holland division of Lincolnshire.<sup>60</sup> The first district councils were largely the old sanitary boards under another name and so their elections attracted less interest than those of the first parish or county councils. Consequently there is a dearth of sufficient information that might reveal how much the membership of rural district councils differed from that of parish councils.

56. The Times - 10 Jan. 1895

57. Minutes of Lyminge (Kent) Parish Meeting 1894, 1895 and 1896.

58. Lee, J.M. - Social Leaders & Public Persons 1963, ch.3

59. Drummond, S. - The Election of the First Durham County Councils - Public Administration 1962 pp. 141-150

60. Dunbabin, J.P.D. - op. cit. p.379.

Information on the chairmen of the first parish councils is very scanty. It was reported that most chairmen were clergymen, squires, farmers or tradesmen. There were also quite a few schoolmasters and ministers but very few labourers, who formed an even lower proportion of council chairmen than they did of councillors.<sup>61</sup>

Most of the above information on parish councillors refers only to the first councillors as no subsequent parish council elections aroused anything approaching the same national interest or press coverage as these first ones. There does not appear, however, to have been any startling change in the composition of the councils over the following decades, only a gradual increase in female membership.<sup>62</sup>

The activities of the first parish councils were as non-revolutionary as their membership. The right of parish councils to hire land for allotments compulsorily had been a hotly disputed part of the bill. There were only six occasions when this power was approved and used before 1898,<sup>63</sup> and only a couple of dozen more by 1904.<sup>64</sup> One cannot of course tell how much land was sold or leased to parish councils more readily or at a more reasonable price because of the existence of compulsory powers. Parish councils were certainly more enthusiastic in the exercise of their allotments powers than district councils,

61. Parish, District and Town Councils Gazette - Jan. 1895.

62. There is no evidence when this rise occurred but the proportion of women had risen to 3% by 1935.

63. Parliamentary Return on Allotments, quoted in the 'Parish Councils Journal' - June 1898.

64. Annual Reports of the Local Government Board for 1895, 1896, ....., 1904.

or county councils who had similar powers. In 1896, a national newspaper, prompted by readers' criticism of its mockery of an imaginary 'Muddifield' parish council, carried out a survey of parish councils, which revealed that 230 of them had by then provided altogether 1,269 acres of allotments.<sup>65</sup> By 1898 1,009 of the 7,000 parish councils in England and Wales had provided allotments.<sup>66</sup> These had 24,389 tenants on 12,967 acres of allotments,<sup>67</sup> on which they spent £28,000 a year.<sup>68</sup> This work was left to parish councils by the larger local authorities, for whereas one in seven of parish councils provided allotments, only 9 out of 669 rural district councils, and 3 county councils had done so by 1898.<sup>69</sup> If one measures the extent of allotments provision by the amount of rent income derived from them, then in 1906 allotments were provided by parish councils in every county of England and Wales except Breconshire, and most extensively in Norfolk, the Holland division of Lincolnshire, the Isle of Ely and Worcestershire.<sup>70</sup>

Further legislation in 1908<sup>71</sup> recognised parish councils as the providers of allotments in rural areas (with powers for the county councils to deal with cases of default) and transferred to them the powers derived from the 1887 Allotments Act which had until then been exercised by district

65. Survey by the Daily News, reported in Parish Councillor - 5 Jun. 1896,

66. Parliamentary Return of Allotments, quoted in the Parish Councils Journal - Jun. 1898.

67. Ibid.

68. Annual Reports of the Local Government Board for 1898 & 99

69. Parliamentary Return on Allotments, quoted in the Parish Councils Journal - Jun. 1898

70. Local Taxation Returns for 1906-7

71. Smallholdings and Allotments Act 1908.

councils. County Councils were given the function of providing small holdings, the distinction being that small holdings were intended to afford the tenants their principal sources of income, and allotments merely to supplement their income. The endeavours of parish councils led to such an increase in allotments that by 1912 there were 21,498 acres of allotments in the rural areas of England and Wales, let to 49,545 tenants and 2 Allotment Associations; in almost every case by parish councils.<sup>72</sup> There was, however, still a waiting list a tenth as long as the list of tenants, although it is not known how much of this unsatisfied demand was in urban and how much in rural areas.<sup>72</sup> About three quarters of the allotments were leased or hired by the local authority, the rest were owned by them.<sup>73</sup> After the new Liberal Government took office, the Local Government Board was much more ready to sanction loans to parish councils so that they might buy land for allotments, instead of hiring it. In the years 1900-7 less than £100 in loans for this purpose was sanctioned, but in the years 1908-15, £63,300.<sup>74</sup> The Liberal Administration also seemed more ready to allow compulsory hiring orders; in the years 1907-12, 29 were sanctioned, mainly for parish councils.<sup>75</sup>

The transfer of control over the secular parochial charities to the new parish councils had been another part of the 'Parish Councils Bill' to arouse strong feelings. The 1894 Act enabled

72. Board of Agriculture - Report on Allotments for 1912.

73. Ibid.

74. Annual Reports on the Local Government Board for 1900, 1901,..... 1915

75. Ibid.

parish councils to take over the rights of the vestry and overseers and, subject to the approval of the Charity Commissioners, to appoint some trustees to all such charities.<sup>76</sup>

The 'Daily News' survey of 1896, which has been mentioned previously, found that slightly more than half the parish councils (120 out of 230) appointed trustees under this provision.<sup>77</sup> Inherent in the transfer was a removal of control from ecclesiastical hands, that is to say from the Established Church, and this partially explains the public interest shown in religious denomination of those elected to the parish councils.<sup>78</sup> In some parishes the status of charities as either secular or ecclesiastical was amicably agreed,<sup>79</sup> in others the minutes of the first parish councils show that they were soon principally occupied with denominational conflict<sup>80</sup> between nonconformists and Anglicans. The Anglican grievances were the loss of their powers over secular charities to a possible non-Anglican parish council and perhaps the demand by such a council for the use of the National (that is Church of England) school room for meetings if no hall was available. For their part the nonconformists objected to paying for the upkeep of closed Anglican burial grounds, particularly if a quirk of parish boundaries meant

76. Local Government Act 1894 s. 14.

77. Parish Councillor - 5 Jun. 1896. The figures were 120 out of 230 councils.

78. As shown by the reports in the Parish Councillor, and in the Parish, District and Two Councils Gazette.

79. Minutes of Sturry (Kent) Parish Council - Jan. 1895.

80. Minutes of Ellesmere (Salop) Parish Council, as reported in Parish Councils Review - Autumn 1958.

that the burial ground of one parish lay within the boundaries of another who found themselves obliged to maintain it when closed. These matters were clearly not a substantial cause of sectarian quarrel, but areas where battle might be joined by people, who saw this as a part of a more general conflict. A writer in a magazine 'The Councillor' observed with reference to struggles over charities that 'none but those who ((where)) practically acquainted with village life ((had)) probably any idea of the power of the Churches in a country village; nor ((were)) they aware of the petty warfare continually being waged between the orthodox and independent churches.<sup>81</sup> This conflict was exacerbated at this time by sectarian discrimination and by the struggle for each side ~~to~~ obtain its own school. This latter showed in the battle for control of the School Boards, and was to lead to Lloyd George's campaign against the 1902 Education Act and to the 'Rates Strike'.

Other powers of parish councils were less contentious. Parish meetings could 'adopt' the Burial Acts or the Lighting and Watching Act.<sup>82</sup> 356 parish councils incurred expenditure on burial grounds in 1896-7 and 763 in 1903-4; 622 on street lighting in 1896-7 and 893 in 1903-4.<sup>83</sup> By 1912-13 957 parish councils were raising lighting rates.<sup>84</sup> Both burial grounds and street lighting were among the most expensive services that

81. The Councillor - 3 Apr 1897.

82. Local Government Act 1894 s.7

83. Annual Reports of Local Government Board for 1897 & 1904

84. Local Taxation Returns for 1912-13

parish councils could provide. It would appear that those parishes which had expenditure under these heads spent each year an average of £70 on street lighting and £60 on burial grounds, as compared with £20 on allotments or £10 on baths and washhouses, or £20 on a library.<sup>85</sup> The Local Government Board was however more willing to sanction loans for burial grounds than for most other purposes. Three quarters of all loans to parish councils sanctioned in their early years were for burial grounds, after 1908 this proportion declined as more loans to buy allotments were sanctioned.<sup>86</sup>

Some powers were exercised by very few parish councils, and these usually the largest. 21 councils incurred expenditure on libraries and 5 on baths or washhouses in 1896-7.<sup>87</sup> By 1903-4 however, these numbers had risen to 34 and 17 respectively,<sup>88</sup> despite the rapid promotion of large parish councils to urban district council status. Between 1895 and 1915, 144 new urban districts were created, 85 of these in the period 1895-1900.<sup>89</sup>

Individual parish councils did not make use of the full range of their possible activities. The range of activity of any single one may be exemplified in the committees created by two fairly large Kent parish councils. Minster Parish Council

85. Estimates derived from figures in Annual Reports of Local Government Board and Parliamentary Returns on Allotments.

86. Annual Reports of Local Government Board for 1895-1896, ..... 1915

87. Ibid.

88. Ibid.

89. Ibid.

had Cemetery, Lighting and Allotments committees,<sup>90</sup> Pembury Parish Council appointed Footpaths, Allotments, Sanitary, Charities and Properties committees.<sup>91</sup> There were also the occasional parish councils whose initiative led to unusual provision of services. One that could never afford a proper swimming bath, employed its powers to 'utilise any spring or stream'<sup>92</sup> to enable it to supply water, to engineer a bathing place on the local river.<sup>93</sup> Similarly another parish council not only provided allotments but also organised produce competitions and arranged talks on the best use of allotments.<sup>94</sup>

All these functions of parish councils cost money, and the accounts of parish councils enable us to gauge their activity. The overall picture is one of slow but steady growth up to 1914. All but 240 parish councils incurred some expenditure in 1896-7 and this number fell gradually to all except 666 in 1912-13.<sup>95</sup> The total expenditure of these rose in the same period from £185,000 to £293,000, that is from a mean of £25 each to £42 each.<sup>95</sup> This includes the few parish meetings with accounts but the vast majority of parish meetings had no financial transactions.<sup>96</sup> In real terms expenditure rose more slowly; in the quinquennium 1909-14 it was about 25% above the level of the quinquennium

90. Minutes of Minster (Kent) Parish Council

91. Minutes of Pembury (Kent) Parish Council

92. Local Government Act 1894 s. 8(1)e

93. Parish Councillor - 17 May 1895

94. Minutes of Sturry (Kent) Parish Council 1895

95. Annual Reports of the Local Government Board for 1895, 1896,..... 1915

96. Ibid .

1895-1900.<sup>97</sup> This expenditure was met from current income, as in these first years only about 40 parish councils annually were allowed by the Local Government Board to raise loans and such loans only amounted to £20,000 a year for all parish councils.<sup>98</sup> Burial grounds expenditure was largely met from loans but other capital expenditure on parish rooms, allotments, street lighting, recreation grounds or fire stations was mainly met from current income.<sup>99</sup> The bulk of this income was derived from the rates. The mean rate raised by parish councils and meetings was 0.6d. or 0.7d. in the first decade of their existence, but rising then to 0.9d. in 1913-14.<sup>100</sup> If parish meetings, which usually spent nothing, were excluded the mean rate figure would be **about twenty % more.**<sup>101</sup> Such figures mean little on their own, however, and so it is interesting to compare them with the rates raised by other types of local authority in this period. In the years 1897-1902 the mean

97. Figures adjusted according to price index given in Butler, D. & Freeman, J. - British Political Facts 1900-1967, 1968 pp. 222-4

98. Annual Reports of the Local Government Board for 1895, 1896, ....., 1904

99. Ibid.

100. Royal Commission on Local Government (Onslow Commission) First Report 1927. Evidence Vol. 1 p. 165 Evidence of Mr. Gibbon (Ministry of Health).

101. Using Local Government Board Figures for the number of parish meetings or councils that spent nothing.

rates raised by each of these was as follows -<sup>102</sup>

Parish Councils and Meetings		0.7d.
Parish Councils only	est.	0.85d.
Rural district councils		10.6d.
Boards of Guardians (rural & urban)		12.8d.
English School Board (in rural areas)		9.8d.
Welsh School Boards (in rural areas)		12.1d.
County Councils		6.7d.

The 'Daily News' survey in 1896 found that the mean total rate levied by 230 parish councils was between 1d. and 1.25d., and that none of these had raised a 6d. rate and only 13 rates of over 3d.<sup>103</sup> The Local Taxation Returns provide aggregate figures for the years 1900 to 1913, when about 140 to 180 parish councils each year raised a total rate of over 6d. and usually 8 or 9 of these were over 1s.<sup>104</sup> Rates raised under the Lighting and Watching Act accounted for a large part of these high rates. In 1900-1 266 parish councils raised lighting rates of over 3d., including 8 over 9d. and one of 1s.6d.<sup>105</sup> The average lighting rates were fairly stable but the number of parish councils levying them fluctuated.<sup>106</sup> In 1912-13 334 such rates of over 3d. were levied, including 7 over 9d.<sup>107</sup> While lighting rates ranged up to 1s.8d., very

102. Annual Reports of the Local Government Board for 1898, 1899, ...., 1902.

103. Parish Councillor - 5 Jun. 1896

104. Local Taxation Returns for 1900-1, 1901-2 .... & 1912-3.

105. Ibid. for 1900-1.

106. Ibid. for 1900-1, 1901-2 .... & 1912-3.

107. Ibid. for 1912-3.

few general rates raised by parish councils exceeded 6d.; Gelligaer (Glamorgan) Parish Council raised a 10½d. general rate in 1906-7 and a handful of others raised more than 6d. occasionally.<sup>108</sup> In 1900-1 2,597 parish councils in England and Wales raised a general rate of 1d. or less, 596 one of 1d. - 3d., 29 of 3d. - 6d. and none of more than 6d.<sup>109</sup> In subsequent years the number of parish councils raising more than a 1d. general rate fluctuated and slightly declined while the number raising any general rate increased.<sup>110</sup> In 1912-13, 2,863 raised one of 1d. or less, 518 one of 1d. - 3d., 17 of 3d. - 6d. and none of more than 6d.<sup>111</sup> In each year there were also about 2,500 parish councils that spent money but raised no rate, presumably relying on other income or cash in hand.<sup>112</sup>

These figures suggest that the restriction of parish councils' rating powers for general expenditure to a 3d. rate without the consent of the parish meeting or a 6d. rate without the consent of the Local Government Board was not an oppressive curb on parish councils' actions.

Not all parish council activities necessitated expenditure. Parish councils, for instance, could and did spend money on footpath maintenance<sup>113</sup> but more usually they

108. Ibid. for 1900-1, 1901-2 ....., & 1912-13.

109. Ibid. for 1900-1.

110. Ibid. for 1901-2, 1902-3 ....., & 1912-13.

111. Ibid. for 1912-13.

112. Ibid. for 1900-1, 1901-2 ....., & 1912-13 and the Annual Reports of the Local Government Board for 1900-1, 1901-2 ....., 1912-13.

113. Annual Reports of the Local Government Board.

seem to have seen their function as hearing reports of obstructions or broken stiles and reminding the farmer, across whose land it ran, of his obligations to repair.<sup>114</sup> Parish councils had statutory rights to represent the village view to the rural district council and appeal to the county council against any rural district council refusal to act in respect of sewerage, water supply, highway maintenance or unhealthy dwellings. They also had the right to be notified of any sewerage or water supply plans for the parish before any contracts were placed.<sup>115</sup> Parish councils from the first, however, did not restrict themselves to these matters but complained, among other things, to water suppliers about the supply,<sup>116</sup> to a Railway Company of delays at the level crossing gates,<sup>117</sup> to the Guardians about their treatment of an inhabitant of the parish<sup>118</sup> or to the postmaster about the postal service.<sup>119</sup> Typical parish council minutes of this period contain about twenty items, five of which concern the activity not of the parish council but of another body.<sup>120</sup> This ratio was fairly constant in the years up to the Great War.<sup>120</sup> Over half the queries or complaints were addressed to the rural district council, the rest were fairly evenly divided between the county council and other bodies, with the former's share increasing.<sup>121</sup> It is very difficult to know how far the parish

114. Minutes of parish councils read by the author.

115. Local Government Act 1894 ss. 16 & 6(2)

116. Minutes of Minster (Kent) Parish Council 1905.

117. Minutes of Sturry (Kent) Parish Council 1895.

118. Minutes of Hanborough (Oxon) Parish Council 1895

119. Minutes of Cowling (West Riding) Parish Council 1895

120. Survey of parish council minutes, carried out by the author.

121. Ibid.

councils were successful in these representations. Among the most notable successes claimed by parish councils was the erection of the first council houses in a rural area after the 1909 Act at Montacute in Somerset in 1912, following pressure from the parish council on the rural district council.<sup>122</sup>

These activities of the early parish councils did not satisfy the more optimistic of the advocates of their creation. One parish council asked in frustration, 'What powers have we?', and their clerk replied, 'I should very much like to know'.<sup>123</sup> An article in 'The Times' in Autumn 1895 claimed that the new parish councils had not done much by then,<sup>124</sup> and in the following year the 'Daily News' referred to their failure.<sup>125</sup> The 1896 elections (the first parish councils sat for a sixteen months term) lacked the excitement of novelty and the 'Councils Gazette' stated that 'it would be idle to deny that villagers (( had)) displayed a marked feeling of apathy' about these elections.<sup>126</sup> This might have been expected; the second county council elections had shown a similar decline in interest. Such statements, however, are generalisations that cover a wide variety of events. In 1896 on the one hand one parish had 31 candidates for the six seats of the parish council, on the other hand another parish meeting elected six of the seven councillors in their absence, one of whom was found to be ineligible while five refused to serve.<sup>127</sup> Yet another parish

122. Parish Councils Review - Spring 1953 p. 153

123. Parish Councils Journal - July 1895.

124. Reported in the Parish Councillor - 4 Oct. 1895

125. Reported in the Parish Councillor - 5 Jun. 1896

126. Councils Gazette - 4 Apr. 1896

127. Councils Gazette - 21 Mar. 1896

refused to elect its parish council, until it obtained more powers.<sup>128</sup>

Just as the performance of parish councils varied, so did reactions to them differ greatly. Disappointment afflicted those who had seen them as organs of social revolution in the countryside. The rural working classes did not hasten to take part in their own government through the parish meetings and councils. Where nonconformists felt themselves discriminated against they were quite possibly a minority and unable to gain control of the secularised parish charities.

Yet disappointment with parish councils was not shared by all. New legislation gave them extra powers. A private member of the House of Commons, Mr. Strachey, successfully sponsored a Bill in 1895 to amend the 1891 Post Office Act so as to allow parish councils to subsidise the provision of additional facilities by the Post Office.<sup>129</sup> This was re-enacted in the Post Office Act 1908.<sup>130</sup> The power does not seem to have been much used. There were disputes with the Post Office as to the extent of the losses<sup>131</sup> incurred, for example, on one extra letter box. Parish councils could only subsidise additional not existing facilities, although the provision of the additional ones might make the existing ones less profitable.

128. Parish Councils Journal - Jun. 1897.

129. Post Office (Amendment) Act 1895 & Parish Councils Journal - Oct. 1898.

130. Post Office Act 1908 s. 49

131. Parish Councillor - 19 Jun. 1896

The 1898 Fire Engines Act allowed parish councils to provide a fire engine or to cooperate with others to do so.<sup>132</sup> In 1897 legislation gave parish councils the right to make byelaws regulating the use of commons, and the Commons Act 1899 extended their powers to the making of contributions towards the upkeep of commons and allowed rural district councils to delegate to parish councils their powers in respect of commons.<sup>133</sup> In 1898-9 the provision of fire engines and the upkeep of commons were each the subject of £6,000 expenditure (out of a grand total of £180,000) by parish councils.<sup>134</sup> The use of these powers was not, however, widespread. Within the ten years 1897-1907, 187 parish councils made commons byelaws which were approved by the Local Government Board.<sup>135</sup> Similarly relatively few parish councils availed themselves of the power to provide a fire service.<sup>136</sup>

These small accretions of powers continued in the next century. The Education Act 1902 listed parish councils among the minor authorities that were entitled to appoint one-sixth of the managers of voluntary schools.<sup>137</sup> The Open Spaces Act 1906 allowed parish councils as well as other types of local authority to receive, acquire and maintain open spaces. In 1908, as already mentioned, minor alterations were made to the

132. Parish Fire Engines Act 1898 and Parish Councils Journal - Oct. 1898.

133. Commons Act, 1899, ss. 4 & 5 and Councils Journal - Nov. 1899.

134. Annual Report of the Local Government Board for 1899.

135. Annual Reports of the Local Government Board for 1898, 1899, ....., & 1907

136. Ibid.

137. Education Act 1902 ss. 6 and 24, & Redlich, J. & Hirst, F.W. - Local Government in England, 1903, Vol. 2, p. 191

procedure of providing allotments, and parish councils were confirmed as the principal providers of these in rural areas.

In addition to these changes in the powers of parish councils, there was one other significant change in the law relating to parish councils. In 1899 the Parish Councils (Tenure of Office) Act made parish council elections triennial instead of annual. This had been suggested as early as 1896 by a Welsh parish council.<sup>138</sup> A private member's bill to this end was introduced in 1898 by Mr. Lambert, M.P. for South Molton, but it failed for want of time.<sup>139</sup> He therefore introduced it again the following session. The proposal was not very controversial and there was only a little opposition to it on the grounds of democratic control. Only one M.P. was so opposed as to protest strongly in the Press at what he saw as the quietness with which the democratic value of parish councils had been eroded.<sup>140</sup> The arguments for triennial elections were the falling interest in parish council elections, the lack of continuity on the councils and, above all, the expense of polls. Some preferred biennial elections, rather than triennial. The most notable of these was Henry Fowler, whose conversion to Lambert's proposal in 1899 influenced many others.<sup>141</sup> As the former President of the Local Government Board, responsible for the 'Parish Councils' Act', now agreed

138. Councils Gazette - 1 Feb. 1896.

139. Hansard (H of C) Debates - 10 May, 1898 Col. 826

140. As reported by the Councils Gazette - 22 Mar. 1899

141. His views were mentioned with respect in the Commons debate, where it was also suggested that he was largely responsible for the failure in the previous year. Hansard (H of C) Debates - 20 Feb. 1899 Col. 1590.

to triennial elections and as the Local Government Board saw no objections, nor apparently the Government, the bill obtained a quick second reading in the Commons in February 1899.<sup>142</sup> It was delayed in Committee due to three successive adjournments to give parish councils time to voice their opinions.<sup>143</sup> They do not seem to have been eager to do so. Two presented petitions to Parliament in favour of the change,<sup>144</sup> but the local government press indicated the existence of no strong feeling among correspondents, although the 'Councils Gazette' for instance, was in general in favour of the bill.<sup>145</sup> Such argument on the bill as there was, seemed to be among the supporters of parish councils, with little intervention by hostile interests. The bill received minor amendment in the House of Lords, but as this was agreed to on the nod by the Commons,<sup>146</sup> it found time to pass that session.

The expense of holding a poll was mentioned among the reasons for holding less frequent elections. There was also much opposition aroused by the show of hands method of election, although it did not involve this expense. There were two complaints; it led to confusion and errors and it facilitated intimidation. Few chairmen could know by sight who was on

142. Ibid.

143. Hansard (H of C) Debates - 24 Feb. 1899 Col. 434,  
27 Feb. 1899 Col. 580, 3 Mar. 1899 Col. 1160 and  
24 Mar. 1899 Col. 284.

144. Hansard (H of C) Debates - 13 Jul. 1898 Col. 82 and  
2 May 1899 Col. 1109.

145. Councils Gazette - 2 Mar. 1899

146. Hansard (H of C) Debates - 8 Jun. 1899 Col. 663

the register or not, and fewer still could notice, for example, whether everyone in a meeting of a hundred people raised their hands only ten times or less, and not eleven. Voters too might lose count of the number of votes they had cast. Some voters might well feel deterred from being seen to oppose an important employer.<sup>147</sup> These faults could be compounded, for it apparently happened that a few voters raised and lowered their hands in an effort to catch the eye of the chairman while avoiding that of their employer.<sup>148</sup> The open voting also encouraged the practice of treating voters to beer.<sup>149</sup> Even before the second parish council elections Lord Monkbretton protested in 'The Times' against the method,<sup>150</sup> but opposition rose to a crescendo with the order by the Local Government Board in 1897 that made a request by five voters, not one as before, necessary to demand the holding of a poll.<sup>151</sup> Opponents to this included Sir William Foster, who had been Fowler's assistant at the Local Government Board,<sup>152</sup> and the magazine 'The Councillor',<sup>153</sup> both of whom claimed that there was good evidence that the show of hands prevented people from voting as they wished. Those in favour of change did not apparently challenge this but considered the expense of a poll the greater of two evils, and expressed, as for example Sir John Dorrington, chairman of Gloucestershire

147. Councillor - 5 Feb. 1897, 12 Mar. 1897, Parish Councillor - 31 Jan. 1896.

148. Councillor - 12 Mar. 1897.

149. Councillor - 1 May 1897.

150. Quoted in Councils Gazette - 25 Jan. 1896.

151. Councillor - 5 Feb. 1897.

152. Councillor - 3 Apr. 1897.

153. Councillor - 5 Feb. 1897.

County Council, did,<sup>154</sup> a readiness to approve any cheap method of secret voting. There was however no agreed alternative method. Suggestions ranged from voting machines<sup>155</sup> to a short poll under an unpaid returning officer.<sup>156</sup> The lack of such alternatives, and perhaps a declining interest in parish council elections, muted criticism, although this continued. Seven years later, for example, a Kent parish council passed a motion condemning the show of hands method both for its interference with voters' freedom and for the difficulties of using it at a crowded meeting.<sup>157</sup> Even the right to demand a poll could be difficult to enforce. When one parish council chairman illegally refused a demand for a poll it took the county council nearly a year to order fresh elections.<sup>158</sup>

There are no figures to indicate how soon attendance at parish meetings fell to the recent level, but if the press reporting of parish councils' matters generally is any guide, public interest gradually waned. There was no obvious reason for this, except perhaps the death of unrealistic initial expectations. There were parish councils like Cotgrove, whose minutes record that in January 1895 it discussed complaints of an obnoxious stench from the street drain, in October it inspected the drain and in December

154. Councillor - 12 Feb. 1897

155. Ibid.

156. Councillor - 5th Mar. 1897

157. Minutes of Lyminge (Kent) Parish Council 1904

158. Councils Journal - Dec. 1901

agreed to have it cleaned at a cost of £3.<sup>159</sup> But, as one magazine noted, if parish councils on the whole did not display great enterprise the same could be said of railway companies or government departments.<sup>160</sup> As far as can be judged from a very small sample of parishes, the frequency of parish council meetings declined by 1905 but partially rose again before the War.<sup>161</sup> Attendance dropped a little from over four-fifths to about three quarters of the councillors.<sup>161</sup>

There thus appears no dramatic collapse of parish councils but one may consider the possible impediments that existed to more energetic and vigorous use of their powers.

Firstly one might question how many villages contained men of sufficient energy, interest and enthusiasm. Few villages appeared to conceal a 'village Hampden' or a 'mute inglorious Milton' or even a local Joseph Arch, or, if they did, the creation of parish councils did not reveal them. Even if there were such men, the majority of the village might not support them, and parish councils were more tightly under the control of their electors than any other local authorities. Rural England was more noted for its conservatism than its radicalism. Agricultural labourers, the hoped-for seed bed of rural radicalism were a fast disappearing species. The number of agricultural labourers and shepherds declined in the last half of the nineteenth century by 45% at a time of great

159. Parish Councils Review - Winter 1950, quoting Minutes of Cotgrove (Notts) Parish Council.

160. Councils Journal - Oct. 1900

161. Survey of parish council minutes by the author.

urban and industrial growth.<sup>162</sup> The trend was not slackening; the percentage of males engaged in agriculture fell from 13.8 to 11.6 from 1881 to 1891 and then to 9.5 by 1901.<sup>163</sup> The decline in rural districts' population was due to the departure of others as well as the labourers. Those who migrated to the wider opportunities to be found in the towns, were the younger and probably the more enterprising of the village population. The villages were thus left to the more conservative, and older inhabitants. Many of the larger villages, with presumably more enterprising parish councils, became urban districts in order to achieve greater freedom and powers. Between 1895 and 1915, 144 new urban districts were created, mainly from those rural parishes with over 1,000 population.<sup>164</sup>

Secondly, such abilities as might exist among the rural working class could still be thwarted by habits of deference to established leadership. As 'The Times' put it in an article on parish councils - 'The rural labourer knows not and knows that he knows not.'<sup>165</sup> The influence of the higher classes was aided by the method of open voting.

In addition to this drawback, the method of electing parish councils did nothing to encourage support for the councils. If there was a contest and some local interest, there

162. Harben, H. - The Rural Problem, 1913, pp. 2-3.

163. Ibid.

164. Annual Reports of the Local Government Board for 1895, 1896, ..., 1915.

165. Quoted in the Parish Councillor - 4 Oct. 1895.

existed only the invidious alternatives of the potentially chaotic, uncertain and embarrassing show of hands method which did nothing to gain respect for the parish council thus elected, or the paraphernalia of a proper poll which in a small village occasioned unpopularity for the parish council on account of its expense.

The limited resources of parish councils may have curtailed the activities undertaken. Some modern amenities such as washhouses were a financial extravagance for small villages. Similarly parishes could only afford one part time clerk to serve them, paid perhaps up to £5 per annum.<sup>166</sup> Although rural district council clerks might also be part-time, they were usually solicitors. Shropshire County Council employed only five administrative staff in its early days as compared with over six hundred at the present day.<sup>167</sup> Nevertheless parish council administration was far weaker than that of other local authorities, in the absence of widespread sharing of clerks. Parishes were felt by one magazine to be reluctant to pay a fair wage.<sup>168</sup>

Parish councils were unusual among local authorities in that they had no obligatory functions except to meet and hold their elections and there was no thorough enforcement of even these limited duties. Superintendence of their work was carried out by the District Auditors, who checked that the nature and extent of their expenditure was within the legal limits.

166. Parish Councillor - 13 Dec. 1895.

167. Dunbabin, J.P.D. op cit. p. 376.

168. Parish Councillor - 13 Dec. 1895

Thus for parish councils even more than other English local government bodies, outside control was entirely negative. The only source of ideas or spur to action was the parish council and its electors.

Also important in limiting parish council activities was the division of powers between the rural district councils and parish councils. Few functions belonged specifically to parish councils, but several fell into the category of those that could be exercised by the rural district council or the parish council (provided it did not interfere with the former). These included water supply, dealing with public nuisances such as stagnant ditches, and maintaining footpaths.<sup>169</sup> A letter in 'The Times' that claimed unco-operative rural district councils were thwarting the zeal of parish councils, rather understated the scope for an energetic parish council.<sup>170</sup> Parish councils showed a tendency to approach the rural district council first in an effort to persuade them to take action themselves. This tendency, however, was matched by the reluctance of the rural district councils to do work that would benefit only one of their constituent parishes.

Not only could parish council functions be left to the rural district council; they might also be left to voluntary action. Some preferred this latter method either as a way of demonstrating noblesse oblige,<sup>171</sup> or as a means of relieving

169. Local Government Act 1894 ss. 8 & 13.

170. The Times - 1 Oct. 1895

171. See Baker, A.S. - Parish Problems, 1895.

the rates, or because certain facilities were already provided in this way before parish councils were created. Parish councils could avoid raising rates by alternative methods of finance. Sturry (Kent) parish council financed its street lighting by a combination of subscriptions, collections and entertainments such as a concert.<sup>172</sup>

The legal restrictions on the rates that a parish council could levy do not, however, appear to have placed any serious handicap on the councils in the initial period, as has been shown. The mean total parish council rate in 1897-1907 was **under 1d.** in the £, and less than a tenth of parish councils raised more than 1d. in the £ as a general rate and only 20 in England and Wales more than 3d. in the £ in 1906-7.<sup>173</sup> The distinctions of general and special rates caused additional work for the part-time parish council clerks.

It should not, however, be thought that parish councils collapsed in the face of these handicaps, even if they failed to achieve all that was hoped of them. Parish meetings, in parishes without a parish council, did so collapse. Few had any financial transactions; 503 out of 5,719 in 1897-8 and 401 out of 5,651 in 1912-13.<sup>174</sup> Many, perhaps most, of the rest met only sporadically and some perhaps not at all. The 1894 Act required them to be held at least twice a

172. Minutes of Sturry (Kent) Parish Meeting & Council 1895 & 1896.

173. Annual Reports of Local Government Board for 1897 . . . ., 1907 and Local Taxation Return for 1906-7.

174. Annual Reports of the Local Government Board for 1895, 1896, . . . ., 1913.

year<sup>175</sup> but there was no procedure of enforcing this.

Begbroke (Oxfordshire) held no meeting between 1898 and 1906, and Hensington Without (Oxfordshire) met three times between 1905 and 1915.<sup>176</sup> At least one parish meeting is reported not to have met within the memory of those living there today. When it ceased to meet is unknown in the absence of its records.<sup>177</sup>

Parish councils, on the other hand, performed minor local government functions with a fair measure of success, even if some of these functions were too costly for a small village to wish to afford them. The failure seems to have been on the part of those who over-estimated the enthusiasm in rural England for local democratic enterprise.

175. Local Government Act 1894 s. 19(2).

176. Minutes of Begbroke (Oxon) Parish Meeting and of Hensington Without (Oxon) Parish Meeting.

177. Letter to the author from the incumbent.

CHAPTER 3

THE FIRST ASSOCIATION OF PARISH COUNCILS  
AND THE FIRST MAGASINES FOR PARISH COUNCILLORS

The establishment of parish councils and the election of the first 57,000<sup>1</sup> parish councillors created a new market for publishers. In addition to new editions of existing local government text books, at least seven new books and several pamphlets<sup>2</sup> were published, generally offering the text of and a commentary on the 1894 Local Government Act or those parts that concerned parish councils. Most of these books showed a neutral, lawyer's attitude to the Act, but some authors betrayed an enthusiasm for the new parish councils. Some of the pamphlets emphasised particular aspects of the legislation; according to one's religious denomination one could choose 'The Remaking of Rural England and the Relation of Nonconformist Churches to the Parish Councils Act 1894', 'Our Village Parliament, a Summary of the 1894 Act and its Relation to the Methodist People' or 'The Local Government Act 1894 as it affects the Church's Interests'.<sup>3</sup> The Liberal Party, that had passed the Act,

1. 24th Annual Report of the Local Government Board, p.51
2. Davies, J.W. - 'The Parish Councils Act', Bristol 1894;  
Dodd, J.T. - 'The Parish Councils Act Explained,' 1894;  
Fitzgerald, J.W. - 'The Local Government Act 1894', 1894;  
Graham, A.H., Brodhurst, B.E.S. - 'A Guide to the Parish Councils Act 1894', 1897;  
Mothersole, H.B.N. - 'The Parish Councils Guide', 1896;  
Richards, H.C. - 'The Parish Councillor's Guide to the 1894 Act', 1894;  
Stone, J.H. and Pease, J.G. - 'The Local Government Act 1894, a Practical Guide to Parish Councils and Parish Meetings', 1898.
3. 'The Remaking of Rural England and the Relation of the Nonconformist Churches to the Parish Councils Act 1894', 1894;  
Sellers, W.E. - 'Our Village Parliament, a Summary of the 1894 Act and its Relation to the Methodist People', 1894;  
Syers, H.S. - 'The Local Government Act 1894 as it affects the Church's Interests', 1894.

was responsible through the party organisation for one of the most straightforward expositions of the legislation.<sup>4</sup>

Not only books and pamphlets were published for those interested in the new parish councils; three periodicals also were founded or renamed: 'The Parish Councillor', 'The Parish District and Town Councils Gazette' and 'The Parish Councils Journal'. The entrepreneur, who was the founder and first editor of the last named of these periodicals, founded also the first association of parish councils.

'The Parish Councillor' was the new name adopted by the magazine previously entitled 'The Yeoman'. It described itself then as a magazine for 'parish councillors, smallholders and colonists'.<sup>5</sup> These colonists were settled not overseas but in England under the auspices of the English Land Colonisation Society, a body, heir to some of the ideas of Feargus O'Connor and the Chartists, which declared its purpose to be to aid the establishment of people on the land and to assist the revival of rural industries.<sup>6</sup> 'The Parish Councillor' was connected both with this English Land Colonisation Society and with the Agricultural Banks Association, an organisation whose purpose was to afford cheap credit to farmers and whose secretary was editor of 'The Parish Councillor'.<sup>7</sup>

4. Grant, C. - 'The Parish Councillor's Handbook', 1894.

5. Yeoman - Nov. 1894

6. Yeoman - 1894

7. Parish Councillor - Apr. 1895.

This magazine was published weekly and offered its readers twenty-four foolscap pages of contents, increased to twenty-eight in 1896, for the price of one penny. Its staple contents were two or three articles, news and comment thereon, questions and answers columns and notes on individual councils and councillors. The main articles were on topics concerned with local government, agriculture and rural life. Thus, as an example, the three principal articles in one issue were on 'The Power of a parish meeting', 'Village Industries in Russia' and 'The Price of Plovers' Eggs'.<sup>8</sup> The news items reported concerned similar topics and were accompanied by the editorials of Mr. Thomas Farrow arguing for such causes as cheap agricultural credit,<sup>9</sup> agricultural tariff protection<sup>10</sup> and an increase in the number of women parish councillors.<sup>11</sup> Queries by parish councils and others were published together with the answers to these given by the editor, Mr. Thomas Farrow or Mr. Corrie Grant, the author of a 'Parish Councillors' Handbook' published by the Liberal Association for the assistance of parish councillors. 'The Parish Councillor' also began to run a women's page, entitled 'For Councillors' Wives', which dealt with such household matters as jam-making.

The magazine aspired to the readership of farmers and smallholders. Its request, that readers donated spare copies

8. Ibid.

9. Parish Councillor - Feb. 1895, Apr. 1895 and Jan. 1896.

10. Parish Councillor - Dec. 1894, Jan. 1895 and Jan. 1896.

11. Parish Councillor - Dec. 1894.

of the magazine to working men in the village in order to encourage their interest in parish councils,<sup>12</sup> suggests that it considered few of the working men to be among its regular readership. The inclusion in the magazine of poems with Latin titles and classical references<sup>13</sup> might raise doubts as to the proportion of ordinary farmers and smallholders amongst readers.

As already mentioned 'The Parish Councillor' seems to have had close ties with the English Land Colonisation Society and the Agricultural Banks Association. It also appears to have had good relations with the Urban District Councils Association and the Rural District Councils Association through Mr. Baker, the joint secretary of these two associations, who contributed articles to the magazine,<sup>14</sup> and good relations with the County Councils Association, whose leaflet of model standing orders for parish meetings, 'The Parish Councillor' offered to its readers.<sup>15</sup>

A second weekly publication was the magazine 'The Parish, District and Town Councils' Gazette'. Its contents were fairly similar to those of 'The Parish Councillor', although it was more concerned with the legal aspects of local government. Its principal regular features were answers to readers' queries general articles, reports on Parliamentary news of local government interest, brief notes of particular councils'

12. Parish Councillor - Oct. 1895.

13. Parish Councillor - Apr. 1895.

14. Parish Councils Journal - Sept. 1895

15. Parish Councillor - Jan. 1896.

activities and illustrated biographies of councillors. Its reports on Parliament were later supplemented by reports on decisions of the Local Government Board and on local government court cases. It did not share 'The Parish Councillor's' interest in other aspects of rural life besides the councils. The foremost cause that it urged was the conferment on parish councils of responsibility for highways.

The third magazine directed at parish councils was a monthly publication 'The Parish Councils Journal'. This was founded in 1894 by Mr. J. Wallis-Davies, a solicitor, who was its first editor and its principal contributor. For the price of sixpence it offered each month thirty quarto pages of contents. Articles made up half the magazine; the other half consisted of reports of court decisions in local government cases, Parliamentary debates and Local Government Board circulars, a local government calendar, news of odd and amusing incidents involving parish councils, book reviews and, of course, answers to parish council queries. A feature of 'The Parish Councils Journal's' answers was the good index to them, that was published each year.

This advisory service, run by Mr. Wallis-Davies, differed however from that of the other magazines in that, it was offered not simply to readers of 'The Parish Councils Journal' but to members of a 'Parish and District Councils Association'. This association was founded in the summer of 1894<sup>16</sup> by Mr. Wallis-Davies, who was initially its sole officer, its

16. Parish Councils Journal - Jan. 1895

secretary, treasurer and solicitor.<sup>17</sup> The Parish and District Councils Association was not a democratically representative organisation, but rather an organisation similar to such bodies as the Automobile Association that provided its members with certain services in return for an annual subscription, and occasionally sought to assert a representative status on the strength of this membership. Mr. Wallis-Davies would appear to have been an entrepreneur who founded the Parish and District Councils Association as well as 'The Parish Councils Journal' in order to supplement his income. He was also secretary and solicitor of the Assistant Overseers Association,<sup>18</sup> which offered advice to Assistant Overseers and claimed to be striving to obtain for them greater security in their posts.<sup>19</sup>

Those councils who joined the Parish and District Councils Association paid one guinea a year subscription and in return obtained 'The Parish Councils Journal' each month (which would otherwise have cost them six shillings a year), the Association's handbooks and advice on enquiries made to the Association in addition to enabling the Secretary of the Association possibly to obtain benefits for parish councils by representations to the Local Government Board from time to time.<sup>20</sup> The Association's handbooks dealt with 'The 1894 Local Government Act', 'The Adoptive Acts', (those acts which enabled parish

17. Parish Councils Journal - Sep. 1895, and Parish Councillor, various issues.

18. Parish Councils Journal - Jul. 1895.

19. Parish Councils Journal - Mar. 1896.

20. Parish Councils Journal - Jul. 1895.

councils by a special procedure of 'adoption' of an act to take certain additional powers), 'Charities', 'Allotments', 'Model Parish Council Standing Orders' and 'Model Allotment Tenancy Agreements'.<sup>21</sup> The advisory service was available in Welsh as well as English and a selection of questions and answers (none in Welsh) was published in the Journal. Despite Mr. Wallis-Davies' hope that the Association could be 'like the Association of Municipal Corporations', as he put it,<sup>22</sup> of great use in helping to frame legislation, it would not appear to have achieved any success in that, but it did obtain from the local Government Board from time to time definitive interpretation of regulations concerning parish councils.<sup>23</sup>

The Parish and District Councils Association claimed to have achieved five hundred members within nine months of its foundation<sup>24</sup> and in May 1895 reached a membership of 800,<sup>25</sup> a figure that may be compared with the total number of 7,300 parish councils. The Parish Councils Journal was itself an advertisement for the Association and Mr. Wallis-Davies gained the notice of a wider readership, when 'The Times' published a letter of advice to parish councils sent by him, as Secretary of the Association.<sup>26</sup> Despite its title, the Parish and District Councils Association would seem to have been more of a Parish Councils Association than a District

21. Ibid.

22. Parish Councils Journal - Aug. 1895

23. The Times - 16 Jan. 1895, correspondence columns.

24. Parish Councils Journal - Mar. 1895.

25. Parish Councils Journal - May 1895.

26. The Times - 28 Jan. 1895.

Councils Associations, The membership figures given were never broken down into parish and district councils, but the contents of the Journal and, even more, those of the handbooks of the Association were designed primarily for parish councils. The Journal made much of the advantages of the Association for parish councils but did not similarly seek district councils as members. There were, of course, alternative associations for the latter, the Rural District Councils Association and the Urban District Councils Association, whereas there was no other national association for parish councils.

Possibly on account of competition between the Parish and District Councils Association and the Rural District Councils Association and the Urban District Councils Association, but more probably in the hope of destroying an advantage of a competitive magazine, 'The Parish Councillor', which was on good terms with the two District Councils Associations, launched a series of attacks on Mr. Wallis-Davies' Association. Although there had been initially suggestions of a merger between the two magazines<sup>27</sup> and although in May 1895 'The Parish Councillor' carried an advertisement for the Parish and District Councils Association,<sup>28</sup> relations rapidly deteriorated thereafter into mutual criticism and then vituperation.<sup>29</sup> Mr. Farrow attacked the Parish and

27. Parish Councils Journal - Sep. 1895.

28. Parish Councillor - 17 May 1895.

29. Parish Councils Journal and Parish Councillor, Aug. 1895 and Sep. 1895.

District Councils Association as an undemocratic one-man band without any constitution<sup>30</sup> and contrasted it with Mr. Baker's 'well-managed Rural District Councils Association and Urban District Councils Association'.<sup>31</sup> 'The Parish Councillor' claimed that subscriptions to the Parish and District Councils Association were ultra vires for parish councils, and warned councillors to beware of surcharge by the district auditor.<sup>32</sup> In reply 'The Parish Councils Journal' deplored Farrow's 'despicable interference', suggested that he minded his own business, and noticed his recent desire to amalgamate the two magazines.<sup>33</sup> Mr. Wallis-Davies claimed that the Parish and District Councils Association was the largest and the only respectable organisation of its kind<sup>34</sup> and asserted that subscriptions to it were every bit as justified as those to the Urban District Councils Association but offered to pay the surcharges if any council should incur one by subscription to the Parish and District Councils Association.<sup>35</sup> The possibility of surcharges worried the Rural District Councils Association also, although 'The Parish Councillor' did not draw attention to this. Mr. Baker, secretary of the Rural District Councils Association, stated in that Association's Official Circular, that he was sure that subscriptions to it were legal but

30. Parish Councillor - Aug. 1895.

31. Ibid.

32. Ibid. - 2 Aug. 1895

33. Parish Councils Journal - Sep. 1895

34. The Times - 24 Aug. 1895

35. Parish Councils Journal - Sep. 1895.

that Rural District Councils who had joined other associations should ascertain how these were managed, as this might determine whether or not the councillors were liable to be surcharged.<sup>36</sup>

The Local Government Board had said in June 1894 that it thought that the subscriptions could legally be paid from the rates but had refused to make a definitive statement unless they received an appeal from a district auditor on the matter.<sup>37</sup> No such

appeal was reported by the Parish and District Councils

Association but one would seem to have gone unfavourably for

them, because in 1895 both Mr. Wallis-Davies and Mr. Baker

were pointing out to their members that what might seem to be

a subscription to an association was technically a subscription

to 'The Parish Councils Journal' or the Rural District Councils Association's monthly Circular respectively.<sup>38</sup> Subscriptions

to such magazines by local authorities was allowed by a Local

Government Board Memorandum in 1884.<sup>39</sup> Even this type of

subscription was disallowed by a few district auditors, who

were either unaware of the 1884 Memorandum or did not consider

'The Parish Councils Journal' or the 'Rural District Councils Association Circular' to be of sufficient value to councils.<sup>40</sup>

Such disallowances were overruled by the Local Government Board on appeal

36. Rural District Councils Association Official Circular Aug. 1895, p. 253.

37. Parish Councillor - 13 Mar. 1896.

38. Parish Councils Journal - May 1896, and Rural District Councils Association Official Circular - Jan. 1895, p. 2.

39. Rural District Councils Association Official Circular Jan. 1896, p. 1.

40. Parish Councils Journal - May 1898 and Jul. 1898; Rural District Councils Association Official Circular - Oct. 1898, p. 235

In September 1895, Mr. Farrow, the editor of 'The Parish Councillor', threatened 'to take action elsewhere (against the Parish and District Councils Association)',<sup>41</sup> Nothing seemed to result from this. Next month Mr. Wallis-Davies felt that the Association was prospering sufficiently for him take on an Assistant Secretary.<sup>42</sup> Early the following year Mr. Farrow predicted the demise of the Parish and District Councils Association,<sup>43</sup> but in May it was still advertising for members.<sup>44</sup>

In November 1896 it was announced that the Parish and District Councils Association had been 'incorporated by Government licence'.<sup>45</sup> 'The Parish Councils Journal' quoted the congratulations of Mr. Stansfield, a distinguished Liberal politician and a former President of the Local Government Board, who said : ((The Parish and District Councils Association)) has done admirable work already and the existence of some such association appears to me almost essential to the successful administration, within their limits, of our various councils, and likely also to be of the greatest use in promoting practical improvements in the law'.<sup>46</sup> The Association was reorganised. Mr. Wallis-Davies remained as Legal Secretary but there were created an Executive Council and a Legislative Committee.<sup>47</sup>

41. Parish Councillor - 27 Sep 1895.

42. Parish Councils Journal - Oct. 1895.

43. Parish Councillor - 17 Jan. 1896.

44. Parish Councils Journal - May 1896.

45. Parish Councils Journal - Dec. 1896.

46. Ibid.

47. Ibid.

No mention was made of a democratic constitution, the lack of which had caused previous criticism. The Legislative Committee consisted of forty-two members, including thirty-eight Members of Parliament and one peer (the Earl of Denbigh). These would appear to be a group of sympathisers of the Association, who were in position to assist it in parliamentary proceedings. The Executive Council had a membership of eleven, including three Members of Parliament, and one who described himself as a 'parliamentary solicitor', presumably a parliamentary agent. Not only did Mr. Wallis-Davies yield place to the new Executive Council, but the Legal Secretary was not the Association's sole lawyer. His Assistant Secretary was a solicitor, Mr. C.H.B. Ince, described on appointment as 'a representative of a well-known legal family'.<sup>48</sup> That family had another representative, Mr. G. Ince, a barrister, on the Executive Council. There was also the parliamentary solicitor on the Executive Council and four Queens Counsel on the Legislative Committee. Mr. Wallis-Davies explained his former sole management of the Association as being caused by his belief that it was unfair to solicit eminent patronage until the Association was established on a firm basis.<sup>49</sup> Nevertheless he claimed to have provided advice more cheaply than outside lawyers and more quickly than the Local Government Board.<sup>50</sup>

48. Parish Councils Journal - Mar.1897.

49. Parish Councils Journal - Dec.1896.

50. Ibid.

On its incorporation, the Parish and District Councils Association formally declared its objects to be.

1) to supply parish councils, district councils and boards of guardians with legal publications and official circulars relating to their respective powers and duties,

2) to hold conferences and make necessary representations to the various government departments,

3) to further the interests of local authorities legislatively and administratively, and

4) to give legal and general information by post.<sup>51</sup>

Thus the basic function of an advisory and information service was maintained. The new Legislative Committee of the Association afforded prospects of greater parliamentary and departmental influence.

Mr. Wallis-Davies did not however stay much longer with the Association. The advisory service which was answering 2,500 queries a year,<sup>52</sup> became the work of the Assistant Secretary early the next year. Mr. Wallis-Davies resigned as Legal Secretary and Mr. C.H.B. Ince was promoted to fill that post.<sup>53</sup> It is not clear whether Mr. Wallis-Davies was moved by dissatisfaction with the new arrangements or by disappointing financial prospects, but 'The Parish Councils Journal' reported, 'the assumption of new engagements has compelled Mr. Wallis-Davies to reluctantly sever his relations with the Association,

51. Ibid.

52. Parish Councils Journal - Mar. 1897.

53. Ibid.

in the origination of which he expended so much time and care'.<sup>54</sup>

The Parish and District Councils Association would seem to have been the only national association of parish councils. There were, however, other associations of parish councils formed at a county level. Such associations, apparently quite independent, were reported in Cheshire and Northamptonshire. A Cheshire Parish Councils Association held a conference of councillors in 1896,<sup>55</sup> and in the following year a conference of parish councils was held in Northamptonshire.<sup>56</sup> This latter conference not only decided to form a Northamptonshire Association of Parish Councils, but passed several resolutions on matters with which parish councils were, or wished to be, concerned. One forward-looking resolution demanded that 'all plans for new buildings in every parish should be submitted in the first instance to the parish council and no buildings should be erected unless such plans have been sanctioned by both parish council and district council'.<sup>57</sup> Such local associations were not peculiar to parish councils; there was a West Riding District Councils Association open to both rural and urban district councils.<sup>58</sup> References in the minutes of individual parish councils to what might appear to be other organisations (a Parish and Rural Districts Association<sup>59</sup> and a Parish and Rural District Councils Association<sup>60</sup>) probably represent a careless entitling of the

54. Ibid.

55. Councils Gazette - 14 Mar 1896.

56. Parish Councils Journal - Oct 1897.

57. Ibid.

58. Rural District Councils Association Official Circular - Jul, 1901, p. 233.

59. Minutes of Sturry (Kent) Parish Council - 1895.

60. Minutes of Bramhope (Yorkshire) Parish Council - 1895.

Parish and District Councils Association, or possibly refer to other local associations, in view of the fact that no other national association received any mention in the press. It was easier for the local associations to hold conferences, as these were much cheaper for participants. Such conferences might have enabled the association to be representative of parish councils, in a way that the Parish and District Councils Association, despite its assistance to them, was not. No figures of attendance were given in the reports of the conferences and the associations would appear to have faded away.

The magazines directed at parish councils were also in danger of fading away. Their market was evidently not as large as anticipated. All three first tried to widen their readership by publishing more of technical local government interest and less of general and countryside interest, and less also of particular interest to parish councils, and then, finding this still unprofitable, ceased publication or merged with another periodical. In 1896 the weeklies abbreviated and altered their titles: 'The Parish District and Town Councils Gazette' became 'The Councils Gazette' in January and 'The Parish Councillor' became 'The Councillor' in April and then 'The Councillor and Guardian' in October, 1897. 'The Councils Gazette' ceased publication in April 1899 and 'The Councillor and Guardian' at the end of 1904. The monthly Parish Councils Journal did not change its title until April 1899 when it became 'The Councils Journal', although it continued to be the official organ of the Parish and District Councils Association. Even

this magazine only survived another ten years, then being incorporated in the Local Government Review in October 1909. The Local Government Review was a larger and more expensive journal with a wider range of interests in local government. Indeed it claimed to appeal to 'aldermen, councillors, guardians, officials, ratepayers, students, social reformers and public men'.<sup>61</sup> Readers of the Councils Journal were assured, however, that the Local Government Review would follow the same editorial line as the Councils Journal in matters of 'rural self-government'.<sup>62</sup>

The change in these periodicals meant that less parish councils' news was reported and in particular less news of the Parish and District Councils Association. The Association remained in being and continued to offer its members free advice. Further trouble with the district auditors seems to have occurred because the association pointed out that it might be less troublesome for its members if they raised the salary of the clerk to the parish council and suggested he subscribed to the Association with the increment.<sup>63</sup> The object of the Association was reworded to omit specific reference to legislative influence and to conferences. They now were

1) to assist members and officials of parish and district councils in the discharge of their duties.

61. Councils Journal - Sep. 1909

62. Ibid.

63. Councils Journal - Mar. 1909

- 2) to provide members with free advice on questions of local government law and practice,
- 3) to protect the rights of parish and district councils, and
- 4) to take such concerted action as may be necessary or advisable to promote the interests of members.<sup>64</sup> Its attempts to influence legislation do not seem to have met any significant success, but it was able to hold a national conference of parish councils in 1908.

This conference was held in Caxton Hall, Westminster, and was reported to have been attended by representatives from all over the country. Mr. C.P. Trevelyan, a Liberal M.P. later to be a Labour Minister, presided, attended by the then Secretary of the Association, Mr. W. Dunbar McConnell. The conference listened to an address on allotments by Mr. H. Beaumont, and one on commons and rights of way by Mr. L.W. Chubb, Secretary of the Commons and Footpaths Preservation Society. There were discussions on possible changes in the method of electing parish councils and possible extensions to the permissive powers of parish councils. The provision of playgrounds, of water supply, of sanitation and of roads were among the possible new powers considered.<sup>65</sup>

The attendance at this conference is not known but it does seem to have been sufficient to encourage the Parish

64. Ibid.

65. The Times - 13 Jul. 1908

and District Councils Association to hold another.<sup>66</sup> The Association relapsed into its role as legal advisor, and samples of its members' queries and the answers to these were published each month in the Local Government Review. The Editor of this new journal was Mr. McConnell, The Honorary Secretary of the Parish and District Councils Association, and the Local Government Review was the 'official medium' of both the Parish and District Councils Association and a National Union of Public Health Authorities.<sup>67</sup> Members of the Parish and District Councils Association paid one guinea a year for two copies of the Review each month and entitlement to free advice.<sup>68</sup> The Local Government Review in its first year or two was a good magazine, containing principally articles by distinguished outsiders, including Mrs. Beatrice Webb and Mr. L. Gomme (Clerk to the London County Council), on various aspects of the organisation of local government in the U.K. and abroad and the work of local authorities, as well as reports from Parliament and the Law Courts, odd items of news about local councils, and a good bibliography of books and articles on local government. The only article to deal with parish councils was one by the editor, entitled 'The Peasant's Charter', in 1910, which praised the achievements of parish

66. None was mentioned in the official publications of the Parish and District Councils Association in the next six years.

67. Local Government Review - Nov. 1909, and subsequent issues.

68. Ibid.

councils within their limits and demanded more powers for them and simpler legislation.<sup>69</sup> This simplification was claimed both for the convenience of parish councils and to restrict the Local Government Board's power of interpretation. The Local Government Board's attitude that engendered such hostility may be illustrated in its refusal of loan sanction in 1911 to Gaydon (Warwickshire) Parish Council, for the provision of a water supply under its powers by the 1894 Local Government Act to utilise a well, spring or stream for such a purpose.<sup>70</sup> The Rural District Council did not object; the County Council was willing to lend the money but the Board refused sanction on the grounds that this ought to be done by the Rural District Council.<sup>70</sup> Thus the Local Government Board prohibited the Parish Council from action without ensuring that any other body carried it out.

In June 1911 the Local Government Review ceased to be the official medium of the Parish and District Councils Association and published a section entitled 'Counsel's Opinion' on local government questions, instead of the 'Queries and Answers' for Parish and District Councils Association members.<sup>71</sup> These 'Queries and Answers' were published in the 'Official Circular of the Parish and District Councils Association', which had the same address as the Review.<sup>72</sup> Parish and District Councils Association

69. Local Government Review - Apr. 1910. pp. 286-292

70. ~~et seq~~ Local Government Review - Sep. 1911, pp. 122-123

71. Local Government Review - Jun. 1911, p. 1.

72. Local Government Review - Jun. 1911, p. 11.

members obtained for their guinea one copy of the Review and two copies of the Official Circular, which was sold at 3d. a month to non-members and advertised as containing 'in addition to particulars of the work of the Association, a variety of information regarding matters of practical interest to members and officials of parish and district councils'.<sup>73</sup> There were at this time 260 members of the Association,<sup>74</sup> a considerable decline in numbers since the early years.

This reorganisation did not assist the Local Government Review which then began a gradual decline both in size and in the number of outside contributors, a decline which was not prevented by its merger in January 1913 with the Official Circular of the Parish and District Councils Association, which seems to have contained only the 'Queries and Answers' and advertisements of the Association.<sup>75</sup> Mr. H.W. Guthrie had become the Solicitor to the Parish and District Councils Association and also apparently Secretary.<sup>76</sup> The Association advertised 'favourable insurance terms' as well as free legal advice to prospective members, whom it now defined as 'parish councils, their chairmen and clerks' and 'newly constituted district councils of districts previously controlled

73. Ibid.

74. Parish Councils Review Winter 1958, information from Coniston (Lancs) Parish Council.

75. Local Government Review - Jan. 1913

76. Ibid, p.4.

by parish councils'.<sup>77</sup>

Thus the Parish and District Councils Association continued its services. The only minor change was that from September 1913 it abridged its published aims by the omission of that 'to protect the rights of parish and district councils'.<sup>78</sup> It still received queries for it to answer, although these need not have been sent by members, but it gave no indication of the number of its members. Without warning, the Local Government Review and Official Circular of the Parish and District Councils Association ceased publication in December 1914 and one can only surmise the expiry of the Association about that time.

In seeking the reason why the Parish and District Councils Association should fail thus, it may be helpful to draw comparisons with the weakest of the other contemporary local authority associations, the Rural District Councils Association.

In its early years the position of this association was precarious and it seemed quite likely that it might, if it did not collapse, be merged with the Urban District Councils Association. A merger with the Urban District Councils Association was sought twice by the Rural District Councils Association, but although acceptable to the Urban District Councils Association Executive, was rejected by Urban District Councils Association members.<sup>79</sup> It had difficulties in filling the twenty positions on its Executive and in preparing its accounts by the proper date.<sup>80</sup>

77. Ibid.

78. Local Government Review - Sep. 1913, p. 285

79. Rural District Councils Association Official Circular - Dec. 1897, p. 278; Aug. 1898, pp. 201 and 217; Jul. 1901, p. 233

80. Rural District Councils Association Official Circular - 1901.

In February 1895 it had 56 members and the Urban District Councils Association over 400;<sup>81</sup> in 1898 the Rural District Councils Association had 177 members out of a possible 669, the Urban District Councils Association 433 out of a possible 779;<sup>82</sup> by 1901 the Rural District Councils Association membership had fallen to 143.<sup>83</sup>

The Rural District Councils Association had similar financial problems to those of the Parish and District Councils Association. Members could not pay subscriptions as such but had to finance the Association by purchasing the Association's Official Circular for one guinea a year,<sup>84</sup> and this was still the case in the 1920's when the Rural District Councils Association was well-established.<sup>85</sup> District Auditors occasionally challenged this expenditure by rural district councils, as well as by parish councils.<sup>86</sup> However, the Rural District Councils Association did persuade the Local Government Board in 1897, after two years' efforts, to use its powers under the Public Health and Local Government Conferences Act, 1885, to allow rural district councils to spend on attendance at conferences.<sup>87</sup> The Rural District Councils Association was, in its early days, similar in structure

81. Rural District Councils Association Official Circular - Feb. 1895, p.40 and Jan. 1895, p.1.

82. RDCA Official Circular - Aug. 1898 p. 217

83. RDCA Official Circular - Jul. 1901 p. 228

84. RDCA Official Circular - Jan. 1895 p.2.

85. Royal (Onslow) Commission on Local Government - Minutes of Evidence Vol. 13 p. 2301 - Statement by Mr. Seymour-Williams.

86. RDCA Official Circular - Oct. 1898 p. 235 reports such cases.

87. RDCA Official Circular - May 1895 p. 132 and Jan. 1897 p.2.

also to the Parish and District Councils Association, both being executive dominated rather than controlled by their members. The Rural District Councils Association apparently held no meeting of its members until 1901 and the Executive appointed members of the Executive and the Secretary.<sup>88</sup> The Association was, like the Parish and District Councils Association, run by a Secretary who was a solicitor. Mr. Baker was the Rural District Councils Association's Secretary (and Urban District Councils Association's Secretary which might have made him favour their merger) and was succeeded by his partner, Mr. Lees.<sup>89</sup>

The Rural District Councils Association differed from the Parish and District Councils Association in that it put more emphasis on the expression of collective opinion on the laws and regulations and, as it put it, offering 'to Parliament, the Local Government Board and other bodies, the benefit of the collective experience of rural district councils',<sup>90</sup> and less emphasis on informing and advising its members. It also differed in the part that council clerks played. Rural district councils clerks, whose position and status clearly depended on that of the rural district councils themselves, represented their councils on the Executive of the Association. There was no similar role for clerks in the Parish and District Councils Association in which, in any case, parish council

88. RDCA Official Circular- Jul. 1901 p. 233

89. RDCA Official Circular - 1901

90. RDCA Official Circular - Feb. 1895 p. 38 (Aims of RDCA).

clerks did not have a full-time interest.

There is one other factor that might help to explain why thirty years from their foundation the Parish and District Councils Association was dead and its successor in difficulties, while the Rural District Councils Association had gained a membership of 521<sup>91</sup> and recognition in the appointment of a representative on the Royal Commission on Local Government.<sup>92</sup> This other factor is the people involved in the association. The Rural District Councils Association appears to have been revitalised from 1901 onward, following demands for reforms made by some of its members.

The Parish and District Councils Association was unable to overcome the initial hurdle of gaining enough members to be truly viable. It made little effort to organise itself as a representative body or to persuade parish councils of the benefit such a representative body might give. For their part, parish councils were not anxious to have such a body, and often saw the advantage of the Parish and District Councils Association's legal advice service only when problems arose. They did not have full-time clerks who might have identified the interests of their type of local authority with their own.

91. RDCA Official Circular - Jan.1926 p.3

92. Lipman, V.D. - Local Government Areas 1834-1945, 1949 p. 172.

## CHAPTER 4

PARISH COUNCILS IN THE INTER-WAR PERIOD  
AND THE ATTEMPTS TO FORM  
ASSOCIATIONS OF PARISH COUNCILS

The direct effects of the First World War on local government were a general curtailment of activities, and in particular, an enforced cut in capital expenditure and consequent postponement of plans for expansion and improvement of services. This was not so serious a handicap to parish councils as to other local authorities, because loans, which needed the sanction of the Local Government Board, formed a smaller proportion of their total income. In 1913-14 although loans equalled 12% of total parish councils' and meetings' expenditure, only 46 parish councils and 3 parish meetings raised loans. Such loans fell from £56 million in the biennium 1913-15 to £0.8 million in 1917-19.<sup>1</sup>

After the war local authorities resumed their previous level of activity and services were expanded. Parish councils did not appear to share this expansion. As before, there was no absolute decline in parish councils' activity, as measured by the services they could undertake and the money that was spent on the services that they did undertake. There was however a decline relative to the other tiers of local government. Public interest and enthusiasm for parish government fell away correspondingly.

A wartime change, though one not caused by the War, was the creation in 1918 of a new ministry, the Ministry of Health, whose functions included those that had been exercised by the

1. Annual Reports of the Local Government Board for 1914-15, 1915-16, & 1918-19, & Ministry of Health Report 1919-20.

Local Government Board for the previous fifty years. The Local Government Board wrote their own obituary in a brief account of the changes in local government over the past half-century, that was included in their final Report.<sup>2</sup> In respect of parish councils, this Report stated that the Local Government Act 1894 'was regarded at the time of its passage as being primarily a measure for reorganising the government of the parish', but suggested disappointment with the results, for the Board regretted that it could not discuss with the brevity necessary in such a report 'the financial and social causes which ((had)) contributed to limit the practical achievements of parish councils'.<sup>3</sup>

This is most tantalising reading, for while other material, that is still available, enables one to surmise with facility the social causes to which the Board refers, the financial causes are more recondite. The continuing decline of village population, especially in the small villages, may well be considered to have weakened village loyalties and village enterprise. Conflicts within the village, that were relevant to parish council affairs, might be expected to decline with the great decline in numbers of the agricultural labouring class and a diminution of inter-denominational antagonism.

The financial reasons for the limited achievements of parish councils are less comprehensible. The expenditure of parish councils was restricted not only by electors'

2. Annual Report of the Local Government Board for 1918-19

3. Ibid.

unwillingness to pay rates but also by a statutory limitation on the rate they could raise. Within three years of the limits being laid down for parish councils rating powers, the value to them of a 3d. or a 6d. rate was cut by a fifth on average as agricultural land was given 50% derating by the Agricultural Rates Act 1896, and parish councils, unlike the other local authorities, were given no compensatory government grants.<sup>4</sup> However the annual Local Taxation Returns show that less than one in ten parish councils raised a rate for general expenditure of over 1d. in the £ and only twenty or thirty parish councils a year raised over 3d.<sup>5</sup> The Board may have considered that parish councils could either spend above the limits or well under, and that as parish councils found it difficult to do all they wished, their enthusiasm might flag, with the result that they did not even do what they could. There would be little evidence for such a hypothesis, and, even if it were true, it would suggest more complex causes.

The new Ministry of Health, with its wider responsibilities for health<sup>6</sup> would not appear to have attributed much importance to parish councils. The publication of financial and other statistics relating to parish councils and meetings, which had been discontinued for economy reasons at the beginning of the

4. The assessable ratable value of all rural districts was reduced from £50 million to £40 million in 1897 by the Act - Annual Report of the Local Government Board for 1896-7
5. Local Taxation Returns for 1900-1, 1901-2, .... and 1912-13.
6. The Ministry of Health took over the functions of the Local Government Board and also a variety of responsibilities for health from the Board of Education and the Home Office.



War, was never resumed.

There were in these years, small increments to the powers of parish councils. The 1915 Fishing Harbours Act allowed them to contribute to the upkeep of such harbours. The 1923 War Memorials Act empowered parish councils to erect and maintain war memorials, but curtailed any over-zealous commemoration by imposing a limit of 1d. rate on expenditure for this purpose within the general 3d. limit.

More significant was the trend to remove from parish councils their powers to provide more important and more expensive services, powers of which few parish councils had, in fact, made use. The Public Libraries Act 1919 prohibited the adoption of the Libraries Act by a parish, if the County Council had already adopted it for that area. Another expensive service was the provision of fire engines. The Royal Commission on Fire Brigades and Fire Prevention recommended in 1923 that as fire engines were by then motorised, the service should be provided by rural district councils, not parish councils.<sup>7</sup> Parish councils were not however deprived of their powers in this respect at that date.

Few parish councils, however, provided libraries or fire engines. The Kenyon Report in 1926 showed that only 49 parish councils ran their own library.<sup>8</sup> All parishes, however, were affected by the Rating and Valuation Act 1925 which made

7. Report of the Royal Commission on Fire Brigades & Fire Prevention, 1923, pp. 162-3

8. Report of the (Kenyon) Committee on Libraries, 1926, p.228

the rural district councils the rating authorities in their areas, in place of the overseers appointed by the parish council or meeting.

This Act did not go unopposed by parish councils. A petition from 2,511 parish councils, one third of the total number, was presented to Parliament.<sup>9</sup> The Minister of Health referred to organised opposition by an association of existing assessment authorities.<sup>10</sup> The result was that parish councils or meetings were allowed to appoint two (not one) members to the Assessment Committee when it was dealing with the assessment of property in the parish.<sup>11</sup>

Fears of more legislation that would decrease the powers of parish councils, coupled with the success of this amendment, led to the formation of the first National Association of Parish Councils.<sup>12</sup> The organiser of much of the opposition to the bill and the instigator of the association was Major Harry Barnes, a surveyor and ex-M.P. He had sat in Parliament for Newcastle East, had been a valuer in the Inland Revenue and was a Vice-President of the Royal Institute of British Architects with connections with several other similar bodies.<sup>12</sup> Mr. Barnes wrote to a thousand large parish councils, asking whether they were prepared to form an association of parish councils, what they wanted from such an association, and whether they would subscribe, even if the subscription had to be paid from

9. Hansard (H of C) Debates, 19 Nov 1925. Col. 543
10. Hansard (H of C) Debates, 19 Nov 1925. Col. 609-610
11. Hansard (H of C) Debates, 23 Nov 1925. Col. 1017
12. Local Government Journal Apr 17 1926.

councillors' own pockets not from the rates.<sup>13</sup> The parish councils were invited to an inaugural meeting on 25 February 1926, to constitute an association, elect its officers and decide what representations to make about the Rating and Valuation Act and to the Royal Commission on Local Government.<sup>13</sup>

221 of the 1,000 parish councils replied that they were willing to form a provisional association and 140 expressed readiness to do so even if the subscription would not be chargeable on the rates.<sup>14</sup> The inaugural meeting in London was attended by eighty delegates, some from as far away as Durham, Somerset or Glamorgan.<sup>14</sup> Barnes, elected to the chair, described how his experiences of lobbying over the Rating and Valuation Bill had convinced him how much such activity would be facilitated by the existence of a standing association, similar to those that represented every other type of local authority.<sup>14</sup> The meeting voted to form an association of parish councils, to establish a thirty-member executive for this, and to set a provisional subscription rate of 1s. per 100 population, (minimum 5s. and maximum £5).<sup>14</sup> The aims of the National Association of Parish Councils were to be

1) to promote and foster the interest of, and participation by inhabitants in the local government of the parish in which they reside,

2) to protect and enlarge <sup>the</sup> powers, and increase the efficiency of parish councils,

13. Local Government Journal Feb 27 1926

14. Ibid.

3) to provide an organisation through which the views and wishes of parish councils can be adequately expressed and by which discussions and negotiations on questions affecting the interests and powers of parish councils can be carried on with the associations of other local authorities and with the Departments of State,

4) to promote legislation, if and when desirable, to carry out the aims and objects of the Association.<sup>15</sup>

There were two points in the proposed outline of the new Association which would suggest that it might not be viable. If all the six thousand parish councils that spent any money joined, its subscription income would amount to about £3,000; it might even seem more probable from the first response that membership would not exceed a thousand, thus producing an income of under £500.<sup>16</sup> A deeper reason for doubts would lie in the Association's aims. These were similar to those of the other local authority associations but they differed from those of the other parish councils associations that preceded and succeeded it, in one important particular; there was no specific intention to act as advisors to parish councils, but just to represent parish councils to the government. There are economies of scale in the provision of an advisory service for parish councils, but there would seem to be an even greater initial handicap in forming a purely pressure group organisation.

15. Local Government Journal Apr 17 1926

16. Calculated from the proposed N.A.P.C. subscription rates and the 1921 Census population figures.

The smaller percentage of potential members who are actually enrolled, the less weight that representative body is likely to carry; the less weight it carries, the weaker the motive for joining it. A second disadvantage of being a purely representative body is that any privileges gained <sup>for</sup> ~~from~~ those whom it represents would be granted to every parish council not merely to the members of the association who achieved the concession. To enjoy the main benefits of an advisory service on the other hand, a parish council must actually subscribe to the organisation. There is a third reason why a purely pressure group association would be at a disadvantage. The Ministry of Health might have been more ready to allow expenditure from the rates on qualified advice concerning the performance of their functions, than to allow such expenditure for the exercise of pressure on the Ministry and other departments.

The Ministry of Health did in fact decree that money could not be spent from the rates on subscriptions to the Association, but a deputation from the Association were, they claimed, given no definite reason for this by the Assistant Secretary whom they met.<sup>17</sup> Their attention was merely drawn to the need for economy in public expenditure. The Association put the Ministry's doubts down to their own small membership, as they considered the nature of the Association was made clear in its stated aims and that the authorisation of their subscriptions, which they desired, was equally clearly, similar to the

17. Local Government Journal Mar 6 1926

provisions made for the other local authority organisations.<sup>18</sup> Despite brave claims that the 'new importance given to parish councils' (by the right to appoint members of rating authorities) 'cannot be wiped out by official "freezing"',<sup>19</sup> the Association was unable to secure legislation to authorise the payment of subscriptions, as it was unlucky in the ballot for private members' bills.<sup>20</sup>

Nevertheless the Association continued and advertised its existence in the local government press in the hope of attracting more members. Major Barnes was elected as Honorary Secretary and Treasurer, Mr. Hammond as Chairman.<sup>21</sup> The list of public offices that Mr. Hammond held was a long one; he was Chairman of Harrow Weald Parish Council, member and ex-chairman of Hendon Rural District Council and chairman of its Housing and Town Planning Committee, member of the Hendon Board of Guardians, vice-chairman of Harrow Education Committee, member of St. Marylebone Borough Council and chairman of its Housing Committee, as well as holding several other public offices.<sup>21</sup> In 1928 the Association claimed a membership of 202 parish councils, drawn from forty counties of England and Wales.<sup>22</sup> It estimated that these would expand to about a

18. Local Government Journal Apr 17 1926. The N.A.P.C. seems to have been mistaken as to the legality of subscriptions to the other associations.

19. Ibid.

20. Royal Commission on Local Government (Onslow Commission). Minutes of Evidence Vol. 13 pp 2299-2309. Evidence of Mr. Hammond and Mr. Oram (N.A.P.C.) - hereafter referred to as 'R.C.L.G. - Evidence of N.A.P.C.'

21. Local Government Journal Apr 17 1926.

22. R.C.L.G. - Evidence of N.A.P.C.

thousand if they were allowed to pay subscriptions from the rates, instead of from members' own pockets.

The Association gave its attention to the other matter which Barnes had instanced in his speech at the inaugural meeting, as one where concerted representation by parish councils would be beneficial -- giving evidence to the Royal Commission on Local Government. This Commission had been established in February 1923 by Sir Alfred Mond, the Minister of Health, to consider the problems occasioned by the continual expansion in area of county boroughs at the expense of county councils. The Commission was composed of Lord Onslow, its Chairman, three people who had connection with the counties, three with the boroughs, one with the urban districts, one with the rural districts and four 'neutrals'.<sup>23</sup> After it reported in 1925, the Commission was asked to carry on with wider terms of reference - to consider relations between all local authorities, including parishes, and to make recommendations as to their constitution, areas and functions.<sup>24</sup>

Evidence on the subject of parish councils was presented to the Commission by five bodies, the National Association of Parish Councils, the National Council of Social Service, the County Councils Association, the Rural District Councils Association and the Ministry of Health itself. The county

23. Lipman, V.D. - Local Government Areas & Boundaries 1888-1945, 1949 p.172.

24. Royal Commission on Local Government (Onslow Commission) 2nd Report, 1928

councils, the rural district councils and the Ministry each had an obvious interest in the working of parish government in so far as this concerned their own functions. The National Association of Parish Councils and the National Council of Social Service both spoke on behalf of parish councils.

The National Association of Parish Councils' evidence was given by its chairman, Mr. Hammond, chairman of Harrow Weald Parish Council, and Mr. Oram, clerk to that same parish council. They gave details of the Association's membership and of its continuing efforts to achieve authorisation of its subscriptions.<sup>25</sup> Its representative status was a little diminished later when a member of the National Council of Social Service delegation, who was chairman of a relatively large Kent parish council and a member of his rural district council and county council, said that he personally had never heard of the National Association of Parish Councils until that day.<sup>26</sup>

The National Council of Social Service promoted the cooperation of voluntary bodies in many different types of activity. Its Rural Department was led by the mid 1920's through its interest in the encouragement of social life in villages, for instance by the provision of village halls, to concern itself with the work of parish councils.<sup>27</sup> The

25. R.C.L.G. - Evidence of N.A.P.C.

26. Royal Commission on Local Government (Onslow Commission). Minutes of Evidence Vol. 13 pp. 2319-2322. Evidence of Mr. Ewing (N.C.S.S.)

27. Unpublished N.C.S.S. papers.

representatives of the National Council of Social Service who gave evidence to the Royal Commission comprised Captain Ellis, the Secretary of the National Council of Social Service, accompanied by Miss Ferguson, General Secretary of the National Federation of Women's Institutes, and a chairman, member and ex-member of parish councils, chosen as representatives, it would appear, of inefficient and efficient parish councils.<sup>28</sup>

The evidence given to the Onslow Commission demonstrates the general attitudes to the role of parish councils in local government at that time. No one proposed the abolition of parish councils or other drastic changes. Such a proposal would not have been extraordinary in view of the abolition of parish councils in Scotland in 1929.<sup>29</sup> The Scottish parish councils had however differed from the English and Welsh ones in two important respects. They had more extensive and more important functions, which their small size made difficult and expensive to fulfill; and their boundaries did not bear the same close relation as English ones to village communities.

Perhaps the most fundamental issue argued before the Commission was the question of small parishes. The Rural District Councils Association drew attention to the fact that parish meetings were sometimes not held nor overseers appointed.<sup>30</sup>

28. Mr. Ewing (Cowden Parish Council), Mr. Pease (Girton Parish Council) and Mrs. Gadesdon (ex-Gresham Parish Council)
29. By the Local Government (Scotland) Act 1929.
30. Royal Commission on Local Government (Onslow Commission) Minutes of Evidence Vol. 9 p. 1872. Evidence of Mr. Pindar (R.D.C.A.)

The National Association of Parish Councils<sup>31</sup> and the National Council of Social Service majority<sup>32</sup> recommended amalgamation or grouping of parishes to give each a parish council, but two members of the National Council of Social Service group disagreed, as they considered that such a policy could be the first step in demolishing the *raison d'être* of parish councils.<sup>33</sup> They thought parish councils were the representative bodies of units of a common local loyalty, that is the village. The Commission gave no opinion but recommended that county councils should consider the possibilities of grouping parishes, when they reviewed the boundaries of district and parish councils.<sup>34</sup>

The second set of structural questions concerned the relationship of parish councils with rural district councils. The value of parish councils as representatives of local feeling was stressed by the National Council of Social Service.<sup>35</sup> The body to whom most representations were made was the rural district council.<sup>36</sup> To facilitate cooperation

31. R.C.L.G. - Evidence of N.A.P.C.

32. Royal Commission on Local Government (Onslow Commission Minutes of Evidence Vol. 13 pp. 2309-17, Evidence of Capt. ELLIS (N.C.S.S.) and Miss Ferguson (N.F.W.I.) - hereafter referred to as 'R.C.L.G. - Evidence of N.C.S.S.')

33. Royal Commission on Local Government (Onslow Commission) Minutes of Evidence Vol. 13 pp. 2319-22, Evidence of Mr. Ewing (N.C.S.S.) and PP, 2323-26, Evidence of Mr. Pease (N.C.S.S.)

34. Royal Commission on Local Government (Onslow Commission) 3rd Report 1929 (hereafter referred to as R.C.L.G. 3rd Report) pp. 75-76

35. Royal Commission on Local Government (Onslow Commission) Minutes of Evidence Vol. 13 pp. 2323-26, Evidence of Mr. Pease (N.C.S.S.) - hereafter referred to as 'R.C.L.G. - Evidence of Mr. Pease'

36. Survey of Parish Council Minutes by the author.

between rural district council and parish council it was suggested that the local rural district councillor should sit *ex-officio* on the parish council. This was proposed by the Rural District Councils Association, National Association of Parish Councils, National Council of Social Service and the Ministry of Health<sup>37</sup> and therefore, not surprisingly, recommended by the Commission.<sup>38</sup> No contemporary figures were given but if the position was similar to what it is today, half the rural district council would, in any case, be ~~elected~~ members of a parish council.<sup>39</sup> The National Association of Parish Councils also made a rather vague proposal for the appointment of parish councillors to rural district council committees.<sup>40</sup>

No radical change was proposed in the powers of parish councils. The Rural District Councils Association flatly recommended no change, and the National Council of Social Service's silence on the matter implied their concurrence.<sup>41</sup> The County Councils Association's proposal was that parish councils lose their power to provide fire engines but gain the right to contribute to the expenses of a village hall, provided

37. R.C.L.G. - Evidence of N.A.P.C.; N.C.S.S., Minutes of Evidence Vol. 14 pp. 2476-7, Evidence of Mr. Everest (R.D.C.A.) - hereafter referred to as 'R.C.L.G. - Evidence of R.D.C.A.' - and Minutes of Evidence Vol. 14 pp. 2528-30, Evidence of Sir Arthur Robinson (Ministry of Health) - hereafter referred to as 'R.C.L.G. - Evidence of Ministry of Health'.

38. R.C.L.G. 3rd Report pp. 74-75.

39. Survey of Parish Councils (1966) by the author.

40. R.C.L.G. - Evidence of N.A.P.C.

41. R.C.L.G. - Evidence of R.D.C.A. and of N.C.S.S.

by other bodies.<sup>42</sup> More ambitiously, the National Association of Parish Councils mentioned certain housing and highway functions, and one National Council of Social Service representative mentioned scavenging, as possible extensions of parish councils' powers.<sup>43</sup> The Commission adopted only the County Councils Association's suggestion on village halls.<sup>44</sup>

If there was to be little change in the powers of the lowest tier, there was the possibility of increased delegation by rural district councils or their establishment of parochial committees. Parochial committees (not to be confused with either parish councils or parochial church councils) may be appointed by a rural district council to carry out certain rural district council functions within a parish; at that time these were usually scavenging and sewerage.<sup>45</sup> The parochial committees consist of members of the rural district council and of the parish council. As there was no requirement of notification when these committees were formed, there were no complete figures for the extent of the use of this power by the rural district councils. A National Council of Social Service survey at this time suggested that in  $1\frac{1}{2}\%$  of parishes, the council exercised delegated powers and in  $9\frac{1}{2}\%$  there were parochial committees.<sup>46</sup> The National Association of Parish Councils and National Council of Social Service both recommended

42. Royal Commission on Local Government (Onslow Commission) Minutes of Evidence Vol. 13 p. 2371, Evidence of Mr. Dent and Mr. Holland (C.C.A.)

43. R.C.L.G. - Evidence of N.A.P.C. and N.C.S.S.

44. R.C.L.G. - 3rd Report pp.63-66

45. R.C.L.G. - Evidence of N.C.S.S.

46. Ibid.

more use of the power by rural district councils and the Rural District Councils Association recommended the creation of such committees on demand in parishes of over 3,000 population.<sup>47</sup> The parish councils' organisations saw this as a useful extension of powers, the Rural District Councils Association as a way of making easier the conversion of urban district councils to parish councils in small urban districts. The Ministry offered itself as a court of appeal against the non-creation of parochial committees<sup>48</sup> but the Commission thought that such appeals should be heard by the county council.<sup>49</sup>

The existence of a right to do something may be rendered meaningless by lack of the right to incur the necessary expenditure. Official figures showed that the average rate spent by parish councils or meetings had risen from 0.7d. in the first ten years to 0.9d. by 1913 and 1.2d. in 1919.<sup>50</sup> The ratable values of parishes were lowered by the derating provisions of the Agricultural Rates Act 1923 and the Local Government Act 1929. The effect of the latter was estimated by the Ministry of Health to be a decrease in parish ratable values of about a quarter overall.<sup>51</sup> It may be estimated indirectly that the average rate spent in 1930 was about 3d.<sup>52</sup>

47. R.C.L.G. - Evidence of N.A.P.C., N.C.S.S. and R.D.C.A.  
 48. R.C.L.G. - Evidence of Ministry of Health.  
 49. R.C.L.G. - 3rd Report pp. 70-74.  
 50. Royal Commission on Local Government (Onslow Commission) 1st Report 1927. Minutes of Evidence Vol.1 p. 165, Evidence of Mr. Gibbon (Ministry of Health).  
 51. Ibid.  
 52. By use of parish expenditure and ratable value figures, from Local Government Financial Statistics and unpublished Ministry of Health summary of the total expenditure of Parish councils and meetings 1934-5 - hereafter referred to as 'Ministry summary of expenditure 1934-5'.

These average figures, it must be remembered, included that half of all parishes which spent absolutely nothing. To compensate for the effect of derating, the Local Government Act 1929 raised the limits on the rating power of parish councils from 3d. or, if the parish meeting consented, 6d. to 4d. and 8d.<sup>53</sup> In their evidence the National Association of Parish Councils proposed that the 4d. but not the 8d. limit be raised.<sup>54</sup> The National Council of Social Service spokesmen variously suggested 6d. and 1s., 6d. and 8d., and 4d. and 8d.<sup>55</sup> The Ministry of Health conceded that there might be a case for 6d. and 1s., and this the Royal Commission recommended.<sup>56</sup>

Complaints were made about the existing method of electing parish councils, on account of the practical difficulties for a chairman and the principle of open voting.<sup>57</sup> A survey by the National Federation of Women's institutes of 108 parishes in two counties disclosed that 99 had written nominations to the parish council, 38 regularly and 13 occasionally had a poll, and that in 22 of those that had a poll, the results differed from the results of the show of hands.<sup>58</sup> The National Council of Social Service and the Rural District Councils Association recommended a secret ballot; the National Association of Parish Councils agreed in the cases of parishes

53. Local Government Act 1929 s.75

54. R.C.L.G. - Evidence of N.A.P.C.

55. R.C.L.G. - Evidence of N.C.S.S.

56. R.C.L.G. - Evidence of Ministry of Health, and 3rd Report pp. 67-69.

57. Described in chapter 2.

58. R.C.L.G. - Evidence of N.C.S.S.

over 500 population.<sup>59</sup> The County Councils Association, representing the appellate bodies for complaints about parish council elections, was more concerned with practicability than secrecy. It suggested a non-secret ballot, with appeal to a poll.<sup>60</sup> The Ministry merely commented that all these proposals would raise the cost of elections.<sup>61</sup> The Commission recommended that the county council should be empowered to order either the County Councils Association scheme or the full Ballot Act procedure for parishes.<sup>62</sup>

The National Council of Social Service stated its opinion that the complexity of the law relating to parish councils was such that no ordinary parish council was fully aware of what it could or could not do. Attention was drawn especially to the variety of procedures for adopting Acts.<sup>63</sup> The Ministry and the Commission agreed that simplification of the law was desirable and that parish councils should be provided with an authoritative, simple guide to their powers.<sup>64</sup>

The bodies that gave evidence to the Commission did not state their opinion as to the purpose of the existence of parish councils; the National Council of Social Service however drew attention to the role played by parish councils in rural life both by the exercise of minor powers and the attraction

59. R.C.L.G. - Evidence of N.C.S.S., R.D.C.A. and N.A.P.C.  
 60. Royal Commission on Local Government (Onslow Commission) Minutes of Evidence Vol. 13 pp. 2371-3, Evidence of Mr. Dent and Mr. Holland (C.C.A.)  
 61. R.C.L.G. - Evidence of Ministry of Health.  
 62. R.C.L.G. - 3rd Report pp. 95-102.  
 63. R.C.L.G. - Evidence of N.C.S.S.  
 64. R.C.L.G. - Evidence of Ministry of Health and 3rd Report pp. 69-70.

of the attention of the responsible authorities to grievances of the parishes. One of the National Council of Social Service delegation, indeed, saw this second function as the more important.<sup>65</sup> The National Council of Social Service also claimed that parish councils afforded valuable civic education (of councillors, not electors).<sup>66</sup>

Thus from all the evidence given, there emerged no consensus, except that rural district councillors should sit on parish councils, nor any clear lines of conflict, except perhaps that the Ministry of Health was usually the most reluctant party to envisage changes. There was no sharp distinction between the views of the bodies representing parish councils, and those of the others. No one suggested any major change in the powers, or working of parish councils or their place in local government.

The actual legislation consequent to the Royal Commission's recommendations was even less radical than these recommendations. The rating limits were not raised nor rural district councillors given a seat on their parish councils. The Local Government Act 1933 gave parish councils the right to appeal to the Ministry against the non-creation of a parochial committee by the rural district council.<sup>67</sup> It also allowed county councils, if so requested by a parish council, to order written

65. R.C.L.G. - Evidence of Mr. Pease.

66. R.C.L.G. - Evidence of N.C.S.S.

67. Local Government Act 1933 s. 87 (3)

nominations and a poll procedure for parish council elections.<sup>68</sup>

The National Association of Parish Councils appears to have ceased to exist at some time in the years immediately following its hearing before the Royal Commission. No further mention of it in the Press is to be found, and when the National Council of Social Service began to take a greater interest in parish councils a few years later, they were unable to trace the Association, even with the assistance of the County Councils Association.<sup>69</sup>

This seems an appropriate midpoint in the history of parish councils, to set out such information as is available on their position in this period.

Between the census of 1891 and that of 1931 the total population of rural parishes in England and Wales rose slightly from 7.3 million to 8 million, but as a proportion of the entire population of those two countries it fell from 25% to 20%.<sup>70</sup> The reasons for this falling proportion were partly social, partly administrative. The administrative reasons were the creation of many new urban districts,<sup>71</sup> especially before the First World War, and the continual expansion of existing boroughs. Boundary changes transferred 1,700,000 people from county to county borough administration between 1889 and 1925.<sup>72</sup> Many of these were transferred from rural districts and others

68. Local Government Act 1933 s. 51.

69. Information given to the author by the N.C.S.S.

70. Census of Population of 1891 and of 1931.

71. Annual Reports of the Local Government Board for 1895, 1896 . . . ., 1915.

72. Smellie, K.B. - A History of Local Government (4th ed.) 1968, p. 56

were transferred within counties from rural district to borough or urban district council government. The social reasons were the steady migration from the rural areas especially the purely agricultural ones. The great decline in the numbers of agricultural labourers has previously been remarked upon. This decline in population affected all parishes except the largest, both the 7,000 that had only a parish meeting and the slightly larger number that elected a parish council as well.<sup>73</sup>

The decline in the significance attributed to parish councils, however, that was shown for example in the comparison of the references to them in the Local Government Bill debates of 1894 and the Rating and Valuation Bill debates of 1925, was probably due less to declining importance of rural England than to the decline of parish councils' powers and activities relative to those of other types of local authority. The powers of parish councils were substantially the same in 1934 as they were in 1894 but the same number of types of local authorities had been diminished by the transfer of the functions of the School Boards to the county councils and county boroughs in 1902, and the functions of the Guardians to the county councils and county boroughs in 1929. During the period 1884 to 1930 the great expansion of local government activity was shown by the tenfold increase in aggregate expenditure from £54 million to £543 million.<sup>74</sup> Expenditure

73. Saville, J. - op. cit. pp. 73-87 and 174-190.

74. Annual Report of the Ministry of Health for 1932-3.

on education, which had become a county or borough function, rose from under £4 million to £86 million; expenditure on housing, which was a district or borough function, rose from £0.3 million to £35 million; expenditure on trading services, mainly a borough function, rose from £8 million to £106 million, according to statistics proclaimed by the Ministry of Health before the passing of the 1933 Act.<sup>74</sup> All this contrasted greatly with the achievements of parish councils, which were not mentioned by the Ministry. Their expenditure did not even quadruple, rising only from £0.17 million in 1894-5 to £0.59 million in 1934-5.<sup>75</sup>

Of this parish council expenditure in 1934-5, street lighting accounted for over 40% and the provision of burial grounds, the letting of allotments and the upkeep of parks or commons each cost another 10% of the total.<sup>76</sup> The other main heads of expenditure were fire services, footpaths maintenance, village halls and libraries. The provision of public conveniences, or of a refuse dump, and the purchase of foreshore were ways in which individual parish councils spent their money.<sup>76</sup> Comparison with similar figures for aggregate parish council expenditure in the years 1898-9 shows the largest increase in the amount for parks or commons, and street lighting but no increase or a decline for allotments, footpaths and the costs of meetings and elections.<sup>77</sup>

74. Annual Report of the Ministry of Health for 1932-3

75. Annual Report of Local Government Board for 1895 and Ministry summary of expenditure 1934-5.

76. Ministry Summary of Expenditure 1934-5.

77. Annual Report of the Local Government Board for 1899.

The money disbursed from charities was a mere £6,000 overall, making this also a minor function at this period.<sup>78</sup>

Parish councils differ in their activities more than other local authorities. For this reason and because, by their nature, some activities are much more expensive than others, street lighting more expensive than footpaths for example, aggregate figures conceal what any particular parish council did. There are no figures for the number of parish councils carrying out a particular service in this year, but we do know that there were 800 parishes that raised money from rates under the Lighting and Watching Act in about 1923,<sup>79</sup> and the number operating public libraries was as low as 49 by 1926.<sup>80</sup> The only figures for other activities of parish councils are those of two very small surveys by the National Council of Social Service, one to which there were 34 respondents in the 1920's<sup>81</sup> and another to which there were 72 respondents in 1935.<sup>82</sup> The parishes in both of these surveys were atypically large, and so both exaggerate the numbers exercising each function. They are, even so, the best available evidence on the relative frequency of the various activities. The inspection of and care of footpaths and the provision of allotments were the most common activities,

78. Ministry summary of expenditure 1934-5.

79. Hansard (H of C) Debates, 13 May 1925 Col. 1876-7.

80. Report of the (Kenyon) Committee on Libraries 1926, p.228.

81. R.C.L.G. - Evidence of N.C.C.S.

82. Unpublished N.C.S.S. papers.

undertaken by 70% and 50% respectively of the respondents.<sup>83</sup>

The ranking of the other main activities in order of decreasing frequency was provision of playing fields or recreation grounds, street lighting, burial grounds, open spaces and appointment of charity trustees.<sup>83</sup> Quite a few parish councils also undertook a non-statutory service such as an anti-litter drive.<sup>83</sup>

About 80% of parish council expenditure in the 1930's was financed from their precepts on the rates.<sup>84</sup> Figures for the average rate precepted are not very useful, in view of the availability of only aggregate figures for expenditure and the great variety of parish councils. The average rate of 1.2d. after the First World War would appear to have risen to over 3d. by the 1930's.<sup>85</sup> This was not due only to an increase in parish council expenditure, but also to the derating of agriculture in 1923 and 1929 and of industry in 1929,<sup>86</sup> as well as the failure of ratable values to keep pace with other inflation. Derating in 1929 was estimated to cut the ratable resources of parishes by 25%, according to the Ministry of Health,<sup>87</sup> and from this one may estimate that the 1923 derating occasioned a loss of ratable value of about an eighth. A reference to a 49% cut in ratable values by 1930 appears to refer to the cumulative effect of these derating Acts.<sup>88</sup>

83. Ibid. and R.C.L.G. - Evidence of N.C.S.S.

84. Local Government Financial Statistics & Ministry summary of expenditure 1934-5.

85. Annual Reports of the Local Government Board 1895-1919, R.C.L.G. - Evidence of Ministry of Health & Ministry summary of expenditure 1934-5.

86. By the Agricultural Rates Act 1923 and the Local Government Act 1929.

87. R.C.L.G. - Evidence of the Ministry of Health.

88. Parish Councils Review, Autumn 1954 p. 307

The agricultural decline that called forth the successive deratings, also meant the value of agricultural land did not, in any case, keep pace with the rising value of industrial or residential land. There was the additional fact that local valuers tended to undervalue property in order to diminish the contribution made by the locality to the expenses of the larger area, the rural district council or the county. This was remarked on in the debates on the 1925 Rating and Valuation Bill, and led within a generation to the transfer of valuation to the Inland Revenue.<sup>89</sup> For these reasons the rateable value of rural districts in the 1930's was only the same as in the years immediately before the First World War, and in the most agricultural areas presumably lower.<sup>90</sup> Rural district councils were compensated by increased central government grants. Parish councils did not receive such grants, nor did the raising of the restrictions on their rating powers, from 3d. (or with the parish meetings' consent 6d.) to 4d. (or 8d.), fully compensate for the reduced yield of such a precept.

In both surveys by the National Council of Social Service, 10% of parishes with a parish council appeared to have a parochial committee.<sup>91</sup> Rural district councils tended, however, to establish such committees for all their parishes

89. By the Local Government Act 1948.

90. Annual Reports of the Local Government Board up to 1919, & Local Government Financial Statistics.

91. R.C.J.G. - Evidence of N.C.S.S. & unpublished N.C.S.S. papers.

or for none. This was not the only sign of cooperation with rural district councils. Nearly all the samples considered their relations with both the rural district council and the county council to be friendly.<sup>91</sup> Over half claimed to cooperate with village voluntary bodies. Such cooperation and parish councils' tendency to play more frequently the role of the village spokesman to outside bodies are probably even more significant than their small increase in their expenditure. The National Council of Social Service strongly urged parish councils to coordinate cooperative action by local voluntary associations. From their foundation parish councils had regarded themselves as not only elected administrators but also organs of representation. The place of such items of representation on their agendas appears to have grown gradually larger over the years.<sup>92</sup> The principal recipients of their complaints and queries were the rural district councils and the county councils. Approximately half of the matters were taken up with the rural district council, a third with the county council and a sixth with other bodies, for example the Post Office or the Ministry of Transport.<sup>93</sup> There existed statutory authority for parish council complaints in many fields, of the rural district council's performance of its housing

91. R.C.L.G. - Evidence of N.C.S.S. & unpublished N.C.S.S. papers.

92. Survey of Parish Council Minutes by the author.

93. Ibid.

or public health duties, and of the county council's highway maintenance or water provision. This aspect of parish councils' activities was emphasised by Mr. Pease in his evidence to the Royal Commission.<sup>94</sup> In the first edition of his book 'The Development of Local Government' in 1931, Professor Robson remarked that 'We have already become accustomed to regard the Parish Council or Meeting as being essentially a representative body rather than as an administrative unit. Much of our legislation reflects this attitude.... As a representative body the parish council can justify its existence and survive in a world which is no longer parochial. As an administrative unit the parish can scarcely hope for immortality'.<sup>95</sup>

Elections to parish councils were often contested, in spite of the alleged deterrence of candidatures by the electoral method. The results of the 1935 National Council of Social Service Survey give the occupations of four hundred councillors, and, if these were representative, suggest an increase in the proportion drawn from the professional, business and tradesmen class, since 1895.<sup>96</sup> Farmers and smallholders still formed nearly a third of all councillors. With greater certainty one can state that the number of women on parish councils was still small but appreciably higher than in 1895.

94. R.C.L.G. - Evidence of Mr. Pease.

95. Robson, W.A., - 'The Development of Local Government,' 1931 ed. p. 158.

96. Unpublished N.C.S.S. papers & Annual Report of Local Government Board for 1895

The proportion seems to have risen to about 3% from 0.05%.<sup>96</sup>

It is also certain that political parties played little part in parish politics at this date.<sup>97</sup> The National Council of Social Service did find some party nominees, but also nominees of ratepayers' associations and Women's Institutes, and even the British Legion and the 'Brotherhood'.<sup>97</sup>

The parish councils in the 1935 National Council of Social Service survey met every two months, on average, generally in the schoolroom, sometimes in the parish room. Each meeting was attended by most councillors but rarely by any member of the public.<sup>98</sup> Committees, where they existed, included, surprisingly, a majority of non-councillors.<sup>98</sup> The councils were served by clerks, who were paid from nil to £60 per year.<sup>98</sup>

Thus, although parish meetings were by 1930 largely moribund, parish councils survived the disappearance of the lowest tier of Scottish local authorities, and despite increased financial handicap, increased their provision of services. Their place had, though, long been recognised to be of slight importance compared with the burgeoning functions of other types of local authority. Among those who favoured the existence of such authorities, the emphasis had swung from their powers to provide important facilities to their ability to speak for the village and organise minor services. This switch was less evident amongst parish councils themselves

96. Unpublished N.C.S.S. papers -& Annual Report of Local Government Board for 1895.

97. Unpublished N.C.S.S. papers.

98. Ibid.

than among their 'outside' advocates. A more noticeable change was the end of references to their role in conflicts within the village; the assistance they might give to certain classes (the agricultural labourers or the nonconformists), the damage they might do to other interests (the Church, the squirearchy). Parish council apologists in the inter-war period described as underprivileged not just labourers or chapelgoers in the countryside but the whole of rural Britain. The role of parish councils was seen by such people as acting for the whole village, not only for a majority which had been discriminated against. Parish councils were to represent the whole village, to organise the cooperation of all voluntary associations there, to provide facilities for all, even if the growing services, such as the provision of halls and recreation grounds, might suggest a bias towards that class which was more likely to join in voluntary activities.

This view was very much that of the National Council of Social Service which took a growing interest in parish councils. The first National Association of Parish Councils, as noted above, disappeared for reasons unknown. One can only surmise a lack of funds or sudden removal of its key men. In its place the National Council of Social Service inspired the creation of a Central Parish Councils Committee in 1935. In view of the importance of the National Council of Social Service in fostering this organisation and the fact that this later became the present National Association of Parish Councils,

it seems in order to sketch more fully the National Council or Social Service's interest in parish councils.

The National Council of Social Service, itself, was founded in 1919, as a result of a 1915 conference on War Relief and Personal Service, to promote the cooperation and mutual knowledge of voluntary social organisations.<sup>99</sup>

Its interests are widespread over the whole area of charitable and voluntary work and it tries to keep the public authorities in touch with this. It had at this time assisted the forma-

tion of the National Association of Boys Clubs, the Council for the Preservation of Rural England, the National

Federation of Young Farmers Clubs and the Youth Hostel

Association, and had under its wing as almost autonomous organisations the Citizens Advice Bureaux, the Old Peoples Welfare Committee and the New Estates Community Council.<sup>99</sup>

The Council itself with over 150 members representing

different voluntary groups is the ruling body, but a great

deal of residual authority is wielded by the Secretary and

the honorary officers. The National Council of Social

Service receives grants from government departments and acts

as a channel through which even more of these and also a large

amount of individual donations are distributed to charitable

organisations.<sup>99</sup> Among its own activities are the organisation

of conferences and of surveys.

99. Beveridge, W.H. & Wells, A.F. (eds.) - The Evidence for Voluntary Action, 1949, pp 250-263

The National Council of Social Service has a Rural Department founded as a counterpart to the Councils of Social Service in urban areas.<sup>100</sup> Its aim was to foster social service organisations and the provision of community services to replace the weakened influence of the Church and the gentry. This Department worked closely with the Development Commission, an unusual government institution, established by the Liberal Government in 1909, which channelled cash and ideas to the benefit of rural life.<sup>100</sup> The National Council of Social Service Rural Department tried to delegate local work to county Rural Community Councils, the first of which were founded in Oxfordshire in 1920 and in Kent in 1921.<sup>100</sup> Such Rural Community Councils obtained funds from the county councils also. Their activities centred on the promotion of rural industries, the provision of village halls and then, at the end of the 1920's, on assistance to parish councils.

The interest of the National Council of Social Service in parish councils began in 1926, the same year in which the first National Association of Parish Councils was founded. This interest of the National Council of Social Service arose out of a 'Rural Life Conference' at Oxford, on how best to revive and support village communities.<sup>101</sup> The Rural Community Councils were uneasy about working through parish councils but five agreed to investigate the parish councils in their area and it was on these enquiries that the National Council

100. Ibid.

101. Unpublished N.C.S.S. papers - Minutes, memoranda etc.

of Social Service's memorandum of evidence to the Onslow Commission was based.<sup>101</sup> A deputation gave oral evidence, as described above. The Commission's recommendations on parish councils were circulated by the National Council of Social Service for comment but replies were received from only five Rural Community Councils (a different five) and individuals in another two counties.<sup>101</sup>

After this the National Council of Social Service let the subject rest until 1934.<sup>102</sup> Then because the Kent and Yorkshire Rural Community Councils had found the conferences of parish councillors that they organised, on the subject of rights of way for example, useful in fostering an interest in and a knowledge of such subjects, it was decided that a group should explore the possibilities of parish councils doing more to revive village life.<sup>102</sup> Mr. Montagu Harris, author of the text book on local government and then recently retired from the Ministry of Health, agreed to chair this group; the other leading members were Sir Laurence Chubb, of the Commons, Open Spaces and Footpath Preservation Society and Mr. Clifford, secretary of the Essex Rural Community Council; the rest of the fourteen members included three from Kent and three from Rutland.<sup>102</sup>

This committee made a start on two fronts, the collection,

101. Unpublished N.C.S.S. papers - Minutes, memoranda etc.

102. Ibid.

through the Rural Community Councils, of information about parish councils and the publication of a handbook and a series of informative pamphlets for parish councils and for their aspiring advisers, the R.C.C.s.<sup>103</sup>. By the next year four publications had been issued, nine more county advisory services established and the results obtained of a small survey of parish councils, to which previous reference has been made. Either because this survey was for the Committee's own information or because they did not consider it to be very reliable, no immediate use was made of the results. It is not known whether it was this burst of interest in parish councils or a desire for a full picture of local government after the consolidating Local Government Act 1933, that prompted the Ministry of Health to draw up aggregate financial statistics for parish councils and meetings for 1934-5, something not apparently done for over a decade.

In 1937 the committee widened the range of its activities to make, through the N.C.S.S., representations to the Ministry.<sup>104</sup> They had two demands; power for parish councils to contribute to village halls built by or bought by other bodies and a right for parish councils to be notified of local planning schemes. Efforts by Macintyre, the R.D.C.A. representative on the group, to convince the Ministry of the benefits of the latter proposal apparently met no success.

103. Ibid.

104. Ibid.

The first demand, on the other hand, was soon realised. The Physical Training and Recreation Act 1937 gave what was desired and extended this right of contribution to cover playing fields or swimming baths also.<sup>105</sup>

It was then decided that a more formal organisation than the N.C.S.S. committee was needed and that this should be an organisation of parish councils themselves, not 'outside' advisers.<sup>106</sup> Accordingly, in 1938, the Central Parish Councils Committee and affiliated County Committees were established. Parish councils joined these local associations, which dispensed advice and encouragement, upon payment of a subscription. All county organisations had to have a constitution and aims that were consistent with those of the central body, and, when they were well established, to pay affiliation fees to the Central Parish Councils Committee.<sup>106</sup> At the start there were ten affiliated county organisations, and 500 of the 2,045 parish councils in those counties were members.<sup>106</sup> Parish councils' subscriptions were sanctioned by the Ministry of Health as a legitimate charge on the rates.<sup>106</sup> The reasons this consent was given, although it had been denied to the N.A.P.C., is not known; perhaps the N.C.S.S. connection gave the new organisation a more solid appearance, perhaps subscriptions could be regarded as payments for advice that might be needed.

The Central Parish Councils Committee set itself three

105. Physical Training & Recreation Act 1937 s.4.

106. Unpublished N.C.S.S. papers.

tasks, to inform and encourage member parish councils, to urge the interests of parish councils upon other bodies and to increase the number of affiliated parish councils.<sup>107</sup>

In pursuit of the first aim they continued the publication of booklets and organised a large conference of parish councils.

The principal booklet on 'Parish Councils', was noteworthy in that it not only offered information and legal advice, but suggested how to avoid some causes of parish councils' failures and proposed changes in the existing law on parish councils.<sup>108</sup> It admitted that, although parish councils varied greatly in activity, it could not be said that in the last forty years they had revolutionised country life, as expected. This was put down not to parish councils' lack of functions for there were many opportunities, but to their 'severely limited' spending powers, the shortage of able and willing councillors and more especially of clerks interested enough or paid enough to devote the necessary time to administration and the acquisition of knowledge of the law.<sup>108</sup> The widespread ignorance of parish council law and fear of a surcharge combined to curtail activities.<sup>108</sup> It was this lack of expert advice that made the new county advisory services necessary for parish councils.

As improvements the booklet suggested a reformed voting method, more Parochial Committees and more women on parish

107. Ibid.

108. N.C.S.S. - Parish Councils, 1937, a pamphlet.

councils but above all more cooperation with voluntary bodies and utilisation of their expertise or labour, for example, by joint committees or making them agents of the council.<sup>109</sup>

Parish councils were told that they could attempt to persuade their county councils to include a clause in a private parliamentary bill that would extend the powers of local parish councils.<sup>109</sup> In this way Hertfordshire County Council had recently secured power from parish councils there to provide litter receptacles and signposts<sup>110</sup> and was shortly to obtain for them power to provide public seats.<sup>111</sup>

In this year, (1938) the committee also organised a national parish councils conference, which was attended by 273 delegates representing 151 parish councils from 25 counties.<sup>112</sup> The conference discussed a non-controversial agenda under the chairmanship first of Mr. Macintyre of the R.D.C.A. and then of Dr. Maxwell of the N.C.S.S.. They heard about footpath preservation, voting methods and the opportunities offered to them by the Physical Training and Recreation Act 'to give a lead by calling meetings, arousing enthusiasm and holding out the ideal of greater fitness and greater enjoyment of life.'<sup>112</sup>

The conference not only called upon parish councils to promote national fitness but also, on a less exalted plane, expressed a hope for a simplified, cheap form of secret ballot

109. Ibid.

110. Hertfordshire County Council Act 1935.

111. Hertfordshire County Council Act 1937.

112. Unpublished N.C.S.S. papers.

for parish council elections, although the small changes enacted in 1933 were welcome.<sup>113</sup> Representations to the Home Office on this question, a long-standing complaint of the N.C.S.S., were renewed. The Home Office had said at first that there was no evidence of widespread desire for a change and in 1937 Sir John Simon, the Home Secretary, had told an R.D.C.A. deputation that it was too soon since the 1933 Act to look at the matter again.<sup>113</sup> The N.C.S.S. then mounted an enquiry to discover the extent of the change since 1933, when parish councils were allowed to ask the county council to order nomination and poll procedure. Polls seemed to have become more frequent but a 'Ballot Act' election cost about £14, although this varied between £7 (2½d. rate) at Ulley and £67 (0.3d. rate) at Ecclesfield.<sup>113</sup> After consultation with the C.C.A., R.D.C.A. and N.F.W.I., the C.P.C.C. presented the Home Office with a list of the problems and their proposals.<sup>113</sup> The problems were the lack of opportunity to consider a candidate's qualities, the impossibility of the chairman knowing whether the voters were qualified electors, the electors' difficulty in remembering candidates' names, the discrimination against those whose names began with 'W' or 'Y' as votes had then been used, the electors' unwillingness to publicise their opinions and the unenviable duty of demanding a poll. These factors it was claimed, led to confusion and possible irregularities and a loss of respect for parish councils. They therefore proposed 21 days notice of the election

<sup>113</sup>. Ibid.

meeting, 14 days between nomination and election and 7 days between publication of nominations and the election, a copy of the register of parochial electors <sup>for</sup> of the chairman, and ballot papers (and pencils) for electors which they could fill in without a secret booth. This was backed by the C.C.A., R.D.C.A. and N.F.W.I., 2,227 out of 2,230 Women's Institutes passed resolutions in support. 960 out of 1,036 parish councils who were circulated, approved it, and 310 more approved it at various conferences.<sup>113</sup> Parish councils were encouraged to write to the Home Office and it was hoped 1,000 would. The onset of the Second World War prevented any immediate changes and this question was later put to the Carr Committee on Electoral Reform, which recommended, successfully, the full application of the Ballot Act to parish council elections, although this was not to be the final solution.<sup>114</sup>

The third aim of the Central Parish Councils Committee had been the increase of its membership.<sup>115</sup> The Committee naturally advertised the benefits of membership in their publications and through the N.C.S.S.. But at the same time as they wished to attract parish councils to join, they hoped to establish county advisory services. The expansion of these went hand in hand, usually, with the expansion of R.C.C.s with which they shared a secretary and facilities.<sup>115</sup> This enabled the

113. Ibid.

114. Report of the (Carr) Committee on Electoral Reform. The Local Government Act 1948 gave effect to their proposals but the issue of cost was not settled until the Local Government (Elections) Act 1956.

115. Unpublished N.C.S.S. papers.

N.C.S.S. to subsidise the C.P.C.C. so that it could offer services before it had really enough members to pay for these. Huntingdonshire offers an illustration of their method. In 1939 the N.C.S.S. called a conference of parish councils there to discuss A.R.P., footpaths, the Physical Training and Recreation Act, village halls, playing fields and the voting method in parish council elections.<sup>116</sup> The Parish Councils Advisory Service was advertised as organising discussions and conferences and giving general advice to all parish councils but offering affiliated parish councils the additional advantages of information and of advice on specific problems.<sup>116</sup> The annual subscription to the new Huntingdonshire association was set at 10s 6d. for parishes of under 500 population and 21s. for larger parishes.<sup>116</sup> By the outbreak of war the C.P.C.C. was gradually becoming recognised; it had 754 affiliated parish councils, and had sold 3,700 leaflets and 8,000 booklets.<sup>117</sup>

Although the C.P.C.C. complained that Women's Institutes but not parish councils were asked for information and assistance in the National Emergency, it was gratified by the offer by the editor of a page each month in the 'Local Government Chronicle', and by a request from the B.B.C. for three short talks on parish councils.<sup>118</sup> This broadcasting time was used by the C.P.C.C. to give examples of parish councils'

116. 'The St. Neots Advertiser', Huntingdonshire and Bedfordshire News' 20 Jan. 1939.

117. Unpublished, N.C.S.S. Papers.

118. Ibid.

enterprise, with particular emphasis on their possibilities as a focal point for voluntary efforts, and to enjoin country dwellers with less lively councils to badger them into similar activity.

The next year the number of affiliated parish councils passed the 1,000 mark and further encouragement was derived in 1942 from the report of the Committee on Land Utilisation in Rural Areas to which the C.P.C.C. had given evidence on parish councils and the defects of their voting method. The committee, chaired by Sir Leslie Scott (Lord Justice Scott), who was chairman of his own parish council, declared 'We consider that a properly elected parish council meeting regularly in the village hall is a very important instrument in the maintenance of village life. The performance of certain duties should be incumbent on the council. Witnesses have been unanimous in their condemnation of the present form of election by show of hands.'<sup>119</sup>

The C.P.C.C. invited representatives from the C.C.A. and the Ministry of Health to join the committee.<sup>120</sup> The Ministry deferred a decision, but the C.C.A. sent Mr. Flatts, clerk to the Kent County Council, and therefore known to the then secretary to the C.P.C.C., who was a member of that council. Mr. Flatts was enthusiastic and wished to obtain statutory authority for a Central Association of Parish Councils, financed by a compulsory levy on all parish councils. He

119. Report of the (Scott) Committee on Land Utilisation in Rural Areas, 1942, p.54.

120. Unpublished N.C.S.S. papers.

hoped a strengthened and reorganised C.P.C.C. would form the basis of such an association. This accorded with the normal N.C.S.S. policy of hiving off activities when it was felt that they could stand on their own feet, and so the principal concerns of the C.P.C.C. now became the consideration of the form and constitution of such an association and the position of parish councils in the reorganisation of local government that was expected after the war.<sup>120</sup>

The C.P.C.C. considered their proposals for local government reform, upon the basis of a memorandum prepared by the Secretary, Mr. Eric Major.<sup>121</sup> They agreed that parish meetings ought to exist only to elect parish councils, receive charity accounts and perhaps to consent to, or refuse, a parish council rate of over ls. or ls. 6d.<sup>121</sup> All parishes should have their own parish council or share one. The county reviews of the 1930's had, it was noted, cut the number of parishes too small to be entitled to a parish council, from 5,600 in 1930-1 to 4,100 in 1940-1.

The functions of parish councils were discussed in detail. Some of these, the keeping of documents, the provision of libraries and the care of roadside wastes it was felt, should be given up by parish councils.<sup>122</sup> Others should be conferred, for example, the provision of car parks, or of life-saving apparatus by rivers or sea shore. There was disagreement on the principle of concurrent powers, such as

120. Unpublished N.C.S.S. papers

121. Ibid

122. Ibid.

the provision of public conveniences which was already an R.D.C. function.<sup>122</sup> A more important disagreement, was whether or not parish councils should have obligatory functions.<sup>122</sup> The Secretary suggested that the provision of a hall, offices, playing field, public lighting, burial ground, allotments, bathing places, public seats, shelters, and litter bins and the maintenance of footpaths and ditches should be compulsory. He thought this would ensure action, attention and the importance of parish councils. Mr. Platts considered this impracticable, even if desirable, and his view prevailed. It was agreed that the Adoptive Acts procedure ought to be abolished and to compensate for the end of the special rates that could be levied for Adoptive Acts expenditure, the general rate restrictions ought to be raised to a ls. rate, or ls. 6d. with the parish meeting's consent.<sup>122</sup>

It was also agreed, needless to say, that the election method should be changed to prior nomination and a secret vote. Some also wished an enlargement of parish councils, despite the number of unfilled places.

To obtain better contact with the bodies with whom the councils worked, it was proposed that the councils took over the powers of parochial committees, that non-councillors sat on parish council committees, that rural district councillors be ex-officio parish councillors, and, more controversially, that half the R.D.C. be appointees of the parish councils.<sup>123</sup>

122. Ibid.

123. Ibid.

This last proposal was shelved due to criticism of the principle of indirect election and the difficulties of the great variation in the size of parishes. It was suggested that the qualities of clerks could be improved if the County Council appointed full time clerks to groups of parish councils or even issued some certificate of qualification.<sup>123</sup>

Consultations were held with other interested bodies and the ideas were then published in a pamphlet.

The proposed constitutions for the new national association and county associations were less contentious.<sup>124</sup> The basic form was an association for each county, fulfilling the functions of the existing advisory services, sharing a subscription with the national association, that would take over from the C.P.C.C. There was disagreement over the subscription.<sup>124</sup> Mr. Platts said that the amount agreed by the sub-committee, still less as cut by the committee, was much too small, giving the association an income of £5,000 or £3,000 per annum, even if every parish council subscribed. It was agreed to raise them to a range from 10s. to £3.

Two meetings of the county advisory services were then held under the chairmanship of the N.C.S.S. Secretary, Mr. Haynes.<sup>125</sup> The first in October 1945 considered the reform of local government and the revival of parish councils; the second approved the constitution of the new National

123. Ibid.

124. Ibid.

125. Ibid.

Association of Parish Councils and the model constitution for county associations. On behalf of the N.C.S.S., Mr. Haynes offered the continuation of their secretarial services. In the next year, 1947, the final steps were taken in the foundation of the N.A.P.C..

The world into which the new association was born was probably more favourable to parish councils than that of two or three decades earlier. The Scott report had commented favourably on them. In their proposals for postwar local government reorganisation, the C.C.A., U.D.C.A., and R.D.C.A. all envisaged the continuance of parish councils.<sup>126</sup> The C.C.A. although noting that parish councils were still frequently inactive, recommended that some of a revised list of their functions should be obligatory and that parish councils should be established in 'deurbanised' areas.<sup>127</sup> The Local Government Boundary Commission reported itself to be impressed by the unanimity with which rural district council representatives used the disappearance of a parish council as an argument against the extension of urban district or borough boundaries.<sup>128</sup> They therefore recommended the existence of similar bodies in towns, in the hope of preserving and extending the machinery of expressing local views and maintaining local interest.<sup>128</sup>

126. Wilson, C.H. (ed.) - Essays in Local Government 1948, p.243.

127. Ibid.

128. Local Government Boundary Commission, 1st Report, 1946, p. 16.

The conclusions to be drawn from the narrative of the years covered in this chapter, would seem to be that parish councils gained rather than lost public respect. Leading figures in the new Association sometimes displayed a natural tendency to exaggerate the low stature of parish councils before the N.C.S.S. took an interest. The available facts do not wholly confirm the 'inglorious past' of parish councils to which the C.P.C.C. Secretary referred in 1945 at the Nottinghamshire Association of Parish Councils inaugural meeting.<sup>129</sup> A change in the attitude to parish councils would seem less due to these fulfilling their role better than previously, than to a growing emphasis on those parts of their roles in which they were more successful. The bitter resentment of the power exercised by landlords and Anglican clergy that was shown in the 1890's had evaporated. The more specific grievances were remedied; allotments were available wherever they were wanted and secular control of parish charities was an established fact. Parish meetings as an exercise in participatory democracy had been a failure and no one in this period advocated them either for the traditions or the democracy that they embodied. In the 1920's and 1930's the emphasis was put upon the general improvement of village life in the face of continuing depopulation of the rural areas. Some expected parish councils to help by the coordination of village voluntary services (as a sort of village 'Community Council'), and the representation of parish interests to other bodies, as much

129. Parish Councils Review - Winter 1950.

as by direct provision of amenities.

This view of parish councils was taken by the N.C.S.S. The success of this body in fostering a national association of parish councils suggests several conclusions as to what is necessary to such a foundation. The failures of previous attempts to form one show the difficulty. There is more incentive for a parish to join an association that provides services exclusively for its members than one that merely represents the interests of all parish councils. To provide an adequate advisory or other service needs organisation and money, and so if the sole source of funds is subscriptions, a high membership or high subscriptions. The latter discourages the former; and the former seems to have been difficult for any of the parish councils' associations to obtain with any rapidity. Perhaps a natural conservatism in parish councillors, and perhaps fears of 'ultra vires', inhibited any rush to join an association. The N.C.S.S. overcame this initial problem because it could offer from the start not simply financial assistance but also the benefits of its own secretarial and administrative facilities, especially the services of the Rural Community Councils in the counties where these existed, and the benefit of its experience in dealings with government bodies to whom it was a known and respected organisation.

CHAPTER 5

THE STRUCTURE AND ORGANISATION OF  
THE NATIONAL ASSOCIATION OF PARISH COUNCILS

The story has now reached the foundation of the National Association of Parish Councils; the next three chapters will describe that association, firstly its structure and organisation, then its attempts to influence government and legislation and finally its attempts to assist parish councils.

The structure of the National Association of Parish Councils, as it was established in 1947, was, not surprisingly, very similar to the organisation of its forbear, the Central Parish Councils' Committee. The N.A.P.C. has worked under two constitutions, that of 1947 and that of 1958, although there were also constitutional amendments at other dates. Both constitutions were similar in their basic features. As its title implies, the Association was to represent the parish councils in England and Wales. In each county there was an association, and every member parish council belonged to its county association and to the National Association.<sup>1</sup> The member councils in each county decided the government of their association in accordance with a county constitution, agreed by themselves and the National Association. Subscription income was shared between the County and National Associations. Each County Association elected representatives to the bodies that governed the National Association.

The 1947 Constitution set out seven aims of the Association:

1) to promote a widespread and well-informed interest

1. N.A.P.C. Constitution Cl.3. All references are to the Constitution as at 1.1.1968 unless otherwise stated.

in local government, more particularly with reference to rural parishes.

2) to watch over, protect, and promote the interests, rights, functions and privileges of parish councils, as they may be affected by legislation, public or private, by Byelaws, Orders, Schemes or any Instruments whatsoever having the force of enactments, or otherwise, and to take all such action as might be deemed advisable in relation to any and every such matter as aforesaid,

3) to maintain contact and, where found desirable, to cooperate with other authorities, associations and voluntary organisations, especially in the promotion or support of, or opposition to, any new proposals which may be advocated,

4) to assist parish councils in the performance of their duties and in promoting and developing the social, cultural and recreational life of parishes and villages in rural districts,

5) to obtain and disseminate information on matters of importance or interest to parish councils generally,

6) to arrange conferences and provide literature, advice and other assistance on matters within the province of parish councils,

7) to take in relation to parish councils generally or any one or more parish councils, all such action as may be considered desirable in relation to any matters which affect or may affect their joint or several interests.<sup>2</sup>

These, somewhat wordy, aims were condensed in the 1958 Constitution into four;

- 1) to protect and promote the interests, rights, functions, and privileges of parish councils and parish meetings,
- 2) to assist parish councils and parish meetings in the performance of their duties and to promote and develop the social, cultural and recreational life of parishes and villages,
- 3) to promote a widespread and well-informed interest in local government,
- 4) to promote good local government.<sup>3</sup>

The position of parish meetings was not in fact changed in 1958; they have always been admitted, though not besought to join. Both these lists of objects show that the Association derives from its concern for parish councils, an\* interest in local government (from the point of view of this type of authority) and an interest in rural affairs generally.

The membership of the Association has grown steadily since its formation. The 1947 membership of about 1,000<sup>4</sup> has grown to 6,430 of the 6,671 parish councils in 1967.<sup>5</sup> The membership in 1970 was 6,421, including four of the newly created type of parish council, the rural boroughs.<sup>6</sup> The increased strength, especially in revenue, that this rise in membership

3. N.A.P.C. Constitution Cl.4  
 4. Parish Councils Review, Summer 1950.  
 5. N.A.P.C. Membership figures 1967.  
 6. N.A.P.C. Annual Report for 1969-70.

brought, enabled the Association in its early years to create a parish councils association with its own secretary and advisory service in every county of England and Wales, and then in more recent years to expand the National Office secretariat.

Although the whole Constitution was rewritten in 1958, this was done not to alter the structure but because the 1947 one was felt, by the Secretary and others, to be badly drafted.<sup>7</sup> The principal change in 1958 was to make the level of subscriptions a non-constitutional matter, so as to avoid some of the financial difficulties that had beset the Association in the early 1950's.<sup>8</sup>

Owing to the limited changes since 1947, the ensuing detailed description of the structure of the N.A.P.C., as it is at present, can be taken as applying to the whole period 1958-68 and in its more fundamental points to the period 1947-58 also, except where changes are noted.

Each county association of parish councils appoints three representatives to a General Meeting and one of these also sits on the Council.<sup>9</sup> The General Meeting has the right to decide policy, to set the level of subscriptions to the National Association and to elect the President, Vice-Presidents and Treasurer.<sup>10</sup> The honorary officers may sit on the Council and the General Meeting.<sup>11</sup> The Council

7. Interview with Mr. C. Arnold-Baker, N.A.P.C. Secretary

8. Ibid.

9. N.A.P.C. Constitution Cl. 7 & 8.

10. Ibid. Cl. 7.

11. Ibid. Cl. 7 & 8.

elects its own chairman and vice-chairman and appoints the association's staff,<sup>12</sup> at present a full-time Secretary and two Deputy Secretaries, plus one part-time Assistant Secretary and a clerical assistant. Thus the sequence of General Meeting, Council and Secretary is one of decreasing authority which is counteracted by the fact that it is also one of increasing frequency of contact with business.

The equal representation of all county associations without regard to membership, potential membership or rural population, has not apparently been challenged since the days when the 1947 Constitution was being discussed. There were then objections from some larger associations, in particular Lancashire, but the first Secretary felt strongly that the arrangement was not only convenient but right as a matter of principle.<sup>13</sup> This view of counties as communities of equal value (rather than variously sized groups of individual members of equal value) would not seem so unusual to those accustomed to rural district councils where representation is by parish often without regard to its population.<sup>14</sup> There is also no consistent identification of County Associations with either administrative counties or geographical ones. The ancient counties of Yorkshire and Sussex (and Northamptonshire while it contained two administrative counties) had one association each, but Lincolnshire, Suffolk, Hampshire (and until recently Cambridgeshire) have

12. Ibid. Cl. 8 & 13.

13. Interview with Mr. E. Major, ex-N.A.P.C. Secretary.

14. The Municipal Year Book provides details.

been divided. Areas have usually been demarcated to match those served by the Rural Community Councils on whose secretarial services County Associations of Parish Councils rely. The membership of County Associations in 1967 ranged from 12 (of 17 parish councils) in the Isle of Wight, to 401 (of 585 parish councils) in Yorkshire.<sup>15</sup> The overall effect of these inequalities is slight. If one considers a possibility of bias between the larger parishes, usually industrial or commuter, and the small ones, usually agricultural, one finds that those counties containing larger parishes (as evidenced by the mean population)<sup>16</sup> have a slightly higher proportion of Council seats than would be their due on a simple population basis. Thus the interests of small agricultural parishes are not likely to be over-represented; on the other hand, when the N.A.P.C. claims to speak for the rural population in general rather than simply parish councils, the interests of the inhabitants of the small agricultural parishes may be over-represented for the larger population of a parish does not entitle it to extra representation in county associations. If one considers a possibility of bias between different parts of the country, there is an obvious bias against the larger Associations but the only notable effect at a regional level is the disproportionately large Welsh representation. Welsh parish councils form 9% of the N.A.P.C.

15. N.A.P.C. Membership figures for 1967.

16. Registrar General's Estimates of Population of England and Wales for 1967.

membership but elect 24% of the Council and the General Meeting (excluding ex-officio and coopted members).<sup>17</sup> The election of 39 members of the General Meeting by the 592 Welsh parish council members contrasts with the election of 9 by the 591 South West members in Cornwall, Devon and Somerset.

There is a constitutional restriction on the choice of General Meetings representatives by the County Associations in that two of the three representatives must be parish councillors at the time of appointment.<sup>18</sup> The other may be a parish councillor, a clerk to a parish council, or, as he is in many cases, the secretary to the County Association of parish councils. The County Association's representative on the Council of the N.A.P.C. must be one of its representatives to the General Meeting, usually a parish councillor, in other cases a County Association secretary. In 1965 29 of the 55 County Associations appointed their secretary as their third member of the General Meeting and 18 appointed him as their representative also on the Council.<sup>19</sup> Generally those counties furthest from London, where the meetings are held, are more likely to nominate the Secretary of their Association as their representative, and to a lesser extent, smaller associations are also more likely to do so. This is demonstrated by the following tables:

17. N.A.P.C. Membership figures for 1967.

18. N.A.P.C. Constitution Cl. 7 (g)

19. List of delegates to the 1965 N.A.P.C. General Meeting.

Miles distant from London	0-63	64-111	112-150	151-210	211-300
1966-7 No. of secretaries on Council	1	3	3	6	5
1966-7 No. of secretaries on General Meeting	1	6	6	8	8
No. of Associations	11	11	11	11	11
Membership of A.P.C.	0-49	50-93	94-123	124-179	180-401
1966-7 No. of secretaries on Council	5	5	3	1	4
1966-7 No. of secretaries on General Meeting	8	7	5	3	6
No. of Associations	11	11	11	11	11

Representation by the secretary, although practised since the beginning of the N.A.P.C., does arouse some hostility. Surrey A.P.C. were persuaded by their Chairman, who held strong views on the distinction of elected and employee, to constitutionally bar the secretary from appointment.<sup>20</sup> At a meeting of the N.A.P.C. Council on April 20th 1967 the representative of Cumberland referred to the fact that the next elections might mean his disappearance and said that while he recognised the worth of existing County Secretary members, he hoped that their numbers would remain few. The Council then endorsed his view that the Association ought to be controlled by councillors not officials.<sup>21</sup>

The General Meeting of the Association must meet

20. Correspondence of N.A.P.C. Secretary & Surrey A.P.C. Secretary, 1964.

21. Minutes of 93rd N.A.P.C. Council on 20th April, 1967 - Speech by Mr. Rose and discussion.

annually on a date fixed by the Council. It must also meet on the demand of the President, two Vice-Presidents, the Council or seven County Associations.<sup>22</sup> It has not held such an emergency meeting.<sup>23</sup> The constitution of the N.A.P.C. decrees that, subject to the provisions of this constitution, the Officers, Council Committees and servants of the National Association shall conform to the directions given by a General Meeting.<sup>24</sup> However the General Meeting is not accustomed to give such directions. It is the General Meeting that appoints the honorary officers of the Association but 'on the recommendation of the Council'.<sup>25</sup> It is not clear what this last phrase means, a Council veto, a right to prior notification or just a right to recommend. From actual practice it appears to be the last, which is no more than the County Associations' right to nominate for these posts.

To illustrate the actual position of the General Meeting in the organisation of the N.A.P.C., a sketch of the course of one such meeting is outlined. The example is the 19th Annual General Meeting held on November 12th 1965.<sup>26</sup> It opened with the Secretary's declaration of the names of county representatives entitled to attend, which was taken as read. As a new President was needed, the election of one was the next item. The Council recommended Lord Merthyr, a former Vice-President, and through his position as a former Lord Chairman

22. N.A.P.C. Constitution Cl. 7 (g).

23. Interview with the N.A.P.C. Secretary.

24. N.A.P.C. Constitution Cl. 7 (f).

25. Ibid. Cl. 9.

26. Minutes of the meeting and author's notes on it.

of Committees, acceptably neutral in party politics. The General Meeting unanimously agreed in his election. There was however some independence shown by the Meeting in the next item - the election of Vice-Presidents. There was a vacancy for a Labour M.P. and it had been decided to add a woman to the list of Vice-Presidents. The Council after hearing the results of the Secretary's soundings, had recommended Mr. McGuire, a Labour M.P., and Lady Phillips, a Labour life-peer, as Vice Presidents. The Devon A.P.C. proposed a local Conservative M.P., whom they had apparently approached without consulting the N.A.P.C. Secretary. As the Welsh Vice-President was a Labour M.P. and the Conservative peer Vice-President was now balanced by a Labour one, and as this would avoid embarrassment, the Council was willing to recommend him also but this last recommendation roused a Lancashire representative, not to oppose Mr. Mills, but to claim that his Association had not known that there was room for another Conservative Vice-President as well as a Labour one, and that if they had known, they would have strongly recommended Sir Frank Pearson, M.P., for Clitheroe, President of their Association and sponsor of the Town and Country Planning Bill for the N.A.P.C.<sup>27</sup> After a quick discussion round the platform the Secretary announced that despite their previous custom of ensuring that people were willing to accept the office before electing them they were prepared to

27. His work with regard to this bill is described in detail in Ch.6.

accept the nomination in this case. The meeting then elected all the candidates including Sir Frank Pearson, subject to his willingness to undertake the work. The Welsh representatives voted separately for their Vice-President.

After this unexpected occurrence, the remainder of the meeting was mainly routine and passed quietly. The report of the last A.G.M. was agreed to. Two amendments to the Constitution were made, to admit rural boroughs to membership and to make more convenient the date when the terms of office of Chairman and Vice-Chairman expired. There was no opposition to the latter and few queries about the former amendment, both of which had been initiated by the Secretary and recommended by the Council. The Chairman's Annual Report was listened to and accepted as was also the Treasurer's Statement of accounts. Amendments to the Association's Code of Policy, as suggested by the Secretary, to delete certain clauses as being substantially achieved, were approved.

The Annual General Meeting ended with an informal 'Brains Trust' - the Secretary, the Chairman, Lady Phillips and another Council member answering questions from the meeting put by the President on problems of parish councils and of rural life, but only indirectly on the policy of the Association and not at all on the execution of it.<sup>28</sup>

Thus the General Meeting's business is to give formal authority to decisions already made rather than to decide

28. Parish Councils Review Winter 1965-6 pp. 184-5.

between real alternatives. The nearest approach to a conflict was occasioned by members' uncertainty as to the type of Vice-President who was wanted.

The real importance of the General Meeting would seem to be the wider transmission of information about the activities of the National Association. The fact that it is elected (in the same proportion) by the same groups as elect the Council and that over a third of its membership are also members of the Council would greatly limit its utility as a reviewing body, if it were called on to play that part.

The N.A.P.C. has always had a smaller body than the General Meeting, that meets more frequently. Prior to 1958 this was known as the National Executive, since then as the Council. The then Secretary felt that the term 'executive' was more applicable to his work than to the small policy making group.<sup>29</sup> To avoid any confusion caused by the change the 'Parish Councils Review' has always referred to this body since 1958 as the National Executive Council. Constitutionally this Council is the governing body of the Association within the instructions of a General Meeting.<sup>30</sup> It is given thereby broad powers 'to provide for the conduct, management, control and administration of the affairs of the Association and may take such steps, incur such expenditure, acquire and dispose of such property, enter into such commitments and arrangements and employ such

29. Interview with the N.A.P.C. Secretary.

30. N.A.P.C. Constitution Cl. 7 & 13.

servants or agents as may be suitable for carrying the policy of the Association into effect'.<sup>31</sup> It is also given, in the constitution, two specific powers - control of the banking and investment of the Association's funds and of borrowing by or on behalf of the Association, and a veto on the constitutions and their amendments of County Associations. The first of the powers is exercised by the Finance Committee, the second by the Secretary when exercised at all. No determined attempt to bring these constitutions into line with the National one, for example to alter the aims to accord with the ones adopted by the National Association in 1958, has been made in the last twenty years. When advice on constitutional amendments is wanted it is generally given to the County Association by the Secretary of the N.A.P.C. He also gives Council his assurance that changes in county A.P.C. constitutions are compatible with the national one, and Council accepts these assurances.<sup>32</sup>

The Council consists of a representative from each County Association, the honorary officers and coopted members, that is at least 59 members and at present 68.<sup>33</sup> The quorum is only 7,<sup>34</sup> but about three-quarters of the members normally attend.<sup>35</sup> County Secretary members are the most

31. Ibid. Cl. 13

32. For example, minor amendments to Denbighshire A.P.C. Constitution - Council Minutes of 22 July 1965.

33. N.A.P.C. Constitution Cl. 8.

34. Ibid.

35. Interviews with the N.A.P.C. Secretary and the then N.A.P.C. Chairman (1967).

regular attenders; of the honorary officers, only the President and one Vice-President at present attend from time to time.<sup>36</sup> The power of cooption is used. At present the Council includes representatives from the National Council for Social Service and the Council for the Preservation of Rural England and the President of the Kent A.P.C. When the Association began and for many years afterwards, there was a Rural District Councils Association representative, but his loyalties were suspect and the opportunity was taken of a change of Secretary of the R.D.C.A., to fail to renew the invitation.<sup>37</sup> Despite the fact that the bulk of the Council consists of County representatives, these are encouraged to regard themselves as spokesmen for the views of their A.P.C. but to contribute their own views.<sup>38</sup>

The Council can and does delegate to committees. There are four permanent committees, for Finance and General Purposes, Local Government, Transport and Wales. The first deals with the internal administration of the Association, the second with government legislation and memoranda of evidence to committees, the third with anything concerning transport or highways and the fourth with any specifically Welsh questions. Items are not automatically sent to a Committee; they may go directly before the Council. The Council may pass a matter to a committee or the Secretary

36. Ibid.

37. Correspondence of N.A.P.C. Secretary and R.D.C.A. Secretary and Interview with the N.A.P.C. Secretary.

38. Interview with the N.A.P.C. Secretary.

may put it on their agenda, not that of the Council.<sup>39</sup>

There are also ad hoc committees; one is established to make arrangements for each triennial National Conference of Parish Councils.

Each committee includes ex-officio the President of the Association and the Chairman and Vice-Chairman of the Council.<sup>40</sup> The Finance Committee also includes the Treasurer and 13 other members, the Local Government Committee 8 other members, the Transport Committee 7 other members and the Welsh Committee 13 other members.<sup>41</sup> In appointing members of committees, the Council limits members to not more than two committees each and attempts to give a regional balance, except on the Welsh Committee which consists of all the Welsh members and the ex-officio members.<sup>42</sup> The President does not attend committee meetings.<sup>43</sup> The Chairman does not attend the meetings of all committees.<sup>44</sup> The Finance Committee meets quarterly, the others twice a year,<sup>45</sup> more often if necessary. About 80% of members attend, a slightly higher proportion than that for Council Meetings, and General Meetings.<sup>46</sup>

As an example of the work of these committees one meeting of each of them is now described.

The 78th meeting of the Finance and General Purposes Committee on February 20th 1967.<sup>47</sup> began with the routine items

39. Ibid.

40. N.A.P.C. Constitution Cl. 14.

41. N.A.P.C. Papers, 1967.

42. Papers of the last N.A.P.C. Chairman.

43. Interview with the N.A.P.C. Secretary.

44. Interview with the then N.A.P.C. Chairman (1967)

45. N.A.P.C. Papers, 1967.

46. N.A.P.C. Papers - Records of Attendance of candidates for Election 1966.

47. Minutes of this meeting.

of election of chairman and vice-chairman, apologies for absence, the approval of minutes and discussion of matters arising. New business began with the appointment of an Assistant Secretary of the Association. The Secretary recommended a person who as a barrister interested in this field and also capable of typing, was well qualified, and, as a married woman who could work at home and part time, would be economical in cash and office space. Her appointment was approved. A list of payments made in the previous two months was received, then consideration given to estimates and salaries for the forthcoming financial year. Next came consideration of the financial aspects of arrangements for the Annual General Meeting. The Secretary reported on the progress of sales of the Association's publications and asked for confirmation of his purchase of more Financial Statement forms (which the N.A.P.C. sells to parish councils). This was given. The facilities offered by membership of the N.A.P.C. had been advertised at a cost of £7; the Secretary suggested that another £200 be spent on publicity. This also was finally agreed to. The last item was an arrangement with an insurance company for a scheme that offered cheap rates to parish councils and councillors.

The meeting of the Local Government Committee on July 13th 1967 was concerned with more general and less concrete questions.<sup>48</sup> After apologies for absence, the election of

48. Minutes of this meeting

a chairman and approval of the minutes, the committee considered and determined its attitude to three recent publications, the Government White Paper on Local Government in Wales, the Report of the Maud Committee on the Management of Local Government and the Supplementary Evidence of the Association of Municipal Corporations to the Royal Commission on Local Government on their idea of a 'Community Trust'. They then considered the case of Stokenchurch Parish Council in Buckinghamshire whose supplementary precept the R.D.C. had refused to levy. The Ministry supported the R.D.C. and in view of the general principles involved, the N.A.P.C. took the case up with the Ministry. After approving the draft of a 'Village Council' leaflet the committee passed to 'Any Other Business' which consisted of approval of an action and a suggestion of the Secretary. His action had been to write to the Minister of Housing, with reference to the new White Paper on Town and Country Planning, saying that the principle of an N.A.P.C. supported private member's bill, that parish councils be advised of and able to comment on planning applications, should be brought in to any new planning bill. The Secretary's suggestion was that the N.A.P.C. should ask the government to introduce its consolidation bill on Burials and Cremation and, failing this, to ask Lord Colville, one of the N.A.P.C. Vice-Presidents, to introduce such a bill, drafted by the Secretary, in the House of Lords next session and thus urge on the government.

The two other committees have less work to do. At the

meeting of the Transport Committee on July 31st 1967 there were only three matters dealt with,<sup>49</sup> the preparation of the evidence of the Association to the Gosling Committee on Footpaths, the rejection, as impracticable, of a resolution passed by the last N.A.P.C. Conference in favour of speed limits in all villages, and a request to the Ministry of Transport to answer accusations that railway branch line usage figures were fiddled by hampering travel in advance of the closure of a line.

The Welsh Committee was established in 1965, primarily to consider the reorganisation of Welsh Local Government.<sup>50</sup> Its meeting on 18th April 1967 did very little business.<sup>51</sup> After the election of a chairman and vice-chairman, the reception of apologies for absence and the approval of the minutes of the last meeting, there was only one item on the agenda. This was the discussion of suggestions in the Western Mail as to the likely proposals of the White Paper on Welsh Local Government, and so was a little speculative. After the rejection of the proposals of the Welsh Local Government Commission, a Ministry 'working party' had been established to make recommendations for the reorganisation of local government in Wales, reorganisation with potentially drastic effects on the role, and even the existence, of parish councils in Wales. A White Paper was expected in the near

49. Minutes of this Meeting.

50. Minutes of Council Meeting, 22 July, 1965.

51. Minutes of this meeting.

future and this the Western Mail claimed to have scooped. Under 'Any other business' the Committee welcomed the Government's abandonment of plans for a New Town in Mid Wales.

The meetings of the Council itself are spent in hearing reports on current matters of interest and making decisions that usually follow the recommendations of committees or the Secretary. It may sometimes refuse to accept such advice. A Finance and General Purposes Committee's recommendations that deputies for Council members be abolished, as they seemed to encourage non-attendance (often without the deputy attending), was refused.<sup>52</sup> The meeting of Council on the 20th July, 1966 began with consideration of the minutes and recommendations of the Finance and General Purposes Committee, the Local Government Committee and the Conference Committee, established to arrange the next year's conference of parish councils.<sup>53</sup> After approval of these, they heard reports of recent meetings of organisations on which the N.A.P.C. had representatives, a report on the International Union of Local Authorities by the Secretary, on the Scottish District Councils Association and the National Old People's Welfare Committee by Council Members, and on the National Playing Fields Association and the Advisory Council on Public Sanitation by the Deputy Secretary. The Secretary then reported the progress of parliamentary bills in which they

52. Interview with the N.A.P.C. Secretary.

53. Minutes of this meeting.

were interested, a recent Ministry Circular and recent N.A.P.C. National Circulars. From this they proceeded to the consideration of draft documents to be issued in the Association's name. The Local Government Committee recommended evidence to two government committees, on allotments and on the registration of births, deaths and marriages. The Council altered the evidence to the Committee on Allotments as it wished to abolish any obligation to provide allotments. They then approved the draft Annual Report, the audited Annual Accounts and a draft Model Clerk's Agreement, suggesting a salary scale for parish council clerks. These had been drafted by the Secretary. Finally the Council considered two motions proposed by County Associations, one from Berkshire A.P.C. on election papers, one from Devon A.P.C. on the planning control of farm buildings.

These then are the various committees in the national structure of the N.A.P.C. There are also individual positions of note, the honorary officers and the chairmen and vice-chairmen of the Council and its committees. The honorary officers are elected by the General Meeting which normally accepts the recommendations of the Council.

The President is an eminent person chosen to give weight and dignity to the Association. He has the right to attend Council and all its committee meetings but is not expected to do so. There has been a tradition of having a judge (in fact a Lord Justice of Appeal) as President; Lord Justice Scott

was the first holder of that office and after him Lord Denning held it for twelve years. Lord Justice Diplock was his successor and the present holder of the office is Lord Merthyr, who though not a judge, held a position of prestige and impartiality when he was Lord Chairman of Committees.

Lord Justice Scott's views on parish councils were known to the then Secretary, who suggested his name, from the Scott Report on Land Utilisation in Rural Areas.<sup>54</sup> Lord Justice Scott had a great loyalty to rural Britain and its country dwellers. He professed 'a profound belief in the immense value of the contribution which (( could)) be made by Rural Britain to the well-being of the whole British Nation'.<sup>55</sup> He emphasised the cohesion and classlessness he saw in the village and combined a Romantic's distaste for modern industry with a demand for villagers to have an equal share in its products, electricity supply and buses.<sup>56</sup> He was chairman of his own parish council<sup>57</sup> as well as President of the N.A.P.C. Lord Justice Scott died in office and was succeeded, as he wished, by another Judge, Lord Justice Denning (later Lord Denning). The new President held similar, perhaps even stronger, views on parish councils as a bulwark of democracy and on the value of rural life.<sup>58</sup> He expressed his firm belief 'that the best type of Englishman comes from the English country villages and small towns and not from the large

54. Interview with Mr. Major, the first N.A.P.C. Secretary.

55. Parish Councils Review Summer 1950.

56. Ibid.

57. First Annual Report of the N.A.P.C.

58. Interview with the first N.A.P.C. Secretary.

industrial towns.<sup>59</sup> Pressure of work compelled his resignation from the N.A.P.C. Presidency, as it did that of Lord Justice Diplock, his successor. Lord Justice Diplock appears to have been conscientious but less enthusiastic, although he admired Scott, for whom he had 'devilled' before the 1939-45 War.<sup>60</sup> Lord Merthyr the present N.A.P.C. President, was the first one to have had previous connection with the Association. He had been President of the Pembrokeshire A.P.C. and an N.A.P.C. Vice-President for many years previously until resigning because he considered the position might conflict with his new appointment as Lord Chairman of Committees.<sup>61</sup> Unlike his predecessors he attends Council Meetings from time to time.<sup>62</sup>

The function of the Vice-Presidents of the N.A.P.C is not set out in the Constitution. They have been chosen for their contacts rather than their prestige, and in recent years have mostly been M.P.s or peers. The N.A.P.C.'s first Vice-Presidents were Mr. W.L. Platts, Clerk to Kent County Council, and Sir Laurence Chubb, a leading figure in the Council for the Preservation of Rural England.<sup>63</sup> Both of these had been working for several years on the Central Parish Councils Committee, the predecessor of the N.A.P.C.<sup>64</sup> Chubb was succeeded by Lord Merthyr and Platts by Mr. J. E. Blow, Clerk to Kesteven County Council and a link with the

59. Parish Councils Review Winter 1950.

60. Parish Councils Review Spring 1968.

61. N.A.P.C. Papers.

62. Interviews with the N.A.P.C. Secretary & the then N.A.P.C. Chairman (1967).

63. N.A.P.C. Annual Report for 1947.

64. Unpublished N.C.S.S. papers.

C.C.A.<sup>65</sup> When Mr. C. Arnold-Baker became Secretary in 1953, he urged the Association to an interest in parliamentary work and the use of Vice-Presidents as parliamentary representatives, as other associations did.<sup>66</sup> It was decided that the Association's cherished neutrality in party politics would not be jeopardised by M.P. Vice-Presidents, if these came from both major parties. There was already a peer Vice-President. The Secretary consulted County Associations and his friends in Parliament, the Civil Service and the Bar.<sup>67</sup> The result was a Conservative M.P., Mr. R. Fort, suggested by the Secretary of the Lancashire A.P.C. (himself a Labour man), and a Labour M.P., Mr. G. Roberts, suggested by Fort.<sup>68</sup> Thus the pattern remained until 1965, a C.C.A. contact, a peer, a Conservative M.P. and a Labour M.P. except that in 1958 a new position of Vice-President for Wales was created and filled by Mr. T. Watkins, a Labour M.P.<sup>69</sup> In 1965 the Council considered a woman Vice-President was desirable and Lady Phillips, a Labour peer, was elected. When an M.P. retired as Vice-President, possible successors were suggested by him, or by a leading figure in the Association, or found among those who had been persuaded to support the N.A.P.C. in its legislative endeavours.<sup>70</sup> The Secretary would sound out these people and recommend one to the Council. Account was taken

65. N.A.P.C. Annual Reports.

66. Interview with the N.A.P.C. Secretary

67. Ibid.

68. Ibid.

69. N.A.P.C. Annual Report for 1958.

70. Interview with the N.A.P.C. Secretary.

of age, family, experience, interest in local affairs, subjects of special interest, debating ability, and safety of his seat.<sup>71</sup> It was not thought worthwhile to consult County Associations again after 1953,<sup>72</sup> but in 1965 they unexpectedly and successfully proposed two additional M.P.s for Vice-Presidents, both local Conservative M.P.s.<sup>73</sup> A second Labour M.P. (in addition to the Welsh Vice-President) was added to the roll of Vice-Presidents in 1967.<sup>74</sup> In 1970 a different use was made of the office of Vice-President when the retiring Chairman was elected as one.<sup>74</sup>

The average tenure of office of Vice-Presidents has been six years, terminating in death or resignation.<sup>75</sup> Usually resignation has been on their own initiative but two Labour M.P. Vice-Presidents, who found it impossible to devote as much attention to the work as the N.A.P.C. wished, followed tactful suggestions that they might resign.<sup>76</sup> The first M.P. Vice-President to lose his seat in the Commons was Mr. Hazell in 1970. He then resigned his N.A.P.C. office and suggested the name of another Labour M.P. who would be willing to take his place.<sup>77</sup> There is no limit to the number of Vice Presidents, nor are there candidates jostling

71. N.A.P.C. Papers.

72. Interview with the N.A.P.C. Secretary.

73. see previous description of the 1965 General Meeting.

74. N.A.P.C. Annual Reports.

75. Ibid.

76. Interview with the N.A.P.C. Secretary

77. N.A.P.C. Papers.

each other in efforts to obtain the posts, as they are usually outsiders to the Association when approached.

The work expected of them is that they assist the Association's parliamentary activities, supporting or amending bills, and, by their status, enabling easier access to Ministers and possibly more attention from civil servants. Some Vice-Presidents accompany any deputation to a Minister, and the Secretary keeps them informed of his dealings with Ministries and lets the Ministry know that he does so.<sup>78</sup>

The Treasurer of the N.A.P.C. is an honorary officer chosen solely for his financial competence. The accounts are handled by the N.C.S.S. financial department. The Treasurer attends Finance Committee meetings but that committee appoints one of the elected Council members as its chairman. Thus the Treasurer is, like the President and Vice-Presidents, a specialised functionary although he has influence in the Association on financial matters, as demonstrated in his obtaining agreement in 1970 to higher subscriptions.<sup>79</sup>

On the other hand the N.A.P.C. Chairman and Vice-Chairman are influential. These are the most important elective posts in the Association. They are automatically members of all committees,<sup>80</sup> although they may well choose not to attend all. The Chairman is most certainly a member of any N.A.P.C. deputation and is in constant touch with the

78. N.A.P.C. Papers and correspondence.

79. Interview with Prof. Keith Lucas, then N.A.P.C. Vice-President.

80. N.A.P.C. Constitution Cl.14.

Secretary between Council meetings.<sup>81</sup> The Secretary consults ~~the~~ and Chairman and the Chairman may anticipate such consultation, although this would seem to depend on the personalities of the individuals concerned. The first Chairman, Mr. Platts, was in easy contact with the first Secretary, as both lived in central Kent and one was a member of Kent County Council, the other its clerk.<sup>82</sup> The Chairman after Mr. Platts was Admiral Oldham, Chairman of Sussex A.P.C. He took office almost at the same time as a new Secretary, Mr. Arnold-Baker, and his work in London enabled him to call frequently at the N.A.P.C. office for consultation.<sup>83</sup> His successor, Commander Latham, Chairman of Hampshire A.P.C., had similar interests to Oldham in a variety of types of rural social welfare. He was more retiring than his predecessors and waited to be asked for his opinions.<sup>83</sup> Professor Keith-Lucas, the next Chairman, kept in touch with the Secretary by telephone every two days or so. The new Chairman, Mr. Montgomery, lives, like Professor Keith-Lucas, in East Kent. Thus one cannot determine how far this close relationship of Secretary and Chairman would be weakened if the Chairman did not come from the Home Counties. The position of Chairman is contested when one retires, but once someone is first elected his annual re-election is a formality. Platts resigned on account of ill health;

81. Interviews with the N.A.P.C. Secretary & the then Chairman (1967)

82. Interview with the first N.A.P.C. Secretary.

83. Interview with the N.A.P.C. Secretary.

Oldham and Latham both retired after six years as Chairman. Before Latham's successor was elected it was decided to limit the tenure to three years.<sup>84</sup> but when these expired in 1967, this decision was reversed on the grounds that this was a time of great changes in local government, which called for continuity in the important consultations.<sup>85</sup> Professor Keith-Lucas did in fact hold the office for six years before he resigned on account of increased university commitments.

The Chairman is elected by the Council but the Secretary plays an important part in the soundings prior to an election. Several months before the 1964 election the Secretary suggested three names to the retiring Chairman and his Vice-Chairman.<sup>86</sup> The Chairman suggested three more possible candidates;<sup>87</sup> the Vice-Chairman apparently considered himself to be one. The Secretary then sent a confidential questionnaire to all Council members asking if they would be considered for the chair and for the names of two to five others, not necessarily Council members, whom they would agree to support.<sup>88</sup> From the replies the Secretary found seven real candidates. These were all except one, members of the Council, three had served on it since 1947 and one on the C.F.C.C. before then.<sup>89</sup> The exception was Professor Keith-Lucas, then a University lecturer on local government, who

84. Ibid.

85. Ibid.

86. Letters of N.A.P.C. Secretary to Latham & Hillier 14 Nov. 1963.

87. Letter of Latham to N.A.P.C. Secretary 21 Nov. 1963.

88. Questionnaire sent by the N.A.P.C. Secretary to Council Members Dec. 1963.

89. N.A.P.C. papers - Description of candidates for Chairman, 1964.

was one of several suggested by a Welsh County A.P.C.<sup>90</sup> He was known to parish councillors as he had addressed the National Conference of Parish Councils the previous year and a Welsh Conference, and was also acquainted with the Secretary, as the latter had spent a year in part-time study at his college, Nuffield.<sup>91</sup> He was also, at 52, the youngest of the candidates.<sup>92</sup> The result of the voting was 27 out of 49 for Professor Keith-Lucas, 8 for Mr. Pease, a distinguished older member of the Council, and less than 4 for each of the others.<sup>93</sup> Thus a second ballot was not needed and this, if not the result, surprised the Secretary, who despite the potential of his key role in consultations and soundings, lays no claim to influencing this result as he admits to having supported the previous chairman's election. In fact this election appears to have been unusual in that the Council was obviously unhappy about electing one of themselves as Chairman, as is also suggested by their limiting the term of office to three years.

The Vice-Chairman of the N.A.P.C. Council is largely a deputy, with no particular expectation of succeeding the Chairman, although the present Chairman was previously Vice-Chairman. He may chair less important committees, such as an ad hoc Conference Committee. The Vice-Chairman has always

90. Interview with the N.A.P.C. Secretary.

91. Interviews with the N.A.P.C. Secretary and the then N.A.P.C. Chairman (1967).

92. N.A.P.C. papers - Descriptions of candidates for Chairman, 1964.

93. N.A.P.C. papers - details of election of Chairman, 1964

been elected from the Council, the present one being the Oxfordshire A.P.C. representative.<sup>94</sup> While the re-election of a Chairman has always been a formality to date, one Vice-Chairman has been defeated when standing for re-election. This defeat followed consultations to this end among influential figures in the Association, including the Secretary and Chairman.<sup>95</sup>

These are the elective posts; the structure of the full-time posts is simple, a Secretary, two Deputy Secretaries and an Assistant Secretary. The other employees are a clerical secretary and the editor of the magazine of the Association, the 'Parish Councils Review'. The Assistant Secretary and the Editor work only part-time for the Association, and do so at their own homes.

In the first years of the N.A.P.C. there was only one administrative employee, the Secretary. The post was then held by Mr. Major who had previously worked for the N.C.S.S. for over ten years (apart from the War) and had there increasingly concentrated on work for the C.P.C.C.<sup>96</sup> He thus acquired his experience on the job and from his participation in local government, for he was for a while simultaneously a member of his parish council, rural district council and county council.<sup>96</sup> When the N.A.P.C. ran into financial difficulties in the early 1950's, members being unwilling to raise the

94. Parish Councils Review Autumn 1970, p. 112.

95. Interview with the then N.A.P.C. Chairman (1967)

96. Interview with the first N.A.P.C. Secretary.

subscription to maintain the level of services, the burden of all this work proved too much for the Secretary and he resigned. His successor stayed only a short while before resigning too.

Then in 1953 Mr. Arnold-Baker was appointed. He was unlike Mr. Major in two important respects; he had no longstanding connections with parish councils and he was a qualified barrister. He had taken a history degree and followed it with a wartime army career and then practice at the Bar in the Admiralty, Probate and Divorce division.<sup>97</sup>

When the Association became more prosperous, a Deputy Secretary was appointed, the first one resigning on being elected to Parliament.<sup>98</sup> When in 1967 the work had still further expanded, a part-time Assistant Secretary was appointed, followed by another in 1968. All these appointments were barristers. In 1970 a solicitor was appointed as a second full-time Deputy Secretary and one of the part-time Assistant Secretaries resigned.

The work of administration is to some degree divided according to its type. In 1968 the Deputy Secretary specialised in legal advice to parish councils, and the Assistant Secretaries dealt only with these.<sup>99</sup> The Secretary specialised in the dealings with Parliament and the government departments.<sup>99</sup> In other respects the

97. N.A.P.C. papers.

98. Interview with the N.A.P.C. Secretary

99. Ibid.

Deputy Secretary acted as a pure deputy, sharing the work of attending committee meetings, representing the N.A.P.C. at the meetings of other organisations, addressing meetings of County Associations (which the Chairman and other leading members of the Council also do) and representing parish councils at public enquiries.<sup>99</sup>

The number employed by the N.A.P.C. is kept low by its practice of buying the services of outsiders to do work of a type of which the N.A.P.C. does not generate enough to fully utilise a specialist.<sup>100</sup> Accounts are kept by the N.C.S.S. Accounts department, ordering and despatch of publications is done by the printers, some legal work is farmed out, insurance schemes which the Association used to administer are done by an insurance company, and of course the National Office deals directly with parish councils only in the small minority of cases where the County Secretary refers the problem to them.

The N.A.P.C. derives three quarters of its income from the affiliation fees of the county associations.<sup>101</sup> Most of the rest comes from the profits of the Parish Councils Review, principally sales rather than advertisements revenue. The other sources of income are the profits on other publications and interest on its assets. The total annual income has risen from £5,000 to over £20,000 in the dozen years

99. Ibid.

100. Annual Report of N.A.P.C. for 1965-6.

101. Annual Accounts of N.A.P.C. for recent years.

to 1970.

Over half of the expenditure is consumed by the salaries and superannuation of the secretariat. Travelling expenses and secretarial costs each take just over 10%; accountancy costs and the costs of conferences and meetings each take up just under 5%.

Subscriptions were formerly fixed on a scale according to the population of the parish but this was changed a dozen years ago to one according to the penny rate product of the parish, with a minimum and maximum. The rate product was considered a fairer measurement of ability to pay and more likely to rise with inflation. As rating revaluation at frequent intervals is only a perennial pipedream in English local Government, the N.A.P.C. must continually raise its subscription to meet the continuous rise in prices. The rate of subscription until 1971 was one twentieth of the penny rate product, with a minimum of £2 and a maximum of £15.<sup>102</sup> This maximum means that many large parish councils' subscriptions were less than one twentieth of a penny rate; one twentieth of a penny rate in Burnham (Buckinghamshire) would raise £145. The larger parishes are however unlikely to make proportionately more demands on the Association's services. 45% (previously 40%) of the subscriptions went to the National Association.<sup>102</sup> County A.P.C.s can raise more if they wish.

To avoid the inconvenience of annual changes in subscription rates, the N.A.P.C. now budgets quadrennially each leap year,

102. N.A.P.C. National Circular No. 222. The subscription has now been raised to 0.07d. rate, maximum £25 minimum £3 (in some cases £4) and the National share lowered to 40% again.

for a surplus in the first two years that balances a deficit in the last two. In the third year the Treasurer and Secretary forecast the next quadrennium's expenditure and the necessary income.<sup>103</sup> The Finance Committee makes few alterations and the general outlines are notified to Council and then all member parish councils.<sup>103</sup> In the fourth year the General Meeting approves the budget, usually without alteration.<sup>103</sup> In 1967, however, it passed a minor amendment, to lower the minimum subscription. The N.A.P.C. has found that, contrary to some fears, at the present level of subscription, each rise causes no drop in membership.

As has been said, every member of the National Association of Parish Councils is also a member of a County Association, usually for the administrative county. Since the merger of Cambridge and the Isle of Ely Associations there have been 55 of these associations.<sup>104</sup> Despite the great variation in their size, from the 12 members of Isle of Wight A.P.C., to the 401 of the Yorkshire A.P.C.,<sup>105</sup> the structure of all of them is very similar.

The Associations are independent bodies but, while they may choose their own policy on local issues, they must not conflict with the policy of the N.A.P.C. on national issues. The N.A.P.C. has three constitutional rights of control of the County Associations; it decides their minimum

103. Interview with the N.A.P.C. Secretary.

104. Annual Report of N.A.P.C. for 1966-7.

105. N.A.P.C. papers - Membership Figures 1967.

subscription,<sup>106</sup> it approves or vetos their constitutions as being in accordance or not with the aims and structure of the National Association,<sup>107</sup> and the President may settle disputes if there are two claimants to be the County Association or if local government boundary changes raise territorial disputes.<sup>108</sup> This last power, derived from a 1963 amendment, has never been used, the second power is used only if the matter is specifically raised by the county A.P.C., and the disagreements over the level of subscriptions have usually produced divisions within rather than between County Associations and the National Association.

These are the constitutional central controls over the County Associations. More significant is the less formal prohibition on their attempting their own policy promotion outside the county. They are strictly enjoined to deal with national matters only through the National Association. This 'rule' has been broken from time to time, occasionally with deleterious effect on the N.A.P.C.'s tactics in persuading a government department.<sup>109</sup>

Every County A.P.C. has a constitution but these documents are not regarded too seriously. Over a third of these predate the 1958 National Constitution, at least four seem to have never been altered since 1949,<sup>110</sup> sometimes

106. N.A.P.C. Constitution Cl. 5 & 6.

107. Ibid. Cl. 3.

108. Ibid. Cl. 4.

109. N.A.P.C. Internal Memorandum.

110. Constitutions of Anglesey, Buckinghamshire, Warwickshire, Westmorland A.P.C.s

embodying a subscription rate that in practice has been altered since 1956.<sup>111</sup> At the foundation of each County Association, which was usually 1947 or soon after, the Secretary of the National Association sent them a model draft constitution which left a few blank spaces for their discretion, for example the minimum proportion of elected Executive members who must be parish councillors. A few A.P.C.s preferred to write their own constitutions but most used this model. Since then changes have been rendered necessary in level of subscriptions, no longer usually made a constitutional matter, in the objects, due to the change in those of the National Association in 1958, and sometimes for clarification. The first model constitution was especially ambiguous in using the same term, 'Association', both for the whole association and its general meetings. County A.P.C. constitutions appear to be revised either when copies of the existing one run out or when a Secretary or Executive member with an inclination for constitution drafting decides this needs to be done. A new constitution, or sometimes only amendments, is then drafted in consultation with the N.A.P.C. Secretary, approved by Council, and passed by the next County General Meeting. One common feature of all the constitutions is their requirement of a  $\frac{2}{3}$  majority of the general meeting for their amendment.<sup>112</sup>

111. All references to County A.P.C. constitutions are to those in force at 1.1.1968, unless otherwise stated.

112. Cheshire A.P.C. Constitution does not make it clear what majority is needed.

The stated objects of the County Associations are always adaptations of either the 7 aims of the N.A.P.C. 1947 Constitution or the 4 of the N.A.P.C. 1958 Constitution, the majority now the latter.

All except about ten of the smaller County Associations<sup>113</sup> divide the county in Areas, Districts or Branches, usually the area of the R.D.C. or a group of R.D.C.s. The parish councils in the Area usually send representatives to quarterly meetings which discuss local issues, perhaps send policy resolutions to the County A.P.C. and perhaps hear a visiting speaker.

Each County Association has a General Meeting which is the supreme body of the Association. These are usually annual and consist of two representatives from each member parish council in most cases, but in some cases one representative, in some cases three.<sup>114</sup> Some counties allow two representatives for each member parish meeting, of which there are few. The General Meeting will discuss and decide the policy of the Association and in most cases appoint the County A.P.C. representatives to the N.A.P.C. General Meeting and Council.

Everywhere except Surrey there is also an Executive of the County Association, although one county apparently has an

113. 12 County A.P.C. Constitutions do not mention 'Areas'. Some of these, such as Glamorgan A.P.C., do have them, others such as Isle of Wight, Radnor, Anglesey A.P.C.s, do not.

114. In 6 cases one, in 38 cases two, in 8 cases three in 3 cases unknown.

Executive that is larger than the General Meeting.<sup>115</sup> Most constitutions do not say who elects the Executive. In some cases it is the General Meeting, in some cases a certain number of representatives are elected by each Area, or the member councils of each R.D.C. Area, in two<sup>116</sup> cases each member council sends a representative. The median size of County Executive is twenty members but two<sup>117</sup> are near a hundred members. The Executive also usually includes the honorary officers and often coopted members, these latter being representatives of related organisations. Elections of the Executive are usually annual except in twelve counties<sup>118</sup> which decided to hold them triennially. Committees may be established by the Executive, or, in Surrey, by the General Meeting.

Nearly all the County A.P.C. constitutions stipulate that a minimum number of the elected Executive must be parish councillors. This minimum proportion varies from under half in one county<sup>119</sup> to all in four counties,<sup>120</sup> the most common limits being two thirds (in eighteen counties) or three quarters (in ten counties). One County A.P.C. stipulates the whole executive must be either parish councillors or clerks to parish councils.<sup>121</sup> Surrey and Sussex A.P.C.s

115. Flintshire A.P.C. Constitution.

116. Merioneth A.P.C. and possibly Isle of Wight A.P.C.

117. Yorkshire and Flintshire A.P.C.s,

118. Cumberland, Denbighshire, Devon, Derbyshire, Dorset, Essex, Hampshire, Holland, Lindsey, Norfolk, Shropshire, Worcestershire A.P.C.s

119. Norfolk A.P.C.

120. Bedfordshire, Cornwall, Hertfordshire & West Suffolk A.P.C.s.

121. Westmorland A.P.C.

also lay down that their representatives to the N.A.P.C. General Meeting and therefore N.A.P.C. Council must be all parish councillors.<sup>122</sup>

The county A.P.C.s nearly always have their own small secretariat, a Secretary and clerical assistants. The Secretary is responsible for the administration of the Association and answering all members' requests for legal or general advice, that he does not choose to refer to the N.A.P.C. Secretary. In the 45 counties where there is a County Rural Community Council or Council of Social Service, the County A.P.C. shares secretarial facilities with it, including the Secretary; elsewhere County A.P.C.s may sometimes share such facilities with an N.C.S.S. Regional Office, but this latter is regarded as an undesirable and a temporary arrangement.<sup>123</sup> County R.C.C. or C.S.S. Secretaries often take up the post after early retirement from senior administrative positions, often in the Colonial Service.<sup>124</sup> The Kent Secretary, for example, was previously a Provincial Commissioner in Malaya; another Secretary is a former Attorney-General of Uganda.

Where there is an R.C.C. or a C.S.S. it tends to subsidise the County A.P.C. by its low charges for the secretarial facilities it provides. Originally this was deliberate policy but it continues twenty years after the M.A.P.C. separated from

122. Constitutions of Surrey & Sussex A.P.C.s

123. Annual Report of N.A.P.C. 1967.

124. Interview with the then N.A.P.C. Chairman (1967).

the N.C.S.S., although perhaps to a lessening extent. The subsidy is never a definite amount allocated by the R.C.C., merely a failure to charge what is probably the economic rate.<sup>125</sup> It is difficult to separate expenses due to A.P.C. and to R.C.C. work as this work is of a similar nature and may sometimes involve dealing with the same problems, for example the provision of a village hall. To estimate the time given by staff to A.P.C. or R.C.C. work would be even more difficult, and would involve a great deal of petty timing of work. Estimates of the subsidy of the A.P.C. vary from under 10% of its secretarial costs in some counties to 50% in others.<sup>126</sup> The R.C.C.s are largely financed by government grants, principally from the Development Commission.

The National Association fixes the minimum subscription for members on a scale which used to vary with population, but since 1956 varies with rateable value. The County Association collects the subscriptions and sends on 45% (from 1971 40%) to the N.A.P.C., retaining the rest. This proportion is fixed by the N.A.P.C. but is not frequently changed. The County A.P.C. may raise additional money by increasing its subscription, and several Associations do this. Some A.P.C.s have their own, different scales of subscriptions as well as raising more. The N.A.P.C. does not object as long as it receives its due amount.<sup>127</sup>

125. Interviews with the N.A.P.C. Secretary & Kent A.P.C. Secretary.

126. Interview with the N.A.P.C. Secretary.

127. Interview with the N.A.P.C. Deputy Secretary.

The approval or otherwise of county A.P.C. constitutions by the National Association is part of the work of the Secretary. Approval by Council is then a formality. Thus in 1947 the Secretary gave his 'provisional' approval to the draft Glamorgan A.P.C. constitution and then forgot to notify them of 'formal' approval until he received an anxious enquiry four months later.<sup>128</sup> Sometimes the Secretary suggests drafting corrections. In a Herefordshire A.P.C. draft constitution a 'not more' stood where the sense demanded a 'not less'.<sup>129</sup> Sometimes he makes practical suggestions. He told the Montgomeryshire A.P.C. Secretary that 45 was a large number of members for an executive and he would consider 18 the maximum desirable. Montgomeryshire settled on 25.<sup>130</sup> Glamorgan A.P.C. declined to take the Secretary's view that 'Council' was a more appropriate name than 'Executive' for the smaller body usually called the latter.<sup>131</sup> The only approach to a conflict in recent years was when the Secretary disagreed with a revised Essex A.P.C. constitution which he thought tied the A.P.C. to a too detailed arrangements with the R.C.C. over secretarial facilities.<sup>132</sup> The N.A.P.C. Secretary's view prevailed.

128. Letter to N.A.P.C. Secretary to Glamorgan A.P.C.

Secretary 10 July 1947 and vice versa of 11 Nov 1947.

129. Correspondence of N.A.P.C. Secretary and Herefordshire A.P.C. Secretary.

130. Correspondence of N.A.P.C. Secretary and Montgomeryshire A.P.C. Secretary.

131. Correspondence of N.A.P.C. Secretary and Glamorgan A.P.C. Secretary.

132. Correspondence of N.A.P.C. Secretary and Essex A.P.C. Secretary.

After this general picture of the organisation of the County Associations, a description of a particular one is given, Kent A.P.C. This is atypical in that it has more members than the average A.P.C. and these members are more populous and more wealthy than those of most counties.

A county committee of the C.P.C.C. was established in 1936 and the Kent Council of Social Service provided secretarial facilities and the advisory service for its membership which grew from 53 to 127 (out of a potential nearly 250) in the next ten years. While the advisory service was for members, the County Committee also arranged war time conferences, a county one which was attended by 64% of parish councils and rural district ones which were attended by 81% of parish councils.<sup>133</sup>

In 1946 it was decided to form a Kent Association of Parish Councils. This was established the next year to become a constituent part of the N.A.P.C. The initial membership of the Association was 123 parish councils and 3 parish meetings. This grew in the next ten years to 191 (out of 247) parish councils and 2 (out of 40)<sup>134</sup> parish meetings, and then by 1965 to 225 (out of 255) parish councils and 1 (out of 32) parish meetings.<sup>135</sup> Parish meetings may join the Association but are not urged to do so.

There are nine Area Committees, each covering 1, 2 or 3 of the county's 18 Rural Districts. These include from 12

133. Tenth Anniversary Report of the Kent A.P.C.

134. Annual Report of the Kent A.P.C. 1956-7.

135. Annual Report of the Kent A.P.C. 1964-5

to 54 parishes with councils.<sup>136</sup> Member councils send two representatives each to Area meetings,<sup>137</sup> which are in most cases three or four times a year.<sup>138</sup> These meetings discuss local problems, make policy proposals to the County Association and hear a variety of visiting speakers.<sup>139</sup> The Areas have their own officers but no independent income. The Kent A.P.C. pays for their stationery.<sup>140</sup>

Each member parish council sends two representatives (not necessarily, but usually,<sup>141</sup> those sent to Area meetings) to the annual General Meeting of the Association.<sup>142</sup> This Meeting makes policy resolutions, hears reports and elects the Executive and officers.<sup>143</sup> In fact however each Area nominates two members of the Executive, whom the General Meeting approves. The County Executive consists of these Area representatives, the President, Vice-Presidents and coopted members.<sup>144</sup> The coopted members in 1965 were representatives of the Kent Branch of the R.D.C.A., the East Kent Federation of W.I. and the West Kent Federation of W.I., the editor of the 'Parish Councils Review', who lives in this county, and two individuals.<sup>145</sup> The President of

- 136. Kent A.P.C. Papers.
- 137. Kent A.P.C. Constitution Cl. 11.
- 138. Annual Report of the Kent A.P.C. 1964-5
- 139. Ibid. & Minutes of Canterbury Area Meetings 1967
- 140. Interview with the Kent A.P.C. Secretary, Mr. Davies.
- 141. Ibid.
- 142. Kent A.P.C. Constitution Cl. 3.
- 143. Minutes of Kent A.P.C. A.G.M. 1965.
- 144. Kent A.P.C. Constitution Cl. 12.
- 145. Annual Report of Kent A.P.C. 1964-5,

the A.P.C. is a Q.C. who has taken part in parish council activities. The Vice-Presidents are chosen not for their influence in useful places so much as for their previous experience. Of the three in 1965 one was the first Secretary of the N.A.P.C., one the first Vice-Chairman of the Kent A.P.C. and the other the previous Secretary of the Kent A.P.C.<sup>146</sup> The Executive elects its own Chairman and Vice-Chairman, the former at present an Area representative, the latter a coopted member. The executive is unusual in that the constitution gives it, not the General Meeting, the right to choose representatives to the National General Meeting and Council,<sup>147</sup> although, in fact, elsewhere also the Executive selects these. At present they are the Chairman and Vice-Chairman and an ex-Chairman, the last being the representative on the N.A.P.C. Council.<sup>148</sup>

The County Executive supervises the work of the Association which is principally the provision of advice and information to its members, carrying out policy resolutions of the general meetings and matters that the executive think should be pressed, and the encouragement of parish council activities.

Besides the organisations represented on the Executive the A.P.C. has ties with the Council for the Preservation of Rural Kent which organises best kept village competitions,

146. Annual Reports of Kent A.P.C.

147. Kent A.P.C. Constitution Cl. 10.

148. N.A.P.C. list of members of Council and General Meeting 1965,

the Commons, Open Spaces and Footpaths Preservation Society, to which the Kent A.P.C. is affiliated and of course the Kent Council of Social Service which provides the Secretariat and has a common interest in many village problems.<sup>149</sup>

The Kent A.P.C. has fixed a subscription higher than the national minimum. Their income is spent almost entirely on secretarial expenses after the affiliation fee to the National Association is subtracted. In the years 1963-4 and 1964-5 affiliation fees to the N.A.P.C., comprised 40% of their expenditure (but only 37% of their subscription income).<sup>150</sup> 37% went to the Kent C.S.S. for secretarial services and office accommodation, 13% on postage and telephone and 3% on printing and stationery. 3% was made up by the net loss on the distribution of literature to members.<sup>150</sup> National pamphlets and handbooks are sold at a profit but each member council in Kent is given a free copy of the 'Parish Councils Review'.

The key figure in the organisation and working of County A.P.C.s is clearly the Secretary. He has no deputy who might remedy any failures, although he can rely on the National Office as a second string for the advisory services. He is the day to day executor of policy, although his influence on it relative to that of the Chairman or County representative on the N.A.P.C. Council varies largely, it would appear,

149. Interview with the Kent A.P.C. Secretary & Kent A.P.C. Annual Reports.

150. Kent A.P.C. Accounts for 1963-4 and 1964-5

according to the personalities of each.

This is the framework of the N.A.P.C. and its county affiliates. Although a new constitution was passed in 1958 it substantially re-enacted the 1947 one. Three minor amendments have been made since then, all on the initiative of the Secretariat.<sup>151</sup>

In 1963 one was passed to give the President power to arbitrate in disputes as to the standing or boundaries of County Associations.<sup>152</sup> There<sup>is</sup> was against the rather remote possibility of such disputes occurring in the aftermath of local government boundaries reform. An amendment in 1965 was made to obviate the previous need for a Council meeting immediately after the annual General Meeting to ensure the posts of Chairman and Vice-Chairman were filled.<sup>153</sup> A potentially more important amendment in 1965 allowed rural boroughs to join the Association.<sup>154</sup> All except two have done so.<sup>155</sup> This may form a precedent for the admission of any sort of new urban 'ward councils' that may be created, which, with the demotion of more urban districts and municipal boroughs, could greatly alter the rural emphasis of the N.A.P.C.

There are three ways of amending the 1958 N.A.P.C. Constitution, a recommendation of council confirmed by two thirds of the next General Meeting, a resolution passed by

- 151. Interview with the N.A.P.C. Deputy Secretary
- 152. N.A.P.C. Constitution Cl. 3 & 7
- 153. Ibid. Cl. 12.
- 154. Ibid. Cl. 1
- 155. Interview with the N.A.P.C. Deputy Secretary.

two thirds of a General Meeting if the Secretary has received six weeks notice and given a month's notice to each County Association, or an emergency resolution passed by four fifths of a General Meeting if the Secretary has received one day's notice.<sup>156</sup> The three amendments to date have all been passed by the first method.<sup>157</sup>

The structure of the N.A.P.C. is in outline similar to that of the other local authority associations.<sup>158</sup> The aims of these may be summarised as the preservation of that type of authority, the increase of the services it provides and the increase in its discretion in the provision of these services. The aims are pursued by the frequent contacts between the Secretary and government departments, and by means of M.P.s or peers, who are Vice-Presidents of the associations. The N.A.P.C. pays more attention than the other associations to its role as adviser to its members. Parish councils do not have their own qualified advisers, as other authorities do in their clerks. The other associations do however attempt to stimulate their members by conferences and a supply of information and ideas. Their emphasis on influencing the government is illustrated by the

156. N.A.P.C. Constitution Cl. 19.

157. Interview with the N.A.P.C. Deputy Secretary.

158. The source of information on the other associations is principally the brief description of the associations in Griffith, J.A.G. - Central Departments & Local Authorities, 1966, Cross - The Association of Municipal Corporations (an unpublished thesis - Manchester University 1954), and dealings with the other associations described in N.A.P.C. papers.

fact that for seventy years until 1944 the A.M.C. had no full time secretary, but a parliamentary agent who worked part time as Secretary.

The differences between parish council clerks and other local authority officers accounts for the fact that clerks play little part in the N.A.P.C., whereas the other Associations greatly depend on them and indeed may seem dominated by them. On the other hand N.A.P.C. County Secretaries may play a large part, and have no parallel in the other associations. N.A.P.C. Committees are fewer and less important than those of the A.M.C. or C.C.A., nor are their chairmen such influential figures. This reflects the difference between parish council committees and those of other local authorities. In both cases the cause is parish councils' more limited range of specialised interests. All the Association secretaries derive discretion and influence from the fact that their dealings with government departments or Parliament are more frequent than the meetings of their instructing bodies.

Thus there is a chain of decision makers in the N.A.P.C., which is in part paralleled at county level. The General Meeting (elected directly or indirectly by the members), the Council, its Chairman and the Secretary form a list in declining order of authority but increasing order in frequency of dealing with N.A.P.C. business. The Council decides what to do within the framework of policy laid down by the General Meeting. Within the Council's known policy, the Chairman advises the Secretary or, if there is less doubt

of Council's feeling, the Secretary acts on his own. Knowledge of the limits to their discretion is made easy at each stage by the continuous connections of the people concerned, either formal ones such as the Council making up over a third of the General Meeting, or informal ones such as the consultation of the Chairman by the Secretary. On the other hand the instructed may influence the instructions; their greater familiarity with the business helps to give the Council the respect of the General Meeting, and the Secretary that of the Council. The key role of the Secretary in taking soundings before elections offers influence in these. Because the members of a voluntary organisation, like the N.A.P.C., share common general aims and because priorities between policies are often decided by outside circumstances, (what bills the government is introducing, what committees want evidence), decisions are less likely to be major ones on policy, and more likely to fall within the Secretary's sphere of 'tactics'.

The President and Vice Presidents rarely take much part in the N.A.P.C. policy decisions. They perform special functions (with, because they are honorary, some discretion of their own). The President offers his prestige as a respected uncontroversial figure; the Vice-Presidents act as parliamentary 'agents'.

The Secretary, because his part, and to a less extent that of a Deputy Secretary, is less specialised than that of Assistant Secretaries and honorary officers, and because his concern with the Association is his full time job, is

able to exercise a much wider influence on the work of the Association. In the case of the present Secretary this is increased not only by his own drive and energy, but also by the knowledge and experience that he has been able to build up over a comparatively long tenure of the post.

The parts played by the various officers and committees will be shown in more details in the following chapters describing the work of the N.A.P.C. and how it is carried out.

CHAPTER 6

THE INFLUENCE OF THE N.A.P.C.  
ON GOVERNMENT AND PARLIAMENT

One of the principal aims of the National Association of Parish Councils is to influence the work of the government, legislative or regulatory. Many other interest groups have a similar purpose but most local authorities' associations are peculiar in that the bodies they represent exist only by virtue of statute law. A change in that law could mean the total abolition of a category of local authority; so the association might be left with no reason for its existence. By the same token the interest group is exceptional in that legislation is not just restriction and regulation of their activities but, due to the 'ultra vires' rules, a necessary permission for any activity.

Given that legislation is of such moment to this interest it is not surprising that from the first the N.A.P.C. attempted to influence it. For some time, however, the Association preferred to attempt to influence departments rather than Parliament.<sup>1</sup> The Association collaborated with and supported the County Councils Association and National Council of Social Service in matters affecting parish councils.<sup>1</sup> From 1949 or 1950 the N.A.P.C. Secretary began to peruse parliamentary bills regularly and, if he considered it necessary, to send comments to the relevant department.<sup>1</sup>

Sometimes the Secretary asked an M.P. of his acquaintance from his own county of Kent to put down amendments, but there was no formal tie of M.P.s to the N.A.P.C.

1. Interview with Mr. E. Major - Ex-Secretary of the N.A.P.C., 1966.

such as now exists in the Vice-Presidents.<sup>2</sup> This was largely due to the attitude of the first Secretary, who despite being a Rural District councillor and accepting a party whip on his county Council, eschewed any links with M.P.s that might impair the Association's non-party position. For the same reason he always addressed himself to departments and not their ministers.<sup>2</sup>

The third (and present) N.A.P.C. Secretary did not share such fears, but regarded links with both parties as equally good evidence of impartiality as links with neither. Soon after his appointment M.P.s of both major parties were elected as Vice-Presidents. The new Secretary sought a wider, more active role in legislation, instigating amendments and, when possible, Private Members' Bills.

A 'Code of Policy' was drawn up, at the Secretary's suggestion, which listed the policy aims of the N.A.P.C. in detail.<sup>3</sup> Previously there were the general aims of the Association and the various resolutions passed by the General Meetings or Council, to guide the Secretary. These were now codified and alterations to the Code passed at General Meetings. Copies of the Code were given to the Vice-Presidents and other officers.

The first policy code was drawn up in 1953 in preparation for negotiations with other local authority associations. This was felt to be far from complete by the Secretary and so in 1962 the Code was thoroughly revised at a day-long

2. Ibid.

3. Interview with Mr. C. Arnold-Baker - Secretary of the N.A.P.C. 6 Feb. 1968.

General Meeting to determine policy.<sup>4</sup> Similar thorough revision was undertaken at the 1968 General Meeting.<sup>5</sup>

Amendments and deletions to the Code are made in accordance with policy resolutions each year, and with the achievement of some goals.<sup>6</sup> Policy is decided by resolution of either the Council or General Meeting, but the Council cannot alter policies decided by a General Meeting.<sup>7</sup> Copies of the Code are held by members of the General Meeting, including the Honorary Officers, and the County A.P.C. Secretaries.<sup>8</sup>

The loose-leaf binder form, in which they are kept, makes alterations easy. The Code does not lay down the tactics by which the policies are to be pursued, nor does it say which of the many policy resolutions have priority in importance. Thus the Code provides an alphabetical list of the Association's current policy aims, enabling the Secretary, and perhaps the County Secretaries, to go ahead in pursuit of these without trepidation that they may not gain the support of the Association for what they do. It may, of course, be difficult to frame resolutions that are neither so restricted as to preclude bargaining nor so loose as to be useless as a guide.

4. Interview with the N.A.P.C. Secretary July 1968 and the Deputy Secretary May 1968.
5. Parish Councils Review Spring 1969 p. 235
6. N.A.P.C. Code of Policy (as at 1 Jan. 1968)
7. Ibid.
8. Ibid.

Some policies demand more powers for parish councils. These may be either very general, an end to the general rating restrictions upon parish councils<sup>9</sup> or the extension up to 1d. of the power to spend 1/5d. rate on any object of benefit to the parish;<sup>10</sup> or they may propose specific powers, for example to enable parish councils to erect warning notices of dangerous places<sup>11</sup> or to accumulate funds in the way that other local authorities have been allowed to by the Local Government (Miscellaneous Provisions) Act 1953.<sup>12</sup> Sometimes the Code demands not powers to act but rights to consultation for parish councils, for example, to be consulted on the making of Tree Preservation Orders<sup>13</sup> or to have a joint representative on River Boards.<sup>14</sup> The policy may be for the simpler administration of parish councils, for instance the abolition of the statutory 'Declaration of Acceptance of Office' by parish councillors.<sup>15</sup> Other policies are for the more general improvement of local government, as by the creation of parish councils within urban areas.<sup>16</sup> A further class of resolutions reflects the N.A.P.C.'s concern with the general problems of rural life, as well as more specific parish council interests. These demands range from the

9. N.A.P.C. Code of Policy - Rate Limits 1
10. Ibid. - Rate Limits 2
11. Ibid. - Bathing 1
12. Ibid. - Accumulations 1
13. Ibid. - Amenities 2
14. Ibid. - Land Drainage 1
15. Ibid. - Elections 5
16. Ibid. - Reorganisation 3

provision of a telephone kiosk in every village,<sup>17</sup> to the placing of electricity cables underground or at the back of villages,<sup>18</sup> to the siting of timber industries in the countryside to provide employment.<sup>19</sup> Some refer to questions of even more general concern, the carrying of first aid kits and lifting jacks by all public service vehicles,<sup>20</sup> or the effective regulation of noise emitted by machinery.<sup>21</sup> Some members of the N.A.P.C. Council disapprove of these general policies which they feel go beyond the scope of the Association's effective action.<sup>22</sup> Nearly all the policies fall into the above categories of matters to be urged upon the government or public authorities. One or two policies do not do this, but lay down standards expected of parish councils, for example that clerks and members of parish councils should not supply confidential information about private individuals to Trade Protection Agencies or other bodies.<sup>23</sup>

The Secretary claimed a wide discretion in carrying out this policy. He decided what were the best tactics to pursue and what it was opportune to press at any given time. He dissuaded Council members from going beyond policy determination by giving instructions as to how it should be carried out.

17. Ibid. - Postal Services 2.

18. Ibid. - Electricity 1

19. Ibid. - Timber 1

20. Ibid. - Public Services Vehicles 1

21. Ibid. - Noise 1

22. Correspondence of the N.A.P.C. Secretary and the Dorset N.A.P.C. Council Member prior to the 1962 revision of the Code.

23. N.A.P.C. Code of Policy - Trade Protection Agencies 1

He claimed, and they accepted, that the 'execution' of policy was not their function but what he was paid, and qualified, to do.<sup>24</sup> The execution of policy may of course involve deciding which of alternative policies has most chance of success. An example would be a choice between achieving more exceptions to the 4d. rate limit and thus fewer restrictions, or making the law simpler and more comprehensible by having only one rating limit, in circumstances when a direct increase in the 4d. limit is impossible.

County Associations of Parish Councils are firmly discouraged from making independent representations except on purely local matters. Even if the County A.P.C. wishes to press an agreed N.A.P.C. policy, they are told that, unless the N.A.P.C. Secretary is consulted and consents, they may unwittingly damage other negotiations, as some in fact have done.<sup>25</sup>

The precise extent of the N.A.P.C.'s influence on the law and on government regulation of parish councils is difficult to assess. One would have to be able to measure the resistance or indifference which was overcome and the extent of opinion that would have been favourable in any case. Certainly one can point to acts and sections of acts and say they would not be part of the law had it not been

24. Interview with the N.A.P.C. Secretary - 6 Feb. 1968.

25. Agenda of 87th Meeting of N.A.P.C. Council, App. 2, 1965 justifies the principle, with examples of damage.

for N.A.P.C. pressure. It seems not unrealistic to accept the N.A.P.C. claims to have influenced legislation to some extent in over eighty particulars between 1948 and 1965<sup>26</sup> and in twenty-seven further particulars between 1965 and 1970.<sup>27</sup> These range in importance from coordination of rural district council and parish council elections,<sup>28</sup> powers for parish councils to erect bus shelters<sup>29</sup> and the 'free' use of 1/5d. rate<sup>30</sup> to exemption from capital gains tax<sup>31</sup> and the power to provide boating pools.<sup>32</sup> Table 6 lists these enactments to illustrate the sort of legislation with which the N.A.P.C. deals.

Over the years the attention given by the Association to legislation has become increasingly detailed. A comparison of a recent memorandum to the Home Office on election procedure<sup>33</sup> with a pre-war one by the Central Parish Councils Committee<sup>34</sup> offers an instance of this.

The process by which the N.A.P.C. attempts to influence legislation does not begin with the introduction of a bill but in the stage when the ideas are being discussed, usually in Whitehall, as the bulk of legislation is, of course, government legislation. The department with which the N.A.P.C.

26. Annual Report of N.A.P.C. for 1964-5 p. 21

27. Parish Councils Review Autumn 1970 p. 129

28. Local Government (Elections) Act 1956.

29. Local Government (Miscellaneous Provisions) Act 1953  
ss. 4-7.

30. Local Government (Financial Provisions) Act 1963 s. 6.

This provision is explained in detail in Ch. 8 of this thesis.

31. Finance Act 1965 ss. 35 & 66.

32. Public Health Act 1961 s. 54.

33. N.A.P.C. Memorandum to Home Office re Elections 1965.

34. Memorandum to Home Office re Elections, 1939.

has principally dealt has been the Ministry of Housing and Local Government (in respect of Local Government and Planning), now part of the Department of the Environment.<sup>35</sup> The next in importance to the Association have been the Ministry of Transport (in respect of Highways) now also part of the Department of the Environment,<sup>35</sup> and the Home Office (in respect of Charities and Elections), and there have occasionally been dealings with other departments such as the Ministry of Health (in respect of Public Health), the Ministry of Agriculture (in respect of Allotments) and the Treasury (in respect of Taxation). For Wales, many of the functions of these departments belong to the Welsh Office.<sup>35</sup>

Some consultation concerns not specific and detailed proposals of legislation or regulation but treats more general issues, although with a view to future legislation or regulation. The forms that such more general consultation takes include evidence to Royal Commissions and departmental committees, participation in departmental 'working parties' and the visits of deputations to the Ministry.

The use of deputations by the N.A.P.C. is infrequent as the Secretary considers them time-consuming and liable

35. The structure of the central departments has changed from time to time. The Ministry of Housing and Local Government inherited its general local government functions from the Ministry of Health, its town and country planning functions from the Ministry of that title. The Welsh Office was only created in 1964. The Ministries of Transport and of Housing and Local Government were merged into the Department of the Environment in 1970.

to exhaust any good will.<sup>36</sup> An example of the visit of such a deputation of the N.A.P.C. is that to the Ministry of Housing and Local Government in 1965.

This visit was arranged by the N.A.P.C. Secretary through a Labour Vice-President (as a Labour government was then in power).<sup>37</sup> The N.A.P.C. party consisted of a Conservative and a Labour Vice-President, the Secretary and Deputy Secretary and the Chairman (another senior member of the Council was unable to attend); the Ministry party consisted of the Minister, his Parliamentary Secretary, his private secretary and three civil servants.<sup>37</sup> The discussion ranged over the date of introduction of the Burials Consolidation Bill, the extension of the 'free fifth' power, and parish councils' right to notification of planning applications, as well as such wide subjects as the range and utilisation of parish councils' powers and the possibility of parish councils in towns.<sup>37</sup> The bulk of the discussion was between the N.A.P.C. Secretary and Chairman and the Minister and Parliamentary Secretary.<sup>37</sup> The meeting was almost entirely an exchange of views and making of enquiries. The only decisions were that arrangements should be made for the Minister to address a meeting of a county association of parish councils, and that the Minister's favour, in principle, of the notification of parish councils of planning applications should be more publicised, possibly by a

36. Interview with the N.A.P.C. Secretary, 1968.

37. N.A.P.C. Papers - Report of Proceedings of the Deputation to the Ministry of Housing and Local Government, 1965

written parliamentary question.<sup>37</sup>

The most formal government method of sounding outside opinion is by means of a Royal Commission or Departmental Committee. The N.A.P.C. is continuously occupied with evidence to various government committees. A draft of written evidence is usually prepared by the Secretary, bearing in mind the Association's 'Code of Policy' and using any relevant statistics or examples that are available, perhaps gathering new information. After consultation with the Chairman and others with an interest in the particular subject, a second draft is put before the Local Government Committee and maybe a third then before the Council.<sup>38</sup> The Council may itself alter evidence, as it did that to the Committee on Allotments; on the other hand occasionally neither the Committee nor the Council made alterations, as was the case with the evidence to the Committee on Foot-paths.<sup>39</sup> For the especially important evidence to the Royal Commission, the first draft was also circulated to all County Associations and copies of the final memorandum sent to all members of the Association.

The subjects of government committees interest the N.A.P.C. because they are related either to the work of parish councils or to rural life in general.

37. N.A.P.C. Papers - Report of Proceedings of the Deputation to the Ministry of Housing and Local Government 1965.

38. Correspondence of the N.A.P.C. Secretary and Chairman, Minutes of meetings of N.A.P.C. Council and Local Government Committee.

39. Interview with the N.A.P.C. Secretary - July 1968.

An example of the former interest is the Committee of Inquiry into Allotments. As this committee was collecting its own statistics, the N.A.P.C. memorandum of evidence<sup>40</sup> gave no figures, except of the number of enquiries about allotment laws made to the Association by parish councils. Eight major proposals were made and four minor ones. The rationale of seven of the former and two of the latter was to facilitate administration by allotments authorities, mainly by simplifying the existing legal position and giving the authorities more flexible powers. These seven recommendations were - codification of the law, exclusion of allotments from the security of tenure laws when temporarily let to farmers, assimilation of the different (legal) types of allotments, easing the cost of the purchase of allotments land, payment of a surplus into the rate fund, facilitating temporary changes of use of allotments lands, and revising restrictions on the disposal of money from the sale of allotments.<sup>40</sup> The other proposals were to extend the powers of allotments authorities, by allowing them to assist Allotment Associations, or organise prize competitions for produce and to regulate the keeping of animals on allotments.<sup>40</sup>

An example of evidence on a subject that does not directly concern parish councils but does affect the parishioners, is the N.A.P.C. memorandum on the Registration

40. Memorandum of Evidence by the N.A.P.C. to the Committee of Inquiry into Allotments, 1966.

of Births, Deaths and Marriages.<sup>41</sup> This set out the difficulties and expense occasioned in rural areas by the distance of the registration office and lack of transport, the odd opening times of registration offices and the difficulty of finding where the correct office for the locality is. Examples were given of particular parishes, where the problem had arisen in the previous year.<sup>41</sup> The N.A.P.C. recommended that it should be possible to register, for a fee, with clergymen and maternity wards for births and at hospitals for deaths.<sup>41</sup>

Evidence to government committees may be supplemented by the appearance of witnesses for oral examination. The N.A.P.C. Secretary will certainly be a witness in such a case, accompanied by a small delegation, or possibly just by the Chairman. The committee of enquiry may question witnesses individually or as a body, in which latter case the Secretary or Chairman will normally answer, unless it has been previously arranged to spread the questions among the witnesses.<sup>42</sup> The choice between Secretary and Chairman would depend on who held these offices at the time. An extreme example of the single spokesman was when oral evidence was given to the Joint Committee on the Promotion of Private Bills by the N.A.P.C. Secretary and Chairman.<sup>43</sup> The

41. Memorandum of Evidence by the N.A.P.C. to the Registrar-General's Committee on the Registration of Births, Deaths and Marriages, 1966.

42. As for the oral evidence to the Royal Commission on Local Government in England.

43. Report of the Joint Committee on the Promotion of Private Bills, 1959, HL176, HC262.

Secretary answered all the questions from the various members of the committee, and, when the Chairman was asked at the end if he had anything to say, he replied that he had nothing he wished to add to the points Mr. Arnold-Baker (the N.A.P.C. Secretary) had ably made.

On a lower ranking than committees of enquiry there are departmental working parties. Here the various interests groups do not give evidence but form part of a committee to discuss a problem together with civil servants. The N.A.P.C. has recently been represented on working parties considering Model Standing Orders for local councils, rules on the interests of elected members and the amalgamation of Boroughs, Urban Districts and Rural Districts.<sup>44</sup> This last working party considered problems to which such amalgamations might give rise due to the variations in the legal powers of the different types of authority.<sup>45</sup> It consisted of three civil servants from the Ministry of Housing and Local Government, three representatives each from the A.M.C. C.C.A., R.D.C.A., and U.D.C.A., and two from the N.A.P.C. The larger associations were each represented by their Secretary and two clerks to that type of authority, the N.A.P.C. by its Secretary and Chairman, the former playing the greater part.

Other consultation by the Ministries directly concerns particular bills that the government proposes to bring forward.

44. Interview with the N.A.P.C. Secretary - July 1968.

45. Report of the Working Party on the Amalgamation of Boroughs, Urban Districts and Rural Districts, 1964.

When, for example, it was proposed to include in a forthcoming bill the transfer of responsibility for trunk road lighting to the central government, the Ministry of Transport invited representatives of the local authority associations to meet and discuss the matter.<sup>46</sup> When it was proposed to consolidate and simplify the Burial Acts and the Public Health (Interments) Acts, a similar meeting took place attended by four civil servants from the Ministry of Housing and Local Government, two from the Home Office, a peer who was willing to promote such a bill as a Private Member's Bill (if it was decided to use that method of legislation), four representatives of the Churches Main Committee, (a Methodist, a Roman Catholic and two Anglicans), sixteen representatives of all the local authority associations, and four of the Institute of Burial and Cremation and the Federation of British Cremation Authorities.<sup>47</sup> At both these meetings the N.A.P.C. was represented by its Secretary. Similar consultation took place on election procedure, when a new Statutory Instrument was proposed.<sup>48</sup>

Most argument is, of course, also carried on by the N.A.P.C. by correspondence, as well as at such meetings. This will become apparent in the subsequent case-studies.

The N.A.P.C. does not only offer comments on legislative proposals originating with the government or elsewhere. It

46. N.A.P.C. Report of a meeting at the Ministry of Transport - 19 Oct. 1965.

47. Minutes of a meeting on the Burial Laws - 28 Oct. 1964.

48. Interview with Secretary of N.A.P.C. - July 1968.

It may well try to persuade the government to introduce measures that it desires although this possibly holds only limited promise for the N.A.P.C. because its proposals even when highly acceptable are rarely urgent enough on their own to be able to obtain any of the valued legislative time. However, it was thus that the Local Government (Elections) Act 1956 was obtained by the N.A.P.C.<sup>49</sup> The procedure of the election of parish councils had been a subject of criticism for several decades. The Representation of the People Act 1948 met previous complaints that the procedure facilitated intimidation and could be unworkable in practice, but did this by means that put many parishes to excessive expense. The 1956 Act improved this by enacting that parish council elections should be held simultaneously with the rural district council ones.

If the government has not been persuaded to alter a bill by the time of its introduction or if the N.A.P.C. was not consulted on a bill or on some points, there remains the possibility of amending the bill in Parliament with the help of the N.A.P.C. Vice-Presidents in each House. Similarly if the government does not find time for legislation desired by the N.A.P.C., the Association may be so fortunate as to find a Member of Parliament able and willing to introduce the measure as a Private Member's Bill. In any case, proposals must gain the approval of the relevant

49. Interview with the N.A.P.C. Secretary 6 Feb. 1968, and Parish Councils Review, Autumn 1955, p. 75.

ministry if they are to pass, and in the sort of matters with which the N.A.P.C. is usually concerned, this means the approval of the civil servants concerned. The number of bills actually initiated by the N.A.P.C. is small,<sup>50</sup> as also is the number of successful N.A.P.C. amendments for which written material relating to their achievement is still available. These do not justify generalisations, but in the next section of this chapter two case studies are described in greater detail - one of an amendment to a bill, and one of a bill initiated by the Association in recent years.

As might be expected, opportunities to put down amendments are to be found much more easily than opportunities to introduce legislation. The N.A.P.C. puts its case to the relevant Ministry and to its Vice-Presidents and perhaps a few other sympathetic M.P's.<sup>51</sup> Depending on the importance of the points, some evidence is given to support it. When the Selective Employment Tax was proposed, the N.A.P.C. carried out a full and urgent survey to find out the total number of

50. Local Government (Elections) Bill (failed 1955)  
 Parish Councils Bill (failed 1956),  
 Parish Councils Bill (enacted 1957),  
 Physical Training and Recreation Bill (enacted 1958),  
 Town and Country Planning (Amendment) Bill (failed 1965),  
 Town and Country Planning (Amendment) Bill (failed 1968),  
 Parish Councils and Burial Authorities (Miscellaneous Provisions) Bill (enacted 1970),  
 Dangerous Litter Bill (enacted 1971).

51. In recent years Mr. Buck (a former Deputy Secretary of N.A.P.C.) and Mr. Thorpe on several occasions, plus other M.Ps as seem appropriate to the matter in hand. - Correspondence of N.A.P.C. Secretary with these.

parish council employees.<sup>52</sup> At the other extreme, when the Secretary wrote to the Ministry of Housing and Local Government on the subject of rights of way on rivers, he gave examples of difficulties of passage on parts of the Thames and the Kent Stour, the former derived from his own personal experience, the latter from the Chairman's.<sup>53</sup>

It is easier to see the methods by which the N.A.P.C. attempts to exercise influence if one traces the history of a particular amendment. The 1963 Local Government (Financial Provisions) Bill is an example of a bill that was introduced by others, but which the N.A.P.C. saw as a means of obtaining something that would be most advantageous to its members.

A circular to the Local Authority Associations in 1961<sup>54</sup> had announced the Ministry of Housing and Local Government's intention to prepare a Local Government (Miscellaneous Provisions) Bill and requested their observations on the proposals, which included one that broke the British tradition of giving local authorities only certain specified powers, whether obligatory or optional. This proposed that local authorities except parish councils should be able to spend up to the product of 1d. rate on anything they felt to be of value to their locality except to pay

52. N.A.P.C. National Circular No. 201 and Report on Parish Councils' Employees.

53. Letter from N.A.P.C. Secretary to Mr. Skeffington (Joint Parliamentary Secretary, Ministry of Housing), - 18 Sep. 1967.

54. Ministry of Housing and Local Government Circular to Local Authority Associations - 17 Aug. 1961.

interest on past loans or to spend on items that required ministerial consent.

As might be expected, an observation on this, which the Local Government Committee of the N.A.P.C, instructed the Secretary to convey to the Ministry, was that this power should be extended to parish councils.<sup>55</sup> The Secretary wrote to this effect,<sup>56</sup> mentioning possible parish council uses of such a power. He also went to a meeting at the Ministry, where he was met by the objection that parish councils' entitlement to precept such a ld. rate would place on inhabitants of rural districts the 'burden' of a possible 3d. addition to the rate levied, if county council, rural district council and parish council all made full use of the power.<sup>57</sup> He was also told that in any case there was no time for the bill in that session (1961-2). In spite of this he sent to all the county associations of parish councils a circular that included a list of possible uses for such a 'free' ld. rate and a request for their comments and additions.<sup>58</sup> After their replies had been received, a memorandum based on these<sup>59</sup> was sent to the Ministry. This listed the suggestions under thirteen headings, which ranged from

55. N.A.P.C, Local Government Committee Resolution of 10 Oct. 1961.

56. Letter from the N.A.P.C. Secretary to the Ministry of Housing and Local Government - 12 Oct. 1961.

57. N.A.P.C. Memorandum on a meeting at the Ministry on 2 Nov. 1961.

58. N.A.P.C, Circular - 13 Nov. 1961.

59. Memorandum from the N.A.P.C, to the Ministry of Housing and Local Government - 12 Feb. 1963.

improving the appearance of villages to the provision of entertainments.

The N.A.P.C. Local Government Committee also considered other matters that the Ministry proposed for inclusion in a Local Government (Miscellaneous Provisions) Bill.<sup>60</sup>

In the next session (1962-3) these proposals formed the basis of a Local Government (Financial Provisions) Bill. Technically this bill was a Private Member's Bill promoted by Mr. Speir, a Conservative backbencher, who was successful in achieving a place in the ballot for Private Member's Bills, and having sought suggestions from the Ministry, agreed to sponsor this bill. The Ministry were glad to pass these proposals to a private member to alleviate their own perennial shortage of legislative time for less important measures.

Thereupon the N.A.P.C. Secretary sent Mr. Speir ten suggestions for his bill,<sup>61</sup> upon three of which he put especial emphasis; the abolition of the restrictions on the general expenditure of parish councils to the product of a 4d. rate (or an 8d. rate with the consent of the parish meeting), the authorisation of parish councils to pay the same travelling allowances as other local authorities, and the right of parish councils to the proposed 'free penny' power. He warned Mr. Speir of the Ministry's doubts on this

60. Minutes of N.A.P.C. Local Government Committee Meetings - 12 Jan. 1962 and 28 Feb. 1962.

61. Memorandum from the N.A.P.C. Secretary to Mr. Speir - Jan. 1963.

last matter. Mr. Speir consulted the Ministry and replied that they were unenthusiastic about any additions to the bill and in particular considered the abolition of the general rating limits and one of the minor suggestions to be beyond the scope of the bill, but that in spite of this he himself was ready to press for the extension of the 'free penny' power to parish councils.<sup>62</sup>

The N.A.P.C. Secretary then visited the Ministry himself to discuss the bill and reported that he found a tendency to 'say that they were reluctant to legislate for the active minority of parish councils'.<sup>63</sup> For instance they were unwilling to credit the relevance to parish councils of all the powers which the N.A.P.C. had proposed. The Ministry was sympathetic toward the revision of travel allowances for parish councillors but hostile to a 'free penny' rate which, it was feared, might burden ratepayers with secret or extravagant expenditure. The suspicion was apparently that parish councils might spend the money quietly so that the electors were unaware of it, and waste it. The only reason this argument could apply to parish councils and not other councils was that parish councillors were regarded as less responsible than other councillors.

The N.A.P.C. Secretary suggested a compromise on some amount less than a penny, the sum that he mentioned to

62. Letters from Mr. Speir to the N.A.P.C. Secretary - 6 Feb. 1963.

63. Letters from the N.A.P.C. Secretary to Mr. Speir - 12 Feb. 1963, and to the Ministry of Housing and Local Government - 12 Feb. 1963.

Mr. Speir being one fifth of ld. rate or twenty pounds.<sup>64</sup>

The Ministry dropped their opposition to this and the bill included a clause that gave parish councils their 'free fifth', as it became known, passed its second reading in the Commons.<sup>65</sup> Supporters there included, of course, the Vice-Presidents of the Association, briefed by the Secretary.<sup>66</sup>

The clause survived the remaining stages in the Commons, although there was an attempt to count out the whole bill on its third reading.<sup>67</sup> The reason for this was hostility to an extension of the types of meeting for which councillors could claim travel allowances, to cover others, particularly meetings connected with the local authority associations. The C.C.A. and A.M.C. agreed with the Ministry of Housing and Local Government not to press this at that time,<sup>68</sup> and so the N.A.P.C. which had seen it as part of councillors' 'education' to attend meetings of Rural Community Councils, Playing Fields Associations, the Council for the Preservation of Rural England etc.,<sup>69</sup> had little choice but to abide by the decision of the greater associations although it asked its representatives to stress the effort the Association put into 'educating' parish councillors. An amendment to the

64. Letter from the N.A.P.C. Secretary to Mr. Speir - 12 Feb. 1963.

65. Hansard (H. of C) Debates - 8 Mar. 1963, Col. 827-870.

66. Letter from the N.A.P.C. Secretary to Mr. Speir - 4 Mar. 1963.

67. Hansard (H. of C) Debates - 17 May 1963, 1741-1764.

68. Letter from the Ministry of Housing and Local Government to the N.A.P.C. Secretary - 4 July 1963.

69. Letter from the N.A.P.C. Secretary to the N.C.S.S. Secretary - 15 July 1963 and the reply - 17 July 1963.

1948 Local Government Act later gave the Minister discretion to allow the payments that the N.A.P.C. wanted.

The bill was seen through the Lords by an N.A.P.C. Vice-President, Lord Colville of Culross.<sup>70</sup> There was no controversy and the bill became an act to take effect at the end of August 1963, an example of an enactment whose form would certainly have been different, had it not been for the N.A.P.C.

Occasionally the N.A.P.C. has the opportunity to initiate legislation, as opposed to urging or amending government legislation. This arises through the Private Members' Bills procedure.

There are about twenty Private Members' Bills passed in each session.<sup>71</sup> A few of these are extremely non-controversial bills passed under the ten-minute rule without a single dissident; the rest are passed under the following procedure. At the beginning of each parliamentary session about three hundred members of parliament enter a ballot which decides the order in which their bills are to be presented and the order of their choice of a date for the second reading. Thus the M.P. who comes first in the ballot chooses to be first on what he considers to be the best day of those allotted to private members' business, the M.P. who comes second in the ballot chooses the next best day and so on until the seventh, who is unable to get a first place on

70. Hansard (H. of L) Debates - 28 June 1963, Col. 451-465

71. Ryle, M. - Private Members' Bills, Political Quarterly 1966, p. 387

any of the six days but has to pick a second place, considering which of the higher placed bills it would be best to follow. So as one works down the ballot list, the choice becomes more restricted.

All Private Member's Bills risk defeat, but the lower the M.P.'s position in the ballot the greater is the additional risk that his Bill may be talked out by a small number of opponents or that it may not find the requisite time to pass all its stages. Thus the Parish Councils Bill was lost in 1956, due to an M.P.'s enthusiasm for a Decimal Coinage Bill.<sup>72</sup> The extent of the importance of positions in the ballot in the draw is shown by this table:<sup>73</sup>

<u>Place in Ballot</u>	<u>Number of Private Members' Bills in 1948-54</u>			
	<u>Passed or defeated</u>	<u>'Counted out'</u>	<u>Lost for lack of time</u>	<u>Withdrawn</u>
1,2,3,4,5 or 6	21		6	3
7,8,9,10,11 or 12	8	1	19	2
13,14,15,16,17 or 18	13	2	14	1

Many M.P.'s have only vague or no ideas about the bill they would introduce if they were fortunate in the ballot.<sup>74</sup> Some only enter because the Whips encourage them to do so, in order to keep down the number of bills that might be used by the other party, especially if it is in Opposition, as propaganda for the party. If an M.P. without his own plans does not turn to his Whips for suggestions, he may adopt

72. Interview with the N.A.P.C. Secretary - 6 Feb. 1968.

73. Table derived from Bromhead, P.A., Private Members' Bills in the British Parliament, 1956, App. E & F, pp. 197-210.

74. Bromhead, P.A. - op. cit. p. 21

proposals of an unsuccessful friend or those of a pressure group, that commend themselves to him. The N.A.P.C. does not circulate all M.P.'s who have been successful in the ballot, but the Secretary sometimes asks a Vice-President belonging to the same party to approach an M.P. who might be persuaded to sponsor legislation that the N.A.P.C. desires.<sup>75</sup>

The Private Member's Bill inspired by the N.A.P.C. which is taken as an example of this procedure is the ultimately unsuccessful 1964 Town and Country Planning (Amendment) Bill, because it is the one about which most details are available. It can be said to be atypical in that it was relatively controversial for an N.A.P.C. bill.

In the Private Members' Bills ballot in 1964 Sir Frank Pearson, Conservative M.P. for Clitheroe, obtained sixteenth place.<sup>76</sup> He was not then a Vice-President of the N.A.P.C. but was President of the Lancashire Association of Parish Councils. He had 'inherited' an interest in parish councils through his secretary who had previously served his predecessor as M.P. for Clitheroe, Mr. Richard Fort, a Vice-President of the N.A.P.C.<sup>77</sup> After Sir Frank had talked to Mr. Quail, the Secretary to the Lancashire A.P.C., he agreed to promote a bill to help parish councils<sup>78</sup> and the N.A.P.C. Secretary

75. Interview with the N.A.P.C. Secretary - 6 Feb 1968.

76. Ibid.

77. Ibid.

78. Parish Councils Review Spring 1965. Interview with the N.A.P.C. Secretary - July 1968.

was informed of this.<sup>79</sup> The Secretary of the N.A.P.C. felt that although there were several less controversial matters on which legislation was needed, this presented an opportunity to bring forward a bill to extend the rights of parish councils in relation to planning applications.<sup>80</sup> He therefore immediately proposed this to Sir Frank<sup>81</sup> and they met to settle the general outline of the bill.

The aim of the bill was to give, to those parish councils that wanted it, the right to be notified of planning applications relating to the land in their parish and the right to comment on these before a decision was made by the planning authority, that is the county council or, where there is a scheme of delegated development control, the rural district council. Such procedures had already been operating successfully in several counties for a few years. Berkshire County Council had started a scheme four years earlier upon a suggestion to the County Planning Officer by the Secretary to the Berkshire A.P.C., who was himself an architect.<sup>82</sup> Berkshire had even compelled one recalcitrant rural district council to comply by the threat of withdrawing its delegated planning powers. Since then Oxfordshire, Cambridgeshire, Kesteven and some fifty rural district councils outside these counties had adopted similar

79. Ibid, and letter from the Lancashire A.P.C. Secretary to the N.A.P.C. Secretary - 13 Nov. 1964.

80. Interview with the N.A.P.C. Secretary - 6 Feb. 1968.

81. Letter from the N.A.P.C. Secretary to Sir Frank Pearson - 19 Nov. 1964

82. Interview with the N.A.P.C. Secretary - 6 Feb. 1968.

schemes.<sup>83</sup>

The N.A.P.C. Secretary then wrote to the Association's Vice-Presidents, Mr. Watkins (Labour), Mr. Noel-Baker (Labour), Mr. Ramsden (Conservative), the ex-Deputy Secretary of the N.A.P.C. - Mr. Buck (Conservative), and a sympathetic Liberal M.P., Mr. Thorpe, asking them to put their names on the back of the bill or persuade a friend to do so.<sup>84</sup>

The N.A.P.C. Secretary seems to have been trying to get a balanced list of four Conservatives, four Labour and one Liberal as supporters. County Associations were asked to tell their local press and friendly M.P.'s of their hopes of the bill and to ask parish councils in their county to write to the local papers and to the Ministry of Housing and Local Government.<sup>85</sup> This latter form of pressure was unusual for the N.A.P.C. as normally they proposed non-controversial measures and did not seek the mass support of their several thousand members.<sup>86</sup> Such a campaign is thought by the Secretary to exhaust goodwill, if repeated too frequently, and also adds to the costs. This 1964 Town and Country Planning (Amendment) Bill cost the N.A.P.C. an estimated £400 in addition to its normal expenditure, excluding expenditure by County Associations and individual parish councils and the time given to the bill by the N.A.P.C. staff.<sup>87</sup>

83. See Ch. 9 of this thesis for more details of such schemes.

84. Letters from the N.A.P.C. Secretary to these -  
20~~23~~ Nov. 1964.

85. N.A.P.C. Circular to County A.P.C.s - 23 Nov. 1964.

86. Interview with the N.A.P.C. Secretary 6 Feb. 1968.

87. Estimate of the N.A.P.C. Secretary.

A draft of the bill was prepared by the N.A.P.C. Secretary, who asked Sir Frank's permission to make an addition to what they had agreed.<sup>88</sup> This was a clause that would have entitled the appropriate parish council <sup>to</sup> ~~for~~ notification of Tree Preservation Orders, when these were submitted by the planning authority to the Ministry. Within a fortnight of the matter arising the Secretary sent the first draft of the bill and a draft press release to its sponsor.<sup>89</sup>

The Secretary then asked for the comments of the N.A.P.C. Chairman on the bill<sup>90</sup> and canvassed the support of interested groups, the Council for the Preservation of Rural England, the Civic Trust and the National Federation of Womens Institutes, with which the N.A.P.C. had retained the links that had arisen from their common N.C.S.S. background.<sup>91</sup> The N.A.P.C. is accustomed to seek the assistance of such groups in its Parliamentary activity and also assist theirs. The most important parties to be consulted were the C.C.A., R.D.C.A. and the Ministry of Housing.

Sir Frank Pearson was the obvious link with the Rural District Councils Association as he was one of their Vice-Presidents. From an early stage, however, R.D.C.A. hostility was felt to be almost inevitable as that association seemed to think the proposals damaging to R.D.C. claims for

88. Letter from the N.A.P.C. Secretary to Sir Frank Pearson - 24 Nov. 1964.

89. Letter from the N.A.P.C. Secretary to Sir Frank Pearson - 26 Nov. 1964.

90. Letter from the N.A.P.C. Secretary to the N.A.P.C. Chairman - 26 Nov. 1964.

91. Letters from the N.A.P.C. Secretary to these - 27 Nov. 1964.

delegated powers. The N.A.P.C. thought that this time the issue would just have to be fought out.<sup>92</sup>

The N.A.P.C. had a more formal link with the County Councils Association as one of the Vice-Presidents of the N.A.P.C. was, contrary to normal practice, not a member of either House of Parliament, but was an influential member of the Council of the C.C.A. This same person, Mr. Blow, clerk of Kesteven County Council, was chosen by the C.C.A. to be their permanent representative to the N.A.P.C.<sup>93</sup>

When he was consulted on this bill, he suggested that he could be most useful behind the scenes and advised a direct letter to the C.C.A. Secretary, Mr. Hetherington, who would then send the question to the C.C.A. Planning Committee or the C.C.A. Parliamentary and General Purposes Committee, of which latter Mr. Blow was a member.<sup>94</sup> In the event it went before the former and Mr. Hetherington's reply indicated that he foresaw delays.<sup>95</sup> The N.A.P.C. Secretary, Mr. Arnold-Baker interpreted this and the response by the C.C.A. to a further letter, that clarified the bill, as rather gloomy news and asked Sir Frank Pearson to talk to the C.C.A. M.P's.<sup>96</sup>

The Minister of Housing and Local Government, then Mr. Richard Crossman, was approached by the N.A.P.C. Vice-President of his own party and gave his opinion that the

92. Interview with the N.A.P.C. Secretary - 6 Feb. 1968.

93. Ibid.

94. Letter from the N.A.P.C. Secretary to Mr. Blow - 27 Nov. 1964 and a reply - 1 Dec. 1964.

95. Letter from the N.A.P.C. Secretary to the C.C.A. - 10 Dec. 1964 and the reply - 18 Jan. 1965.

96. Letter from the N.A.P.C. Secretary to Sir Frank Pearson - 20 Jan. 1965.

proposed bill would jam the planning machine.<sup>97</sup> The N.A.P.C. was not alarmed by this criticism as it had been expected and it felt itself able to convince these doubters that a re-arrangement of the meeting times of parish councils to coordinate with County Planning Committees would obviate any delay.

Besides consulting these interested parties the N.A.P.C. also paid attention to the press, that is to say principally the Local Government Press. The N.A.P.C. Secretary secured a mention for the bill in the Local Government Chronicle's 'Notes of the Week'. When the Municipal Journal gave what was thought to be a misleading impression of the bill, the N.A.P.C. Secretary dictated a letter of correction to Sir Frank's secretary for him to send to the Journal.<sup>98</sup>

Meanwhile the bill was being continually re-written. The most substantial change was in the third draft which moved the responsibility for notifying parish councils from the applicant to the planning authority.<sup>99</sup> The clause concerning Tree Preservation Orders was dropped at this stage. Sir Frank secured the comments of Mr. Roots, M.P., Q.C., a leading barrister at the Parliamentary Bar and an expert on planning law, on the wording of the next draft of

97. Letter from Mr. Noel-Baker to the N.A.P.C. Secretary - 2 Dec. 1964 and the reply - 10 Dec. 1964.

98. Letter from the N.A.P.C. Secretary to the 'Municipal Journal' - 14 Dec. 1964.

99. Letter from the N.A.P.C. Secretary to Sir Frank Pearson - 10 Dec. 1964.

the bill.<sup>100</sup> By February 1965 the final draft was made and the bill published on February 17th. The N.A.P.C. sent a copy of it to every one of their members,<sup>101</sup> which was exceptional procedure.

There now arose the first serious trouble for the bill. The N.A.P.C. suspected R.D.C.A. hostility because the latter connected the bill with their own desire for more delegated planning powers. If the county council could claim that parish council comments on planning applications kept it in close touch with local opinion, it might be less ready to delegate powers to the R.D.C.s. The N.A.P.C. Secretary suggested to the R.D.C.A. that there was no necessary conflict between the two associations,<sup>102</sup> but the R.D.C.A. were already circulating all their 476 members with a request that they should oppose the bill. The N.A.P.C. Secretary prepared letters for Sir Frank Pearson to write to the 'Times', 'Daily Telegraph' and 'Guardian', to make clear the aims of the bill.<sup>103</sup> A copy of the R.D.C.A. circular soon came into the N.A.P.C. Office. Many parish councillors sit also on the rural district council, and many parish council clerks work in the rural district council offices; thus they can inform the N.A.P.C. of R.D.C.A. activities if they

100. Letter from Sir Frank Pearson to the N.A.P.C. Secretary - 21 Jan. 1965.

101. Copies were circulated to the County A.P.C.s for distribution - Feb 1965.

102. Letter from the N.A.P.C. Secretary to the R.D.C.A. Secretary - 23 Feb. 1965.

103. Letter from the N.A.P.C. Secretary to Sir Frank Pearson 1 Mar. 1965.

wish. There is however no organised leak arrangement as the N.A.P.C. disapproves of such an idea, which would be too much like underhand espionage.<sup>104</sup> Dual loyalties may, of course, pull either way. At this time, for instance, the Vice-President of Lindsey A.P.C. who was the clerk to Caister R.D.C., resigned the Vice-Presidency on account of the conflict between N.A.P.C. and R.D.C.A., in which he supported the latter.<sup>105</sup> The N.A.P.C. Secretary refused an R.D.C.A. invitation to discuss the matter as he felt little purpose could be served if the R.D.C.A. had, as he believed, decided to oppose the bill before it was published, and were unwilling to discuss amendments.<sup>106</sup> All County A.P.C.s were circulated about this time and told to write to their M.P.'s with counter arguments to those of the R.D.C.A.<sup>107</sup> The N.A.P.C. felt it to be worth pressing on at that stage despite R.D.C.A. opposition, if only for the publicity to be gained from the issue.<sup>108</sup> The division on the question was not absolute, for some rural district councils supported the bill and at least one parish council expressed doubts on the N.A.P.C. views.<sup>109</sup>

104. Interview with the N.A.P.C. Secretary - 1966.

105. Note from the Lindsey A.P.C. Secretary to the N.A.P.C. Secretary.

106. Letter from the N.A.P.C. Secretary to Sir Frank Pearson - 11 Mar, 1965.

107. N.A.P.C. Circular to County A.P.C.s - 11 Mar, 1965.

108. Letter from the N.A.P.C. Secretary to Sir Frank Pearson - 11 Mar, 1965.

109. Less than 20% of R.D.C.A. members were thought to have protested against the Bill, (Letter from the N.A.P.C. Secretary to Sir Frank Pearson - 12 July, 1965). Stone Parish Council doubted the N.A.P.C. position (Letter to the N.A.P.C. Secretary - 25 Mar, 1965), but were converted at an Area meeting of parish councils.

Sir Frank Pearson was optimistic both as to the possibility of a settlement with the R.D.C.A., and as to the extent of support on his side of the House.<sup>110</sup>

The press, principally Local Government and countryside magazines, was informed of the N.A.P.C. arguments,<sup>111</sup> but the hope of a B.B.C. discussion failed, because Mr. Campbell Nairne, the editor of the Parish Councils Review whose full time job was with the B.B.C., said the rule prohibiting discussion of topics coming before Parliament in the next fortnight, though by then revoked, was still usually observed.<sup>112</sup>

The County Associations of Parish Councils made use of the local press to publicise their bill and encouraged their member parish councils to write to their M.P., the Ministry of Housing and Local Government, the County Council and Sir Frank Pearson. The National Federation of Women's Institutes urged Women's Institutes to write to their M.P.'s in support of the bill.<sup>113</sup> By the date set for the second reading debate, Sir Frank Pearson had received seven hundred letters supporting the bill.<sup>114</sup> The County A.P.C.s themselves canvassed their

110. Letter from Sir Frank Pearson to the N.A.P.C. Secretary - 15 Mar. 1965.

111. Brief sent by the N.A.P.C. Secretary to the editor of 'Country Life' - 10 Mar. 1965; letter to 'Local Government Chronicle' - 15 Mar. 1965 published.

112. Letter from Mr. Campbell Nairne to the N.A.P.C. Secretary - 15 Mar. 1965.

113. Information given to the author by the N.F.W.I.

114. Letter from the N.A.P.C. Secretary to Sir Frank Pearson - 1 Apr. 1965.

county M.P.s and sometimes argued the issue with them. Where the county council already operated a notification scheme, the A.P.C. asked for details of how it was working.

As mentioned earlier, however, Private Members' Bills may well fail for reasons extrinsic to their own merits or demerits. There had been a scare that this might happen, when an M.P. was said to be threatening to delay all other Private Members' Bills unless his own made satisfactory progress.<sup>115</sup>

After approaches by acquaintances in the County A.P.C. and by fellow Labour M.P.s friendly to the Town and Country Planning (Amendment) Bill, and presumably by supporters of other endangered bills, he withdrew the threat.<sup>116</sup>

There had been suggestions since the beginning of March that Sir Frank Pearson's bill might not find time for its second reading. It was due for a second reading on 26th March but was not of course at the head of the day's private members' business as it had only been sixteenth in the ballot. The date was picked by Sir Frank, bearing in mind the business that would precede the bill on that day.<sup>117</sup> The N.A.P.C., as was its custom, gave no advice on the choice of date, because it felt that the M.P. was better acquainted with the relevant considerations and information. Sir Frank however had chosen a bad day, for at the head of the agenda was a bill

115. Letter from the N.A.P.C. Secretary to Mr. Warren - 5 Mar. 1965.

116. Letter from Mr. Warren to the N.A.P.C. Secretary - 17 Mar. 1965.

117. Interview with the N.A.P.C. Secretary - 6 Feb. 1968.

which the government apparently wished to see defeated but not to be seen defeating. The member concerned, Mr. Airey Neave, Conservative M.P. for Abingdon, was presenting a bill to extend pensions to a small class of the very old who did not qualify for the National Insurance Scheme.<sup>118</sup> The Conservative Opposition supported this bill in the hope of embarrassing the government. Mr. Neave told the N.A.P.C. Secretary that while he supported the N.A.P.C. bill, he suspected that his own would occupy the whole day.<sup>119</sup> What actually happened however was not this, but a Labour filibuster in the debate on the Consolidated Fund (No. 2) Bill, which extended throughout the Thursday night into the next morning.<sup>120</sup> By the rules of the House, Friday's business of Private Members' Bills was therefore not dealt with. No time could be found for these bills, including the Town and County Planning (Amendment) Bill, on the remaining private members' days of that session.

The R.D.C.A. expressed their condolence with Sir Frank for losing his bill in such a way and suggested a meeting between the N.A.P.C. and themselves, after they had ascertained the opinions of their own rural district councils and R.D.C. clerks by <sup>a</sup> questionnaire.<sup>121</sup> Sir Frank was

118. Pensions (Amendment) Bill.

119. Letter from Mr. Airey Neave to the N.A.P.C. Secretary - 17 Mar. 1965.

120. Hansard (H. of C.) Debates - 25 Mar. 1965, Col. 751-1170.

121. Letters from the Secretary of the R.D.C.A. to Sir Frank Pearson - 1 Apr. 1965 and 6 Apr. 1965.

in favour of such a meeting and one took place under his chairmanship.<sup>122</sup> There the N.A.P.C. agreed not to take any further action for twelve months<sup>123</sup> (there was little that they were likely to be able to do in that period), and the R.D.C.A. agreed to urge their members who had delegated planning powers (approximately two thirds of rural district councils) to consider two schemes of notifying parish councils, either brief monthly notices of all applications or more detailed and more frequent notices of more important applications.<sup>124</sup> The R.D.C.A. stated that notification of major applications was a part of their own policy but they had doubts on details of the method outlined in the N.A.P.C. bill as well as on the need for legislative compulsion in this matter.

The C.C.A. were unwilling to have a similar meeting, but as they were neutral rather than opposed, the N.A.P.C. let this rest.<sup>125</sup> There the matter stood except that the subject found a place in discussions with the Ministry<sup>126</sup> and in correspondence columns of local press and, of course, in discussions at parish council conferences.

122. Interviews with the N.A.P.C. Secretary and the then Chairman, 1966.

123. N.A.P.C. report to the Local Government Committee 15 Nov. 1965.

124. R.D.C.A. Circular to its members, quoted in N.A.P.C. National Circular No. 200 - 18 Apr. 1966.

125. Interview with the then N.A.P.C. Chairman, 1966.

126. Letter from the N.A.P.C. Secretary to Mr. Noel-Baker - 5 Apr. 1965, about an M.P.'s report of the views of the Parliamentary Secretary at the Ministry of Housing.

At the start of the 1967-8 Parliamentary Session Sir Frank Pearson informed the N.A.P.C. Secretary that a friend of his, Sir Harwood Harrison, had been successful in the Private Members' Bills ballot and was willing to sponsor a similar bill.<sup>127</sup>

This passed its second reading unopposed but with only two minutes to spare.<sup>128</sup> Although the government was thought to be not in favour of it, only verbal amendments were made in Committee but the bill seemed in danger from lack of time available in the rest of the session.

However, the government was itself promoting a major Town and Country Planning Bill, which had just passed the Commons. The sponsors of the N.A.P.C. bill suggested that it might be possible to move their bill as amendments to the government bill in the Lords. Accordingly, on the advice of the N.A.P.C. Vice-presidents, the Earl of Kinnoull, who was a business associate of the Chairman of the C.P.R.E., an association with which the N.A.P.C. had close ties, was asked to put down such an amendment. In his absence Lord Grimston moved his amendment but after some debate, it was withdrawn,<sup>129</sup> as Lord Kinnoull was doubtful if it would be carried as Lord Kennet, the Government spokesman, had made it clear that the Government would, if necessary, reject

127. Interview with the N.A.P.C. Secretary - 6 Feb. 1968.

128. Hansard (H.of C.) Debates - 1 Feb 1968, Col. 2004-2007. There were only ten minutes available for the Bill. It took eight of these for it to pass.

129. Hansard (H.of L.) Debates, 8 July 1968, Col. 666 - 671 & 679-701.

the amendment in the Commons.<sup>130</sup>

A meeting was then arranged of Lord Kimcull, the N.A.P.C. Secretary and the N.A.P.C. Chairman and Lord Kennet Parliamentary Under-Secretary at the Ministry of Housing and Local Government. The delegation was unable to persuade Lord Kennett that their proposals would not slow down the planning process, but they did **achieve two** concessions; that the bill should be amended to provide that certain categories of planning applications should be advertised on, or in the vicinity of, the site, and that the Minister should express publicly his hope that planning authorities would arrange consultation of parish councils.<sup>131</sup>

As Sir Frank Pearson's and Sir Herwood Harrison's bills both eventually failed it would be a helpful addition to the case study to describe what happened in the later stages of a bill, 'promoted' by the N.A.P.C., that did become law.

The Parish Councils Bill of 1956 was non-controversial. Several of the powers therein had been already obtained in some counties by private acts promoted by the County Councils.<sup>132</sup>

This bill, in its original drafts, proposed minor new powers for parish councils, including the provision of public seats, shelters, litter bins, public clocks, signposts, bicycle parks, warning notices, the naming of

130. Interview with the then N.A.P.C. Chairman, 1968.

131. Information from the then N.A.P.C. Chairman, 1968.

132. For details see Table 7.

streets, insurance of councillors on duty, offering guarantees for village hall entertainments, and the removal of minor restrictions on the use of existing powers, including abolition of the need of consent to transactions for which loan consent was already given, as well as raising the maximum size of a parish council to twenty-one.<sup>133</sup> The proposals were discussed with the Ministry of Housing and Local Government, who were very sympathetic to the ideas, and with the R.D.C.A., who were rather worried that increased powers for parish councils might diminish the status of their own members. However, R.D.C.A. agreement was achieved. The N.A.P.C. dropped the proposals to authorise parish councils to provide litter bins and to name streets, which the R.D.C.A. claimed as rural district council privileges and the R.D.C.A. did not pursue other objections, for instance to the provision of bicycle parks by parish councils, an activity they feared 'might lead to' the provision of car parks, which was a rural district council function.<sup>134</sup> The C.C.A. expressed support by its President, Mr. Chuter Ede, putting his name on the bill when it was presented.

In the 1955-6 Session the bill was discussed but for all its acceptability failed to complete its stages for lack of time. At the beginning of the next session Mr. Richard Fort, Conservative M.P. and Vice-President of the N.A.P.C. persuaded Wing-Commander Bullus, another Conservative M.P.

133. N.A.P.C. Memorandum on the Bill - Nov. 1955.

134. Letter from the R.D.C.A. Secretary to the N.A.P.C. Secretary.

to table this bill again,<sup>135</sup> Wing-Commander Bullus gave it priority over a bill he was sponsoring for his own Association (he was an ex-Vice-President of the Association of Municipal Corporations), to abolish the part of town meetings in private bill procedure, when it appeared that the latter had less chance of successful passage.<sup>136</sup>

The Commons Second Reading Debate revealed the lack of opposition<sup>137</sup> nor did any appear in the Standing Committee where the bill passed in twenty minutes.<sup>138</sup> This made the report stage and third reading formalities, as also were the stages in the Lords, where there is not even the worry about possible lack of time. The bill was piloted through the Lords by Lord Merthyr, an N.A.P.C. Vice-President.<sup>139</sup>

When it was clear that the bill would pass, the Government took two steps. It proposed the necessary money resolution, that expenditure could be made that was necessitated by any parish councils bill that might be passed that session.<sup>140</sup> Such a resolution is necessary because only the Government can propose public expenditure and if the Government opposes a Private Members' Bill such

135. Note in the N.A.P.C. files.

136. Interview with the N.A.P.C. Secretary - 6 Feb. 1968.

137. Hansard (H. of C) Debates, 15 Mar. 1957, Col. 1460-92.

138. Interview with the N.A.P.C. Secretary - 6 Feb. 1968.

139. Hansard (H. of L) Debates, 9 July, 1957, Col. 872-881.

140. Motion of E. Powell (Financial Secretary to the Treasury). Hansard (H. of C) Debates, 28 May 1957, Col. 369.

as the Parish Councils Bill, refusal of the money resolution would be an untidy way of avoiding it. The government also assisted by providing the services of a parliamentary draftsman.<sup>141</sup> As the government has to enforce the law, in this case for example through the District Audit, it recognises an interest in avoiding anomalies and absurdities caused by slips in drafting. In the committee stage of another Private Member's Bill, introduced at N.A.P.C. instigation, the Physical Training and Recreation Bill 1958, the government went to the extreme lengths of deleting the whole bill except for the title and replacing it by a government draft.<sup>142</sup>

The legislation described so far has been public general bills, whether introduced by the government or a private member. There is another class of legislation - private bills. These are bills, affecting specific private interests, that are dealt with by a special parliamentary procedure.

Such bills are usually promoted by statutory undertakings, such as Water Boards, or local authorities. Local authority bills are peculiar in that they give not only specific powers, for example to close a certain burial ground or to purchase certain land for a sewage purification works, but also more general powers, of the type conferred by public bills, for example to provide caravan

141. Interview with the N.A.P.C. Secretary - 6 Feb. 1968.

142. Ibid.

sites or to regulate nuisances. Private bills cost their promoters anything over £500 and, if opposed, up to £30,000,<sup>143</sup> so that smaller local authorities are unlikely to promote a bill to gain a number of minor powers. It would appear that the likelihood of a county borough promoting a bill does not vary with its size and resources, but the likelihood of a county council promoting one does so vary.<sup>144</sup> District councils also promote bills but are far less likely to do so. Parish councils have no power to do so and, if they did, would obviously be in no financial position to do so but the parish and district councils in a particular county may be given powers by a county council act.

The old London County Council was given statutory authority to promote bills for the benefit of the Metropolitan Boroughs<sup>145</sup> and from 1921 onwards county councils, without such specific sanction, began to include in their bills clauses that conferred powers on the district councils and parish councils in their area.<sup>146</sup> Powers were first conferred on parish councils in this way in 1935 by the Hertfordshire County Council Act of that year.<sup>147</sup> By 1968 parish councils in sixteen counties

143. Taylor, E. - 'Parliament at Work', 1965 ed., p. 245, quoting the Joint Committee on Private Bills and the Dunnico Report 1930.

144. Report of the Joint Committee on the Promotion of Private Bills 1976, HC262, 1959, pp. 96-98.

145. Ibid. p. 3.

146. Ibid. p. 4.

147. Ibid. p. 238

benefitted in some way from such legislation. Table 7 sets out these powers, the number of county councils in which they were obtained, the years when they were obtained and the year when general legislation gave the power to all parish councils.

The right of county councils to promote such legislation for the benefit of other councils was doubted as long ago as 1930 when objection was raised to powers conferred by a Middlesex Bill on district councils.<sup>148</sup> This doubt does not appear to have occasioned objections to future bills until 1958 when the Ministry of Housing objected to a particularly long bill promoted by Kent County Council. This bill contained 442 clauses, of which 33 concerned only the county council, 237 only district or parish councils and 52 were ancillary clauses.<sup>149</sup> The Ministry's stated objection was not to the length however, but the powers it sought for other councils. This was regarded as a growing trespass on the prerogative of the central government. The objection was substantially upheld and the bill was pruned to emerge as an act of 146 sections, of which 74 concerned only the county council, 33 county and district or parish councils, 11 only district or parish councils and 28 were ancillary clauses.<sup>150</sup>

Meanwhile a joint committee of both Houses of Parliament was set up to consider the general principles

148. Ibid. p. 95.

149. Ibid. p. 322.

150. Ibid. p. 323.

raised by such legislation. The principles were whether a county council should have the right to promote legislation that conferred on other councils powers in which it had no interest, and whether Parliament should confer locally powers which should be conferred generally. In fact both practices had been allowed, and even though the committee recommendation, that the first should be forbidden, was followed by the appropriate amendment of the Standing Orders of each House, the previous practice seems to have re-established itself. This is due to the practical difficulty of deciding the limits of the county councils' interests. For instance the county council has a interest in a power of parish councils to erect and maintain bus shelters by the roadside because the county council is the highways authority. It may also be due to the unwillingness of the Ministry of Housing and Local Government to denounce as a possible infringement ~~clauses~~ for which there is a general public desire. For all the protestation that the length of the Kent County Council Bill was irrelevant, there seems to have been a fear that this type of legislation would grow at an increasing rate, unless checked, and prove too much for the Ministry to scrutinise.

County Council Acts confer powers on all the parish councils in the county, not just a few specific ones. Obviously, however, power to erect a bus shelter is irrelevant to a parish without a bus service and power to provide life belts irrelevant to one without open water.

The powers thus given are therefore not due to any peculiarity of the area, as might be expected from private acts, but are similar to minor public legislation. As the normal process of public general statute enactment makes it difficult to find the time for minor legislation, of the sort that the rule of 'ultra vires' makes necessary for parish councils, extensions of their powers are often made by private acts. From the N.A.P.C. point of view these are desirable in themselves and the more so as they may be followed, years or decades later, by similar legislation for other parish councils. Sections in private acts form precedents for similar clauses not only in other private bills but also in public general bills.

The N.A.P.C., therefore takes an interest in this legislation. The contact, however, is not the N.A.P.C. and Parliament or Government, but the County A.P.C. and the County Council. There has been an N.A.P.C. circular which informed the Secretaries of County Associations of the possibility of taking advantage of this legislation, and suggested how this be done.<sup>151</sup> The County A.P.C. Secretary consults the N.A.P.C. Secretary when such a bill is in the offing.

Private bills must be deposited at the Private Bills Office in Parliament by November 27th of each year (29th

151. N.A.P.C. Circular No. 218 - 10 Oct. ;967, replaced by N.A.P.C. Circular No. 239 - 24 Mar. 1969.

according to the N.A.P.C. circular) and the promoters' intentions to do so must be advertised in the London Gazette and local newspapers.<sup>152</sup> County Associations are, therefore, advised to enquire early in the year whether their county council is considering the promotion of a bill in the next parliamentary session and, if it is, to send by early summer suggestions of clauses that would benefit parish councils.<sup>153</sup> County councils may approach county A.P.C.s and ask for suggestions, as occurred with the contentious 1958 Kent County Council Bill.<sup>154</sup> The National Association offers its County Secretaries advice and suggestions, for it knows which clauses have or have not been accepted in other bills, and the points that arose in discussion of these elsewhere.

'Parish councils clauses' in county council bills are unlikely to antagonise private interests but, even if the whole bill is technically unopposed, the relevant government departments scrutinise the clauses carefully for anything that might form an undesired precedent.<sup>155</sup> A representative of the County A.P.C. may have to give evidence of the need for the 'parish councils clauses'. Such need is, however, less than that which the Ministry must be convinced exists before legislative time is given to minor 'parish council clauses'

152. Taylor, E. - op. cit. p. 234.

153. N.A.P.C. National Circular No. 268 - 10 Oct. 1967

154. Report of the Joint Committee on the Promotion of Private Bills, HL176, HC262, 1959 p. 332.

155. Interview with the N.A.P.C. Secretary, 6 Feb. 1968.

in public bills.

The Somerset County Council Act 1967 can be taken as an example of the part played by the County Parish Councils Association. When it was learnt that a bill was to be promoted, the County A.P.C. Executive discussed clauses they would like to see included.<sup>156</sup> The N.A.P.C. Secretary suggested that powers be sought for parish councils to erect place-name signs, bus stop signs and footpath signs, to dispose of abandoned property, to provide rescue apparatus by riverside or coast, to name streets, and to provide car parks.<sup>157</sup> Naming streets and perhaps disposal of large litter would take powers from the rural district councils. The County Association supplemented this list, and their secretary took part in discussions with officers of the County Council and county associations of other types of local authorities.<sup>158</sup> Some of the Somerset A.P.C.'s suggestions were accepted by the County Council, and the Vice-Chairman of the Association went to London to give evidence of the need for these to the House of Lords Committee.<sup>159</sup> The final result in an uncontentious act was six sections that empowered parish councils to erect place-name signs, to provide apparatus to rescue the drowning, to provide

156. Letter from the Somerset A.P.C. Secretary to the author - May 1968.

157. Reported in N.A.P.C. Council Memorandum C90 - Annex 4, July 1966.

158. Letter from the Somerset A.P.C. Secretary to the author - May 1968.

159. Ibid.

vehicle parks, to provide or subsidise entertainments (a local suggestion) and if they were burial authorities to maintain graves and memorials or to remove memorials and level graves.<sup>160</sup>

The ways in which the central government regulates the activities of parish councils are not limited to direct legislation. Various departments exercise delegated powers of legislation and other powers of supervision. The N.A.P.C. has a clear interest in the exercise of these powers by the departments. The N.A.P.C. Secretary is in contact with the Ministry of Housing and Local Government (now Department of the Environment) or another department on most days,<sup>161</sup> and this business is not entirely on legislation in progress or envisaged. Prior consultation is expected and received, for example on the framing of Statutory Instruments that concern parish councils.

Many of the minutiae of delegated local government legislation do not concern parish councils and, of those that do so, there are many subjects on which the N.A.P.C. has no strong views. For instance none of the subjects of circulars sent to the N.A.P.C. in the first three months of 1968 were of great moment to the Association. These explained 'The Change to Metric Specifications', 'The Superannuation Interchange Rules 1968', 'The Postponement of the Closing Date for Objections re Dawley New Town, due

160. Somerset County Council Act 1967 ss. 15, 25, 39, 40, 27, 28.

161. Interview with the N.A.P.C. Secretary, 19 July 1968.

to the foot and mouth restrictions', 'The Revision of Model Standing Orders re Contracts', 'Decimal Currency', and 'The Ministry's Attitude to the Application of Building Regulations to Multi-Storey Car Parks.'

Some subjects of departmental regulation are of great importance to parish councils. A field in which parish councils are entirely controlled by departmental regulation is that of allowances to parish councillors for travel and subsistence expenses and financial loss. Consultations with the N.A.P.C. preceded the issue of the Local Government (Conferences) Regulations 1965<sup>162</sup>. These permitted allowances for the attendance of one councillor at the N.A.P.C. Triennial Conference, any number at official meetings called to discuss proposals for boundary changes, or at instructional conferences (such as an Educational Conference organised by a county A.P.C.), and from five to ten, depending on the parish population, at other certain meetings. The maximum rate of payments for travel and subsistence expenses were already limited by the Local Government (Allowances to Members) Regulations 1954 and 1965,<sup>163</sup> and payments for financial loss limited by the Local Government (Financial Loss Allowance) Regulations 1962.<sup>164</sup>

One regulation of this type that was entirely due

162. S.I. 1965 No. 1666,

163. S.I. 1954 No. 397 & S.I. 1965 No. 194.

164. S.I. 1962 No. 941.

to the instigation of the N.A.P.C. was the prescription by the Ministry of Housing and Local Government in 1961 of new forms in which parish councils should set out their annual accounts for the district auditor. The forms then in use had been drawn up in 1900 and 1911 and slightly amended in 1938,<sup>165</sup> and so had columns for heads of expenditure rarely used and yet all expenditure under powers created by postwar legislation was lumped under a 'miscellaneous' head. Talks at the Ministry on the draft revised forms were followed by a list of outstanding criticisms that the N.A.P.C. Secretary sent by letter.<sup>166</sup> Much of his proposed criticism was accepted and changes made in the revised draft.<sup>167</sup> Advance warning of the change in the prescribed form of Financial Statement was given by means of a Parliamentary Question in <sup>answering</sup> which Sir Keith Joseph, then Minister, acknowledged incidentally the assistance of the N.A.P.C. in the matter.<sup>168</sup> Next year the use of the new form was laid down by the Financial Statements (Parishes) Regulations 1961,<sup>169</sup> although auditors allowed parish councils to use up stocks of the old forms.

The ways in which such consultation may be occasioned

- 165. Hansard (H. of C.) Written Questions - 28 June 1960. Col. 102.
- 166. Letter from N.A.P.C. Secretary to the Ministry of Housing - 30 May 1960, which includes reference to conversations on 30 May.
- 167. Letter from the Ministry of Housing to the N.A.P.C. Secretary - 12 Aug. 1960.
- 168. Hansard (H. of C.) Written Questions - 28 June 1960, Col. 102.
- 169. S.I. 1961 No. 251.

are illustrated by Building Regulations under consideration in 1966. In 1964 the N.A.P.C. encountered the case of a parish council in Chelmsford R.D.C. which found that wooden bus shelters, that it wished to erect, were prohibited by the R.D.C. byelaws because the material and their proximity to the road made them a fire risk.<sup>170</sup> The wording of the Byelaws had not been intended to prohibit any sort of bus shelters and so the Ministry of Public Building and Works, waived the byelaw when a parish council requested this. The wording of the byelaw was, however, taken from the model set issued by the Ministry and so the N.A.P.C., after consulting the Secretary to the Essex A.P.C. and, through him, the clerk to the Chelmsford R.D.C., wrote to the Ministry suggesting that this question be borne in mind when the model byelaws were next revised.<sup>171</sup> When, in 1966, the Ministry proposed amendments to existing building regulations, the N.A.P.C. found itself, along with 150 other potentially interested groups and 13 government departments, asked for its comments.<sup>172</sup>

Government consultation also takes the form of informal soundings by telephone to the N.A.P.C. Secretary upon an idea that has occurred to someone in the Ministry or perhaps upon the membership of government committees.<sup>173</sup>

170. Correspondence of N.A.P.C. Secretary and Deputy Secretary with Essex A.P.C. Secretary & Chelmsford R.D.C., 1964.

171. Correspondence of N.A.P.C. Secretary & Ministry of Public Building, 1964.

172. Circular from the Ministry of Public Building to the N.A.P.C. 1966.

173. Interview with the N.A.P.C. Secretary - 19 July 1968.

An example of an idea on which the N.A.P.C. were consulted, was one that parish meetings, where there was no parish council, should, if they desired the provision of a Burial Ground, not appoint a Burial Board but request the establishment of a parish council.<sup>174</sup>

From time to time the N.A.P.C. Secretary and the Ministry may have different opinions as to whether the N.A.P.C. should be consulted on a particular issue. The N.A.P.C. Secretary then draws the attention of the Ministry to the Association's interest in the matter, and may complain that the Ministry should have expected such interest. For example he complained to the Ministry of Housing and Local Government about non-consultation prior to a circular on surplus land.<sup>175</sup>

In all the dealings with government departments so far described, the N.A.P.C. has acted in the collective interest of all parish councils. The Association may also assist individual parish councils by representing their case to a department, although such cases are not accorded importance unless they are potentially relevant to many parish councils. When a county council refused parish councils their right to appoint a certain number of school managers, the N.A.P.C., after failing to persuade the county council, took the matter up with the Ministry of Education

174. Ibid.

175. Letter from the N.A.P.C. Secretary to the Ministry of Housing - 19 Oct. 1966.

to obtain the rights of those parish councils.<sup>176</sup> An unusual request for assistance was that from a parish council which wished to persuade the Home Office to authorise a byelaw prohibiting games on the recreation ground, a regulation that, not surprisingly, did not form part of the model byelaws on the subject.<sup>177</sup>

A very occasional subject of correspondence with the Ministry of Housing and Local Government are recommendations for inclusion in the Honours List. The N.A.P.C. Secretary was consulted as to whether a clerk who had served five separate councils in turn for the last thirty years could be singled out for decoration.<sup>178</sup> The N.A.P.C. tried to obtain a decoration for an eminent retiring member of the N.A.P.C. Council.<sup>179</sup> In 1967 the N.A.P.C. Secretary himself was accorded an O.B.E.

The N.A.P.C. sometimes attempts to influence the government by itself, sometimes in collaboration with other pressure groups. All the local authority associations had a common interest in obtaining freedom from taxation for themselves and their members in 1965.<sup>180</sup> At other times, where a matter more directly concerns another organisation with whose aims the N.A.P.C. sympathises, the N.A.P.C. may

176. Papers of the then N.A.P.C. Chairman, 1966.

177. Interview with the N.A.P.C. Deputy Secretary - May 1968.

178. Letter from the Ministry of Housing to the N.A.P.C. Secretary - Oct. 1965.

179. Correspondence of the N.A.P.C. Secretary and the Permanent Secretary, Ministry of Housing.

180. Finance Act 1965 s.66.

give its support to that organisation rather than work independently. Thus the Council for the Preservation of Rural England asked the N.A.P.C. for assistance with its representations about the Countryside Bill and thus the N.A.P.C. supported the National Council of Social Service's protest against the payment of Selection <sup>ve</sup> Employment Tax by charities.<sup>181</sup> Organisations, with which the N.A.P.C. maintains continuous links by sending a representative to their meetings, included in 1967 the N.C.S.S. (its Executive, Rural Committee, Village Hall Committee and National Old People's Welfare Committee), the Council for the Preservation of Rural England, the Central Rights of Way Committee, the National Playing Fields Association and the National Council on Inland Transport.<sup>182</sup>

The Association has agreed since 1955 to assist the Ministry of Housing and Local Government in the distribution of communications to parish councils.<sup>183</sup> As the Ministry has itself no list of the addresses of parish council clerks the N.A.P.C. provides a useful vehicle, through its County Associations, although sometimes the Ministry prefers to use the clerks to rural district councils.<sup>184</sup>

Otherwise the reciprocal service which the N.A.P.C. performs for the Ministry (and other departments) is its

181. Interview with the N.A.P.C. Secretary - 19 July 1968.

182. Papers of the then N.A.P.C. Chairman, 1967.

183. Interview with the N.A.P.C. Secretary, 1966.

184. Letter from the Ministry of Housing to the N.A.P.C. Secretary - 19 Jan. 1961.

principal function of making available an authoritative representative body that offers easy consultation of a particular interest and a particular expertise.

The dealings of the N.A.P.C. with Government and Parliament that have been described have all concerned specific matters. There are also channels that provide for exchanges of views in more general terms. For example in June 1968 the Secretary and Chairman of the N.A.P.C. met the Labour Party Backbenchers' Committee on Local Government to discuss parish council affairs.<sup>185</sup> There are social occasions, in particular those arranged by the other local authority associations, where they meet members of the Government and Parliament. Depending on the holders of senior offices in the N.A.P.C. at a particular time there are other routes by which the interests of parish councils may be conveyed, for instance, a recent Chairman was chairman of the Liberal Party Committee on Local Government.

This concludes the account of the ways in which the N.A.P.C. attempts to influence legislation and government administration but it seems pertinent to summarise here the parts played in this by various people in the N.A.P.C. The principal agent is undoubtedly the Secretary of the Association. He is assisted in his interpretation of N.A.P.C. policy by the Chairman of the Council, and in his execution of that policy by the Vice-Presidents.

185. Interview with the then N.A.P.C. Chairman - July 1968.

If the Secretary wishes to have a second opinion from outside the Office on a proposed action, or comment on a draft, it is almost inevitably the Chairman, whom he consults.<sup>186</sup> A recent Chairman has once wholly redrafted a memorandum of evidence sent to him by the Secretary<sup>187</sup> and once checked him in a misunderstanding of a Parliamentary Bill.<sup>188</sup>

Those Vice-Presidents of the Association, who are M.P.'s or peers, may assist the N.A.P.C. by speaking in debates in favour of its policies, or putting down amendments that it urges. The Secretary provides a brief for them on such occasions. An example is that provided for discussion of the 1968 Countryside Bill. This listed six changes to be accomplished by two new clauses, six amendments and two drafting amendments.<sup>189</sup> The brief also contained comments on the background of each proposed change. These ranged from a new clause that included four additional parish council powers that would further the general intentions of the bill, to amendments to allow for the existence of rural boroughs and the virtual non-existence of parish 'representative bodies'.<sup>190</sup> Vice-Presidents may of course

186. Interviews with the N.A.P.C. Secretary - 19 July 1968, and with the then N.A.P.C. Chairman - Mar. 1968.

187. Evidence to the Skeffington Committee - interview with the then N.A.P.C. Chairman Mar. 1968.

188. Selective Employment Tax Bill. Interview with the then N.A.P.C. Chairman - Mar. 1968.

189. Brief to the House of Commons Vice-Presidents - 13 Nov. 1967.

190. Ibid.

use these briefs as they see fit. Sir Harwood Harrison in his brief speech for the Town and Country Planning (Amendment) Bill 1968 at its second reading, gave much of the limited time at his disposal to description of the ways in which consultation of his own county council on planning matters had been neglected by the central government,<sup>191</sup> although the strict purpose of this Bill was to provide notification to parish councils by planning authorities. Vice-Presidents may also, as we have seen, be able to present, or persuade a fellow M.P. to present, a Private Member's Bill to achieve N.A.P.C. policies. Their position as M.P.s or peers is essential to the N.A.P.C.'s ability to attempt amendment of legislation, when this cannot be achieved by persuasion of a department. In addition, their status enables them to gain, more easily than would otherwise be possible, audience with Ministers for N.A.P.C. deputations, which one of them will accompany, and achieves, it is hoped, greater attention to complaints made to a Ministry by the N.A.P.C., for the Secretary sends them each a copy of such letters and tells his correspondent that he has done so.<sup>192</sup> One privilege of Members of Parliament that is not utilised for the N.A.P.C., is their right to ask questions of Ministers. The present N.A.P.C. Secretary considers that any publicity or other value that these might have, is outweighed by the irritation

191. Hansard (H. of C.) Debates 1 Feb. 1968, Col. 2004-7

192. Correspondence to the N.A.P.C. Secretary with the Ministry of Housing; e.g. letter to Permanent Secretary of 19 Oct. 1966.

that they cause to the departments, for whom they mean additional, priority work and who consequently treat with less cooperation any regular instigator.<sup>193</sup> The N.A.P.C. has, until 1968, only instigated one Parliamentary question.<sup>194</sup> Then it was arranged with the Ministry of Housing and Local Government to publicise the changes in the prescribed form of Financial Statements, by a written question as to when they had last been revised, how many were used each year, whether any representations had been received and whether any action was to follow.<sup>195</sup>

Although the roles of the Chairman and the Vice-Presidents are important, it is the central position of the N.A.P.C. Secretary that emerges from the study, as the pivot of all dealings between the Association and the Ministries or Parliament. He is in touch with the departments on the one hand and the N.A.P.C. Chairman on the other, every day or two.<sup>196</sup> When business of interest to the N.A.P.C. is before either House of Parliament, the Secretary is in frequent contact with the Vice-Presidents and other M.P.s or peers. More important, the Secretary is almost the only link between the Association and Parliament or the departments. Contact between the Chairman or other N.A.P.C. Council members and the Vice-Presidents or the Ministries is

193. Interview with the N.A.P.C. Secretary - Feb. 1968.

194. Ibid.

195. Hansard (H. of C.) Written Questions - 28 June 1960, Col. 102.

196. Interviews with the N.A.P.C. Secretary - 19 July 1968, and the then N.A.P.C. Chairman - Mar. 1968.

only via the Secretary or sometimes with him, except for rare informal meetings. Dealings with the central government by County Associations except on purely local issues are strongly discouraged. The Secretary is informed of communications between the Vice-Presidents and the departments on questions that concern the N.A.P.C. His own dealings with the Ministries or Parliament are far from being limited to the arrangements for the visit of a deputation or the communications ordered by the Council. He is the interpreter of N.A.P.C. policy to civil servants, M.P.s and peers and to the Association he is the interpreter of the attitudes of these people to that policy.

Thus the Secretary knows, and is the first to know, all that goes on. His discretion, therefore encompasses not only the details of tactics but also much of matters necessitating urgent decision. In respect of formal evidence to government committees, he is only responsible for the first draft, which the Association may alter, but briefs supplied to Vice-Presidents, for example, are his own responsibility.<sup>197</sup> On week to week details he acts on his own or with the advice of the Chairman. When an opportunity arose for M.P.s to express their views on a National Lottery, it was the N.A.P.C. Secretary on his own initiative, who asked M.P.s to point out that central government funds were not the sole possible, or even the most

197. Interview with the N.A.P.C. Secretary - 19 July, 1966.

desirable, public beneficiaries of such revenue.<sup>198</sup> When the Secretary has taken action before the N.A.P.C. Council met, his action has been reported to them and always retrospectively authorised, although his advice on future action is not always followed.<sup>199</sup> This could point either to his influence in the Association or to his prudence in restricting such decisions to what he knows will be approved. Tactics are recognised to be the work of such a post, but it has been suggested that the secretaries of interest groups have some influence of their own. That the present Secretary of the N.A.P.C. appreciates this is shown by a passage from a book he has written on the way that modern Britain is ruled. There he says:<sup>200</sup> 'A few ((influential people)) reach eminence only as delegates or mouthpieces for the interests ..... which they represent, and are heard for no other reason. Most affect the potential influence of their own 'interests' by the way they act, and usually bend the policies of their masters by the manner in which they report back to them. A negotiator's private estimate of the possibilities is a powerful influence over the decision of his principals.'

198. Ibid.

199. Interviews with the N.A.P.C. Secretary - Feb. 1968 and 19 July 1968

200. Arnold-Baker, C. - 'The 5000 and the Power Tangle', 1967, pp. 32-33

CHAPTER 7

THE N.A.P.C. AND PARISH COUNCILS

If the N.A.P.C.'s dealings with the Government and Parliament are considered as one aspect of its work, the other aspect is its concern with parish councils themselves. The Association's relations with its members are not limited to eliciting and representing their point of view but also include affording assistance and information to them.

To inform parish councils of the law as it concerns them the N.A.P.C. publishes several handbooks which are sold to members through the County Associations. The subjects of these are 'Chairmanship and Model Standing Orders', 'Powers and Constitution of Parish Councils', 'Land for Play' and 'Procedure for holding a Poll'. In the past the N.A.P.C. has also produced a series of ten informative booklets, on such subjects as 'Rights of Way' and 'Burial Law'. Only one of these remains available, as they have not been reprinted since they were made redundant in 1958 by the comprehensive textbook of Mr. Arnold-Baker - 'The Law and Practice of Parish Administration'.<sup>1</sup> This book, although not published by the N.A.P.C., is distributed by the Association as well as being written by the N.A.P.C. Secretary. It is intended to be the principal work of reference for parish councillors and especially parish council clerks.

1. Arnold-Baker, C. - The Law and Practice of Parish Administration, 1958; revised edition published as 'The New Law and Practice of Parish Administration,' 1966.

Although the handbooks and 'The (New) Law and Practice of Parish Administration' are periodically revised or supplemented, information about changes can be more quickly communicated by the N.A.P.C. to its members by the Association's quarterly magazine, the 'Parish Councils Review' or, more promptly still, by circular. N.A.P.C. Circulars fall into two categories; those sent to the secretaries of County Associations for their own information or their Executive's and those sent to them for distribution to each of their members. Only about half the circulars are reckoned to be of interest to others than the County Associations' Secretaries.<sup>2</sup> The County Secretaries may receive personal and 'semi-confidential' circulars from the National Office, in addition to the series of National Circulars.<sup>3</sup> We may take as a sample the national circulars issued in August and September 1965. One asked County Secretaries and others interested to give their views on the demand for allotments and the suggestion of a survey of parish councils to produce evidence that the N.A.P.C. might put to the recently appointed Thorpe Committee on Allotments;<sup>4</sup> another asked for County Associations' views on the publication and form of a prospective Parish Councillors' Almanac or Diary;<sup>5</sup> a third was sent with a copy of a new Statutory Instrument of Local Government (Conferences)

2. N.A.P.C. Circular 216,
3. Interview with the N.A.P.C. Secretary, 1968.
4. N.A.P.C. Circular 191 - 1965.
5. N.A.P.C. Circular 192 - 1965.

Regulations to each County Secretary;<sup>6</sup> another told how justices of the peace were appointed and how nominations for such appointment might be made by members of the public;<sup>7</sup> the other two circulars were intended for sale to parish councils and explained the law on members' allowances after the Local Government (Conferences) Regulations 1965<sup>8</sup> and the freedom of taxation given to local authorities and their associations by the Finance Act 1965, s. 66.<sup>9</sup> Widely sold circulars of recent years have dealt with the 'Free Fifth'<sup>10</sup> legislation, clerks' emoluments and members' allowances; the bestseller has been a circular on vandalism, many copies of which have been sold also outside the Association.<sup>11</sup>

An important means of communication between the N.A.P.C. and its members is the quarterly journal published by the Association, the 'Parish Councils Review'. This journal was started by the Lancashire Association of Parish Councils in 1948 under the title of 'Parish Council Review', but that Association soon considered the journal too expensive to publish and asked the National Association if it would take it over.<sup>12</sup> The National Association, whose

6. N.A.P.C. Circular 193 - 1965.

7. N.A.P.C. Circular 194 - 1965.

8. N.A.P.C. Circular 195 - 1965.

9. N.A.P.C. Circular 196 - 1965.

10. Power given to spend up to 1/5d. rate for the general benefit of the parish.

11. Annual Reports of the N.A.P.C.

12. Parish Councils Review Spring 1969 p. 227 and interview with Mr. Major, ex-Secretary of the N.A.P.C.

nearest approach to a mouthpiece until then had been the N.C.S.S. journal 'The Village', agreed to take the Lancashire journal over and so in 1950, with a slight change of name, the journal appeared as the 'Parish Councils Review', the official journal of the N.A.P.C.. The first issues contained editorials, councils' queries and answers to them, readers' correspondence, parliamentary news of rural local government interest, news of the Association and the County Associations as well as articles of general interest on natural history or history and news from such bodies as the National Federation of Women's Institutes and the Commons, Open Spaces and Footpaths Preservation Society. Mr. Lund, who had launched the journal for the Lancashire Association of Parish Councils, remained as Honorary Editor until his resignation in 1955. Mr. Campbell Nairne, whose principal employment was with the BBC, has been Editor since then. His appointment reflected a desire for professional editorial expertise as opposed to particular knowledge of the subject matter. There has been over the years some change of emphasis in that subject matter; the 'Parish Councils Review' is still subtitled 'A Countryside Magazine', but it has become more a journal of rural local government as opposed to a journal of general interest to country dwellers.

We may take Volume XIX (Summer 1968 - Spring 1969 issues) as an example of the contents of the 'Parish Councils Review'. After subtraction of the advertisements and index, it contained 208½ pages. The Annual Report of the N.A.P.C., printed in the Autumn number; made up 20 pages,

and reports of the meetings of the N.A.P.C. (National Executive) Council and General Meeting occupied another 14 pages. Apart from these reports, the regular crossword puzzles and the occasional book review, the contents can be divided roughly in half, one half consisting of signed 'outside' articles (64 pages) and letters to the editor (15 pages), the other consisting of contributions by the editor and the N.A.P.C. National Office. The signed articles dealt with a variety of countryside and parish council topics, ranging from country fairs to the work of a clerk to a parish council, from village exhibitions to rural railway services, from riding rights on public paths to the books a parish council needs. The great majority (24 out of 29) of the published letters to the editor replied to matters raised in earlier articles or letters; the subject that occasioned most letters was the issue, raised in an earlier letter, of party politics in parish councils. The other content of the Review is written by the editor and the N.A.P.C. Secretary,<sup>13</sup> and, besides a regular editorial, consists mainly of notes and brief articles on news of interest to parish councillors, on the one hand news of parliamentary debates, evidence given to or reports of Royal Commissions and Departmental Committees, recent enactments, statutory instruments or ministerial circulars, on the other hand news of the achievements or

13. Interview with the Editor of the 'Parish Councils Review'.

unusual activities of parish councils, reports of general rural interest, for example changes in police patrolling methods, or of local government interest, for example an explanation of the work of the Public Works Loans Board.

Thus the 'Parish Councils Review' provides a channel of information to parish councillors and clerks and a forum for ideas, as well as providing a regular profit in recent years for the N.A.P.C., a profit which has been as much as a fifth of the N.A.P.C.'s income.<sup>14</sup> The Review carries advertisements, mainly for recreation ground equipment, bus shelters and other prefabricated structures, and publications of interest to councillors, and the revenue from advertisements has been about a third of that from sales of the Review, although this proportion has fallen steeply in recent years.<sup>14</sup> Sales of the journal grew rapidly from 8,000 in 1956 to nearly 16,000 in 1960 and then more slowly to the 1970 total of 22,600.<sup>14</sup> These figures surpass the annual sales of other publications of the Association. Circulars may sell up to 10,000 copies, and handbooks about 2,000 a year.<sup>14</sup> The Association's reprint of part of the 'Maud' Report, however, sold over 23,000 copies in 1970.<sup>14</sup> The 'Parish Councils Review', like the other publications is distributed through the County Associations.

The other principal means of informing and influencing parish councils, that is used by the N.A.P.C. in addition

14. Annual Reports of the N.A.P.C.

to its publications, is the holding of conferences. The N.A.P.C. regards the education of parish councillors and clerks as one of its important functions, in the belief that 'the future of parish councils as effective and respected parts of the system of local government depends to a very great extent upon the knowledge as well as the ability of those who compose and serve them'.<sup>15</sup> This aim of educating its members has been regarded as a distinctive feature of the Association, which has therefore been organising conferences since its foundation. Since the Local Government Act 1948 parish councils have been allowed to defray the costs of the attendance of parish councillors and clerks at a certain number of such conferences. A National Conference is now held every three years, but most conferences and talks are locally organised. The form that the National Conferences take is a two day meeting where participants listen to distinguished outside speakers, put questions to these, and later debate in the form of motions a number of proposals submitted by member councils or the local associations. The outside speakers are valued not only for what they have to say, but also for the extra publicity that their attendance gains for parish councils and the N.A.P.C. Thus the first Secretary of the Association was very pleased that Herbert Morrison was able to address the first such national conference.<sup>16</sup> The speakers normally

15. N.A.P.C. Circular 66 - 1956.

16. Interview with Mr. Major, ex-Secretary of the N.A.P.C.

cover different fields but a conference may be dominated by one subject, as the 1969 Conference, addressed by Lord Redcliffe-Maud and Mr. Crossman, was dominated by the subject of local government reform.<sup>17</sup>

We may take the 1966 National Conference as an example and consider it in more detail. The conference was held at the Caxton Hall, Westminster, on two days in November. The N.A.P.C. had negotiated reductions in the charges for hotel rooms and in railway fares for conference participants. On the first day the conference heard an address on 'Communities in the Countryside' by Mr. L. B. Ginsburg, planning consultant and head of the Department of Planning and Urban Design of the Architecture Association, an address by Mr. P. E. Walker, then the 'Shadow Minister' of Transport, and an address on 'The changing parish' by Mr. J. N. Gorst, the County Planning Officer of West Suffolk.<sup>18</sup> The addresses were followed by questions to the speakers and then a general discussion. After a reception in the evening, the conference reassembled the next day to discuss resolutions, chosen by the N.A.P.C. Council Conference Committee from those submitted by members and County Associations.<sup>18</sup> These debates lasted the whole day except for an adjournment to hear an address by Mr. Anthony Greenwood, the Minister of Housing and Local Government.<sup>18</sup> Of the twenty-four resolutions for discussion,

17. Parish Councils Review, Winter 1969-70/New Year 1970 pp. 133-159.

18. Agenda and author's notes of 1966 National Conference of Parish Councillors.

twenty had been prepared by parish councils, three by County Associations and one by a Rural District Association of Parish Councils. Six of the resolutions demanded increased powers for parish councils, two more dealt with the organisation of parish councils and another proposed that parish councils should be established in urban areas. One resolution referred in part to the organisation of the N.A.P.C.. The other fifteen resolutions dealt with the work of other authorities, or the central government, often concerning matters of planning or amenity, or, occasionally, general issues, such as fines for vandalism by minors or the form of planning applications. After debate, the resolutions were usually passed by a large majority, but it is the debate and discussion that is more important than the voting, for, as the National Conference is not an elected representative body, its resolutions are not binding on the Association, although note is, of course, taken of them.

The number of parish councillors and clerks who attended the 1969 National Conference was about 1,500<sup>19</sup>, but, in the course of three years, many more attend county or local conferences. These usually take the same form as the national conference described above, talks by outsiders and debates by participants. Sometimes such a conference is combined with an annual general meeting. In 1964 conferences were held by thirty County Associations,

19. Parish Councils Review Winter 1969-70/New Year 1970, p. 138

a number that has gradually increased over the years (there were seventeen in 1956).<sup>20</sup> It is the aim of the Association that there should be at least one conference a year in each county and by 1965 there were only nine County Associations that had never held a conference. The aggregate attendance at the thirty conferences held in 1964 was 2,300 from the 3,500 parish councils invited.<sup>21</sup> Most county conferences last one day but some counties hold weekend conferences, which are regarded by the National Association as more effective means of instruction and social contact and, for large counties such as Yorkshire, more convenient for participants. These conferences are arranged by the County Associations but the National Association offers assistance with advice on topics that engender interest and finding specialist speakers. The Secretary and Deputy Secretary themselves and other leading figures in the Association such as the Chairman also regularly address conferences.

Conferences and talks are also organised by area organisations or branches of the County Associations. Such local conferences typically attract **higher rates** of attendance,<sup>22</sup> as they are easier to attend, but it is usually found difficult to obtain the same quality of speakers.

In addition to informing parish councillors and clerks

20. N.A.P.C. Circular 189 - 1965.

21. Annex to N.A.P.C. Council Agenda, 85th meeting.

22. N.A.P.C. Circular 189 - 1965.

generally through publications and conferences, the N.A.P.C. exists to advise member parish councils on specific issues. As most parish councils, unlike other local authorities, do not employ a full-time, professional clerk and as the legislation regarding parish councils is not, on this account, as simple as it might be, the N.A.P.C. has in this a function that is not shared by the other local authority associations. Such requests for advice and information are sent in the first instance by the parish council to the County Association Secretary. He answers most of them and passes the remainder on to the N.A.P.C. Secretary, to be answered by the Deputy Secretary or himself, sometimes after taking outside legal opinion. Since 1953 the N.A.P.C. has had a barrister as Secretary and barristers have been also appointed Deputy Secretaries and Assistant Secretaries. The proportion of queries passed on by the County Association Secretaries varies greatly. In some counties where the Secretary is a solicitor or obtains assistance from local solicitors, only a few queries are sent on, in other cases, where the County Secretary is involved with many aspects of N.C.S.S. work, nearly all queries may be sent to the National Office.<sup>23</sup> Overall the N.A.P.C. estimates that about a tenth of all queries are answered by the National as opposed to the County Associations.<sup>24</sup> Enquiries are of two types, for advice

23. Interview with the N.A.P.C. Secretary, 1968.

24. Annual Reports of the N.A.P.C. for 1952-3, 1953-4, 1969-70 and Memorandum of Evidence of the N.A.P.C. to the Royal (Redcliffe-Maud) Commission on Local Government, Appendix 3

as to the law and for advice on 'tactics', the latter being more numerous for the National Office. Records are kept only of the number of cases of written legal advice. The number of such cases a year rose from 150 in 1952-3 to 260 in 1953-4 but since then more gradually to just over 300 in the early 1960's and over 400 by 1970.<sup>24</sup> The total number of enquiries of all sorts was estimated to be between 1,500 and 2,000 in 1967-8.<sup>25</sup> Recently the N.A.P.C. has appointed first one and then a second part-time Assistant Secretary and has now replaced the first part-timer by a second full-time Deputy Secretary. Both these Assistant Secretaries have been barristers, like the Secretary and first Deputy Secretary, and they have been sent many of the requests for legal advice. The new Deputy Secretary is a solicitor. The number of queries about the law, that are answered by County Association Secretaries has risen from an estimated 1,700 in 1953-4 to an estimated 2,700 a year by 1966.<sup>26</sup> The number of requests for any sort that were made to the county associations in 1965-6 amounted to between 5,000 and 8,000, on the evidence of a survey by

24. Annual Reports of the N.A.P.C. for 1952-3, 1953-4, 1969-70 and Memorandum of Evidence of the N.A.P.C. to the Royal (Redcliffe-Maud) Commission on Local Government, Appendix 3.

25. Annual Report of the N.A.P.C. for 1967-8.

26. Annual Report of the N.A.P.C. for 1953-4 and Memorandum of Evidence of the N.A.P.C. to the Royal (Redcliffe-Maud) Commission on Local Government, Appendix 3.

the author.<sup>27</sup> The same survey showed that it was the councils of larger parishes that were more likely to use this service of the Association.<sup>28</sup> This would suggest that such queries are more a product of enterprise than helplessness.

The subjects of queries by parish councils naturally cover the whole range of their activities. Of 266 legal advices given by the National Office in 1964-5, 35 concerned highways and footpaths, 28 burial grounds and churchyards, 27 recreation grounds and playing fields, 24 public lighting 24 procedure and 21 village greens and commons.<sup>29</sup> In 1960-6 an average 19 such advices a year concerned allotments.<sup>30</sup> 1964-5 was an unusual year in that nearly 100 advices dealt with the 'free fifth' power, a high number that arose from the N.A.P.C.'s investigation of the uses of this new power.

The more numerous type of query is not the request for legal advice but for information on the best way to set about a matter, the best method of organising, the most useful means of bringing pressure to bear.

The matters with which parish councils may occasionally become concerned cover most aspects of rural life, and it is

27. Survey of parish councils by the author - 1966.

The lower figure assumes that non-respondents never used the county association thus; the higher figure assumes that non-respondents behaved identically to respondents in this.

28. See Table 8.

29. Annual Report of the N.A.P.C. for 1964-5.

30. Memorandum of Evidence of the N.A.P.C. to the Royal (Redcliffe-Maud) Commission on Local Government, Appendix 3.

the National Office that receives a high proportion of the odd requests, such as what can be done about the drying up of a waterfall at a local beauty spot, or what ought to be done about a claim for the value of a bullock that executed itself on a parish council fence.<sup>31</sup> If the imagination of parish councils' suggestions can be surprising (one wished to become a limited company in order to generate the electricity for its proposed street lighting, and to finance this by supplying the inhabitants as well), so can be the means used by the N.A.P.C. to assist them (the vicinity of one village was preserved from development by a gravel company when the N.A.P.C. invoked the rights given by an extinct, but statutory, racecourse on that ground) and so also the results of N.A.P.C. assistance (it was discovered that a parish council, wishing to obtain land for a recreation ground, was in fact already the owner of a recreation ground).<sup>32</sup>

The N.A.P.C. does not act as a solicitor for parish councils, for example in conveyancing, on account of the rules of the legal profession, but it does afford parish councils legal representation at enquiries on occasion, as well as advising other parish councils on how to present their case at such enquiries. This sort of assistance is

31. Letter of N.A.P.C. Secretary to Royal Commission on Local Government, discussing the N.A.P.C. Memorandum of Evidence.

32. Parish Councils Review - Spring 1968 p. 220.

very expensive of time, and so infrequently given. The Association gives priority first to cases which might affect other parish councils than the one concerned and secondly to matters which 'put the existence of a parish in jeopardy'.<sup>33</sup> About six such cases occur each year.<sup>34</sup> The N.A.P.C. Secretary estimates that the Association is successful in about three quarters of such cases.<sup>35</sup> The Association has prevented the extinction of parish councils in schemes for the alteration of local government boundaries, has defeated planning proposals that would have severely affected parishes, such as the erection of an abattoir, or a great expansion of population, and even perhaps preserved a parish itself from extinction by attacking the coast protection authority at a public inquiry and compelling it to take action.<sup>36</sup>

In addition to the above ways in which the N.A.P.C. seeks to inform and assist parish councils, there is another, miscellaneous benefit it gives its members. It has negotiated for its members cheaper insurance schemes directed at the particular needs of parish councils. In 1965 2,600 policies in the five N.A.P.C. negotiated schemes had been taken out by parish councils.<sup>37</sup>

The relationship of the N.A.P.C. and parish councils is not a purely passive one for the N.A.P.C., giving advice and

33. Ibid.

34. Interview with the N.A.P.C. Secretary - July 1968.

35. Ibid.

36. Ibid. & Parish Councils Review - Spring 1968, p. 221.

37. Annual Report of the N.A.P.C. for 1964-65

information to members requesting it or selling publications to those who order them. It attempts to exert a more positive influence on parish councils. In addition to its aspirations of a general influence by the education of parish councillors at conferences, and its encouragement of parish councils to know and use their powers, the Association has engaged in campaigns to influence parish councils in specific matters.

The first such campaign was in connection with the Festival of Britain in 1951. The N.A.P.C. campaigned to persuade parish councils to do something special to celebrate that Festival, and if possible, to establish something of lasting value.<sup>38</sup>

The principal campaign of recent years has been that to revive the parish meetings, a campaign mounted by the Association on an unprecedented scale. In parishes that have a parish council, parish meetings must, by law, be held annually each March. The parish meeting is composed of all the parish electors and has certain powers of veto over the parish council. It must, for instance, consent to any parish council general rate over 4d. (1.7p) in the £.<sup>39</sup> This attempt at direct democracy, however, proved rather ineffectual, and for many years in most parishes few electors other than the councillors attended; in some cases the parish meetings were not even held.<sup>40</sup>

38. Interview with the N.A.P.C. Secretary - July 1968.

39. Local Government Act, 1933, ss. 193 and 195.

40. N.A.P.C. Papers & Survey of Parish Councils by the author.

Early in 1966 the N.A.P.C. decided that parish meetings ought to be revived to afford an opportunity for all electors to discuss matters of local concern. The aim was to raise the attendance and add interest to agenda of the 1967 parish meetings. Contact was made with all county councils and rural district councils and with various organisations that had a rural following, including the Churches, the National Federation of Women's Institutes and the Standing Conference of National Voluntary Youth Organisations.<sup>41</sup> A leaflet on the Conduct of Parish Meetings was produced and circulated to all parish councils and any interested organisation or person; in all, 22,000 copies were eventually distributed.<sup>41</sup> County Associations explained the campaign to their members and urged them to greater efforts that year. Shortly before the parish meetings were to take place, the Association had a standard advertisement of a parish meeting printed, and sold 28,000 of these in batches of six.<sup>41</sup> Press notices about the campaign were sent to all the national newspapers and several provincial ones and special care was taken to inform the various parish magazine syndicates. The local press was served by the County Associations. Approaches to the broadcasting and television organisations resulted in the Deputy Secretary being heard on the radio and the Secretary of Caernarvonshire A.P.C. appearing on television in Wales.<sup>41</sup> The general press reaction was friendly;

41. Appendix to agenda for the 94th meeting of the N.A.P.C. Council.

several sympathetic leading articles were published in provincial papers and church periodicals. There was, however, a hostile leading article published in a Bristol paper and in some cases the N.A.P.C. evoked more sympathy than understanding. One bishop urged his clergy to take an interest in the 'annual parish council meetings in March'.<sup>41</sup> There were, of course, a few parish councils who were hostile, as opposed to apathetic, to the N.A.P.C. campaign, regarding public interest in the council's business as an intrusion on councillors' privacy.

The N.A.P.C. regarded the results of the campaign as generally a 'distinct success'.<sup>42</sup> Returns made to the Association by 3,245 parish councils showed an aggregate attendance there of 70,000 electors (including 21,600 parish councillors). The N.A.P.C. estimated from this that a total of 110,000 attended parish meetings in all parishes with a council. The effect of the campaign can be seen in the results of the survey of parish councils by the Royal (Redcliffe-Maud) Commission on Local Government. These show that attendance at parish meetings in the 390 parishes of their sample rose from 6,128 in 1966 to 7,372 in 1967,<sup>43</sup> a 20% increase. The N.A.P.C. returns represent a 1967 attendance 10% more than found in this

41. Appendix to agenda for the 94th meeting of the N.A.P.C. Council.

42. Ibid.

43. Royal Commission on Local Government (Redcliffe-Maud Commission) Report - 1969 Vol. 3 Research Appendix 8, p. 179

survey but it is probable that the councils most successful in this campaign were the most likely to make a return to the N.A.P.C.

The N.A.P.C. then resolved to press the campaign again the following year and in particular continue the publication of posters advertising meetings. In addition to the general campaign, the experiment was made in three counties of distributing leaflets on 'Village Government'. This experiment was extended and by 1969 over a million copies of these leaflets had been sold by the Association.<sup>44</sup> From the returns made to the N.A.P.C., attendance rose from 70,000 at 3,254 parish meetings in 1967 to 70,940 (including 21,993 councillors) at 3,106 parish meetings in 1968<sup>45</sup> (a rise of 6% if the respondents are comparable). The 1968 returns also gave a description of the topics discussed at parish meetings. The range of these topics was very wide, not only the work of the parish council but also actions (or inactions) of other local authorities, the appearance of the village, local nuisances, social organisation and topical matters, such as commons registration and Welsh local government reorganisation.<sup>46</sup>

In this campaign to revive parish meetings, the N.A.P.C. invoked the full blaze of publicity. An example of a quieter, discreet manner in which it may try to influence, as well as assist, parish councils would be its

44. Annual Report of the N.A.P.C. for 1968-9.

45. Annual Report of the N.A.P.C. for 1967-8, Appendix.

46. Ibid.

treatment of the matter of clerks' pay. The N.A.P.C. not only offers a 'Model Clerk's Agreement' setting out the form of an agreement with spaces to be filled and alternatives to be deleted by each parish council, in order to avoid any difficulties caused later by careless drafting or vague agreements, it also has a formula, based partly on rate resources and partly on the number of meetings and of councillors to be served, for calculating a recommended rate of pay for clerks. This recommended formula is not thrust at parish councils, but available on request.<sup>47</sup> Thus the N.A.P.C. hopes to lead parish councils to consider a rational method of deciding the level of pay for their clerks and one that in most cases would increase that pay, as clerks' work was felt to be often undervalued. It is not known how effective the N.A.P.C.'s recommendations have been but from available figures for clerks' pay in 1956 and 1966 it would appear that in both years a little over half the clerks earned £20 or less a year but that there was an upward movement in the pay of the other half.<sup>48</sup> A further survey in 1970 showed that, assuming similar samples, that pay had risen, but had not kept pace with the rise in local rate products.<sup>49</sup>

These, then, are methods by which the N.A.P.C. may

47. Interview with the N.A.P.C. Deputy Secretary, 1968.

48. The 1956 figures are from a survey by the N.A.P.C., corrected by the author for comparison with 1966 figures, from the author's survey of parish councils.

49. N.A.P.C. Circular 274 of 1971.

influence parish councils; by its publications, conferences, and particular recommendations as well as by the advice and assistance given to parish councils individually. The potential influence is large, if considered as its membership or the readership of its publications. Within two years of the foundation of the N.A.P.C., over half of the parish councils were members and this included over half of the parish councils in most counties.<sup>50</sup> Within another three years members comprised two thirds of all parish councils and since then the figures have gradually risen until in recent years about 85% of parish councils belong to the Association.<sup>50</sup> The sales of the N.A.P.C.'s official journal, 'The Parish Councils Review', have risen from 8,000 in 1956 to over 15,000 in 1960 and over 22,000 in 1970,<sup>51</sup> which may be compared to the total of about 64,000 parish councillors.

In any one year the majority of parish councils make some demand on the advisory services of the N.A.P.C.<sup>52</sup> and, although if the Association did not exist, legal advice could be sought privately, it is probable that not all the councils would go to that trouble and expense and it is very unlikely that alternative sources would be able to offer similar advice on questions of tactics. The effect of a particular campaign by the N.A.P.C. has been noted above;

50. Annual Reports of the N.A.P.C.

51. Ibid.

52. Survey of Parish Councils by the author - 1966.

the long-term effect of the Association's publications and conferences cannot be negligible but cannot be measured with any accuracy. The N.A.P.C. claim as evidence of the improving calibre of parish councils the opinion of the Secretary that the queries sent to the Association are becoming progressively more complex and difficult to answer.<sup>53</sup>

The N.A.P.C. has also afforded parish councils more opportunities for action by its influence on legislation and these opportunities have been widely taken. It was found in 1963 that a third of all parish councils had used some powers obtained in legislation of the previous fifteen years.<sup>54</sup> The most used of such powers were those to provide bus shelters<sup>55</sup> (which 870 parish councils did), to provide roadside seats or shelters<sup>56</sup> (833 parish councils), to insure against accidents to members<sup>57</sup> (808 parish councils) and to provide litter baskets<sup>58</sup> (668 parish councils). Another thirteen new powers were found to have been used by between 21 and 590 parish councils. Since then the N.A.P.C. has obtained for parish councils the important power to spend a 1/5d. (0.1p) rate for the general benefit of the

53. Memorandum of Evidence of the N.A.P.C. to the Royal (Redcliffe-Maud) Commission on Local Government.

54. N.A.P.C. Papers - Survey of Use of New Powers - 1963.

55. By the Local Government (Miscellaneous Provisions) Act, 1953, ss. 4-6.

56. By the Parish Councils Act, 1957, s. 1.

57. By the Parish Councils Act, 1957, s. 9.

58. By the Public Health Act, 1961, s. 51.

parish,<sup>59</sup> and within three years over 20% of parish councils had taken advantage of this opportunity to spend on a great variety of subjects.<sup>60</sup>

Thus, whereas one can state with certainty that the N.A.P.C. has influenced most post-war legislation concerning parish councils and one can point to particular enactments obtained by the Association, its influence on the work done by parish councils is less easy to define. Nevertheless, the N.A.P.C. would appear to have had an important effect on their work, and an effect beyond that of influencing legislation.

59. By the Local Government (Financial Provisions) Act, 1963, s.6.

60. Survey of Parish Councils by the author - 1966.

CHAPTER 8

PARISH COUNCILS SINCE 1945:  
THE STRUCTURE AND ORGANISATION  
OF PARISH GOVERNMENT

The smallest unit of area, for other than purely electoral purposes, is, in the English (and Welsh) system of local government, the civil parish. These civil parishes are distinct from ecclesiastical ones but until 1662 the boundaries of the civil parishes and the parishes of the Established Church were coterminous<sup>1</sup> and in rural areas of Southern England the identity of areas often still remains.

In towns the civil parish is identical in area with the county borough, municipal borough or urban district, except in a very few cases where these are composed of two or more civil parishes. Even in these few instances the parishes have as far as is known no separate existence except as electoral divisions, apart from the freak case of the late Municipal Borough of Much Wenlock. This borough covered a wide area and several separate towns and villages, and the several parishes (called 'wards') that composed the borough were by tradition allowed a measure of autonomy.<sup>2</sup>

Every rural district, however, comprises several parishes and occasionally rural boroughs also. In 1969 the 468 rural districts of England and Wales comprised 10,823 parishes and 7 rural boroughs.<sup>3</sup> The average rural

1. The Poor Relief Act 1662 divided large ecclesiastical parishes, usually in the North of England.
2. County of Salop - County Review Report and Proposals, 1963.
3. Excluding the Isles of Scilly (1 district and 5 parishes). Ministry of Housing and Local Government Handbook of Statistics 1969, p.1.

district consists of about 30 parishes, 20 of which have parish councils. Some consist of over 60, some of only 1 parish.<sup>4</sup> The usual area of parish is a village and the surrounding countryside. Sometimes there may be more than one village in a parish, either because a new settlement has arisen in comparatively recent times, or because the county council has exercised its powers of reorganisation under the 1929 Local Government Act to merge parishes, or because in parts of Northern England parishes have since ancient times covered larger areas and comprised several 'townships' that are equivalent to the parish elsewhere.<sup>5</sup> Sometimes, but more rarely, a parish may be without any village centre, on account of depopulation or because the parish is a residue after the centre was annexed to some urban authority. These latter cases are normally identifiable by the suffix 'Rural' or 'Without' after the name of the town or village.<sup>6</sup> Few parish boundaries have been changed since 1894; parishes have sometimes been converted to or annexed to urban authorities or have sometimes been merged, but, mergers apart, parishes nearly always retain their age-old boundaries, however irrational

4. Municipal Year Book 1965.

5. In almost all such cases it was the township that became the 'poor law parish' and so the present rural parish.

6. 'Without' is usually the more ancient suffix, as in the parishes of Thanington Without outside Canterbury or Clifton Without outside York. 'Rural' is the more common modern suffix, as in the parishes of Watford Rural, outside Watford Borough (Herts), or Kington Rural, outside Kington U.D. (Herefordshire).

these may look on a map. County councils have power to review parish boundaries, but the extent which these powers are exercised varies greatly from county to county. Some county councils have a policy of merging parishes with small populations with the neighbouring parishes. There was a spate of mergers in county reviews of the 1930's, which reduced the number of parishes by an eighth.<sup>7</sup> Before and since there has been a small number of mergers each year. The populations of rural parishes ranged in 1961 from nil to over 34,000 (more than the smallest county borough)<sup>8</sup> but parishes of over 10,000 population are rare. About half (28 out of 53) of the parishes with over that number, in 1961, were contiguous to or adjacent to large towns, being mostly residential suburbs. Of the rest 11 were mining towns, 8 were industrial towns (including 5 New Towns) 5 were commuter towns and 1 a seaside resort.<sup>9</sup> Some have since been transferred to county boroughs. The population of rural parishes in 1961 is shown in this

7. The number of parishes fell from 12,865 in 1913 (Local Government Board figures) to 11,175 in 1951 (Census figures).

8. Census of Population 1961. County Reports. The population of Ecclesfield Parish (Yorkshire West Riding) was 34,319, Canterbury County Borough 30,415 and Rutland County 23,504.

9. Ibid. Author's categorisation.

table.<sup>10</sup>

Population range	0-299	300-999	1,000-2,999	3,000+	Total
Number of) England	4,339	3,518	1,539	558	9,954
Parishes ) Wales	361	343	133	56	893
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
Total	4,700	3,861	1,672	614	10,847
% age of parishes.	43.3	35.6	15.4	5.7	100.0

The mean population of parishes has risen by 13% from about 850 to about 960 between 1961 and 1970<sup>11</sup> but the increase has been mainly in the larger parishes and if the 1951 - 1961 trend has in fact continued, most of the smallest parishes are losing population.<sup>12</sup>

All rural parishes should by law have a parish meeting<sup>13</sup> and more populous ones a parish council also. A parish council should exist for any parish over 299 population, for any parish of 200-299 population where the parish meeting desires it and for any smaller parish where the parish meeting desires it and the county council consents.<sup>14</sup>

Information for a sample of parishes showed that 89% of 148 under 100 population, 78% of 184 with 100 - 200 population and 24% of 144 with 200 - 300 population had only a parish meeting.<sup>15</sup> It appears that there are a few parishes

10. Census of Population 1961. County Reports

11. Registrar General's Estimates of the Population of England and Wales for 1969, Ministry of Housing and Local Government Handbook of Statistics, 1969 and Census of Population, 1961.

12. Census of Population 1951 and 1961. County Reports.

13. Local Government Act, 1933 s. 43.

14. Ibid.

15. Stanyer, J. - County Government in England and Wales, 1967, p. 116.

of over 299 population that also have no parish council.<sup>16</sup> Investigation suggests that county councils do not automatically establish parish councils when the parish population exceeds 299, but await some sign of parish demand for one,<sup>17</sup> on the sensible grounds that an unwanted parish council is likely to have difficulty in obtaining members and no enthusiasm for any activity. The population of a small village parish may sometimes be raised above 200 by the siting there of a military establishment, hospital or penal institution whose inmates feel little identification with the local community. Similarly county councils rarely receive a request to dissolve parish councils when the population falls below 200 and parish meetings seem unlikely to demand positively the dissolution of their parish council when they may do so.<sup>18</sup> Thus parish councils are more likely to fall asleep than to die. The population range of parishes with councils is shown in the following table.<sup>19</sup> The median population of parishes with councils was about 600 in 1961.

16. Municipal Year Book, Census of Population 1961, and information from Secretaries of County Parish Councils Associations.

17. Information from the Secretaries of Parish Councils Associations of Gloucestershire, Northumberland, Nottinghamshire, Oxfordshire, East Suffolk and Pembrokeshire.

18. Ibid.

19. Census of Populations 1961, for population; Municipal Year Book for list of parishes with a parish council. The latter is not entirely accurate.

County councils can dissolve groupings as well as create them, and can divide parishes as well as merge them.<sup>24</sup>

Occasions for division are rare and the county council would be expected to act only on clear evidence of demand in the parish. Chobham Parish (Surrey) was divided into Chobham Parish and West End Parish in 1968 following a special parish meeting in the seceding area, a joint committee of investigation, several years of petitioning the county council and a public hearing.<sup>25</sup>

In those parishes that elect no parish council, the sole parish local authority<sup>26</sup> is the parish meeting, consisting of the entire parochial electorate. This body may exercise certain local government powers, the provision of allotments<sup>27</sup> or public lighting,<sup>28</sup> and others that the county council may give it,<sup>29</sup> and may precept on the rates to finance these activities.<sup>30</sup> The only officer of a parish meeting is its chairman and, if there is anything to be administered, this is done by the chairman and the parish representative on the rural district council.<sup>31</sup> Very few parish meetings exercise

24. Local Government Act 1933 ss. 45 and 141.

25. Parish Councils Review - Summer 1968 pp. 28 - 31.

26. For some purposes a parish meeting is not technically a 'local authority'.

27. Local Government Act, 1894 s.19 and Small Holdings and Allotments Act, 1906 s. 60.

28. Local Government Act 1894 s. 7., Parish Councils Act, 1957 s. 3. and Local Government Act 1966 ss. 28-32.

29. Local Government Act 1933 s. 273.

30. Ibid. s. 193.

31. Unless these positions are held by the same person, in which case the rural district council appoints another elector to act with him. Local Government Act, 1933 s. 47.

any powers, about 7 out of every 8 having no accounts in 1958-9.<sup>32</sup> Many do not even meet annually,<sup>33</sup> as they are obliged to by law. There is no machinery to enforce the law in this.

Rural districts in England comprised 7 rural boroughs<sup>34</sup> besides the 9,930 parishes in 1969.<sup>35</sup> These rural boroughs are created by county councils, with the approval of the Minister under the 1958 Local Government Act, in places where municipal boroughs are extinguished in the course of their local government reorganisation.<sup>36</sup> As only five county councils<sup>37</sup> had completed their proposals for reorganisation by the time this was halted with the appointment of the Royal Commission on Local Government, there are very few rural boroughs, and these only in three counties. Rural borough councils are in effect parish councils, but, because their towns were once municipal boroughs, they retain certain honours such as the title of mayor for their chairman.<sup>38</sup> They have no

32. Royal (Radcliffe-Maud) Commission on Local Government in England Report Vol. 3, 1969 (hereafter referred to as R.C.L.G. Report, Vol. 3.) Research App.8, p. 172.

33. Information from Secretaries of County Associations of Parish Councils.

34. Much Wenlock (1966), Bishop's Castle, Bridgenorth, Ludlow, Oswestry, South Molton (1967), Lostwithiel (1968)

35. Excluding the Isles of Scilly (5 parishes). Ministry of Housing and Local Government Handbook of Statistics 1969, p. 1.

36. Local Government Act, 1958.

37. Shropshire, Cornwall, Worcestershire, Bedfordshire and Herefordshire County Councils.

38. Local Government Act, 1958, 7th Schedule ss. 1. and 5.

annual parish meeting and may have less stringent rating limits, but their powers, other than possible surviving common law ones such as control of a market, are those of parish councils.<sup>39</sup> They range in population from 1,260 to 12,120.<sup>40</sup> Boroughs, however, that were reduced to parish rank at earlier dates retain no such honours although sometimes the ghost of an ancient corporation lives in a non-statutory form.<sup>41</sup> One Yorkshire West Riding parish consists of two pre-1832 parliamentary boroughs.<sup>42</sup>

As both rural borough councils and active parish meetings, in parishes without a council, are so few, the remainder of this chapter will deal principally with parish councils.

Elections for the 7,612 parish councils of England and Wales, including the 128 common parish councils have been held triennially since 1899.<sup>43</sup> The number of seats on a parish council is between five and twenty one, the maximum number having been raised from fifteen in 1957.<sup>44</sup> Half of all parish councils have five, six or seven members.<sup>45</sup> Although there is no requirement that there should be an odd number of councillors, this is the case in over 80% of parish councils.<sup>45</sup> Table 32 shows the percentage of councils

39. Ibid. ss. 4, 11 and 15.

40. Registrar - General's Estimates of the Population of England and Wales (for the year before their demotion).

41. For a description of the survival of unreformed boroughs in several places see The Times 22 Apr. 1958.

42. Boroughbridge Parish consists of Boroughbridge and Aldborough, both formerly parliamentary boroughs.

43. The Parish Councils (Tenure of Office) Act, 1899, increased parish councillors' term of office from one year to three.

44. Local Government Act, 1933 s. 67 as amended by the Parish Councils Act, 1957, s.12.

45. Survey of parish councils by the author, 1966 (hereafter referred to as "survey of parish councils, 1966").

of each size categorised by the population of the parish. As one would expect, the larger parishes have larger parish councils.

The electoral system is the same as that for other local authorities, except that a few parishes are divided into wards for electoral purposes.<sup>46</sup> Each elector may vote for as many candidates as there are seats and votes are non-transferable. As warding is infrequent and, even where there are wards, each usually elects several councillors, a parish council elector casts more votes than is usual in British elections. A result is that, if parish council elections are fought on clear political party or other organised group lines, one side is likely to obtain a clean sweep of all the seats.

The method of electing parish councils has been changed twice since the last War. As described in earlier chapters,<sup>47</sup> the original method of election was by a show of hands at a parish meeting of all electors, unless a poll was then demanded by five electors. Such a poll was held by secret ballot. Objections to the system, especially to open voting, led to a section of the Local Government Act, 1933, which allowed county councils to order the Ballot Act procedure.<sup>48</sup> This power was little

46. This assertion is based on information obtained by the author about relatively few parishes. It is confirmed by Stanyer, J. - op cit. p. 109.

47. For description of and criticism of the system, see ch. 2 and 4 of this thesis.

48. Local Government Act, 1933 s. 51.

used<sup>49</sup>

and after recommendations of the Carr Committee on Electoral Law Reform, the Representation of the People Act 1948 prescribed the Ballot Act procedure,<sup>50</sup> as for Parliamentary elections. This, however, was found to be as objectionable as the previous method, on account of the cost, particularly to small parishes. Several parishes found that the expenses of elections exceeded the 4d. rate that the parish council could precept without the parish meeting's consent. Thus a parish might find that a contested election prohibited the victors from any activity after they took office. One small parish in 1949 had six candidates for five parish council seats and the election cost £13.12.6d. which was more than a 6d. in the £ rate.<sup>51</sup> In other parishes the cost amounted to a 7½d., 8d. 9d. and even a 10½d. rate.<sup>52</sup> A partial solution was to co-ordinate rural district council and parish council elections. This was attempted in 1955 by a private member's bill introduced by Mr. Fort, an N.A.P.C. Vice-President, with the support of the R.D.C.A.<sup>53</sup> Mr. Fort's bill was talked out for reasons unconnected with its own merits, but in the next session the Government reintroduced the measures with success.<sup>54</sup> The Local Government Elections Act 1956<sup>55</sup> enacted that parish council

49. Keith-Lucas, B. - The English Local Government Franchise, 1952, p. 122.

50. Representation of the People Act, 1948, ss. 24-28.

51. Keith-Lucas, B. - op. cit. p. 123.

52. Parish Councils Review, Spring 1953, p. 127.

53. Parish Councils Review, Spring 1955 supplement.

54. Parish Councils Review, Autumn 1955. p. 75.

55. Local Government Elections Act, 1956, ss. 1 & 4.

and rural district council elections be held simultaneously. This co-ordination halved the expense where both elections were contested.

The franchise for parish council elections is residence in the parish. This franchise was altered in 1970 in two respects, being restricted by the exclusion of the non-resident occupiers of land or premises of £10 rateable value and extended by the lowering of the age limit from 21 to 18 years of age.<sup>56</sup> The qualifications for election to a parish council were until 1970 the same as the franchise for voting with the alternative of residence within three miles of the parish.<sup>57</sup> Now they also differ in that the minimum age for election is still 21 and non-residents also qualify if they own or are tenants of property in the parish or if their principal place of work is in the parish.<sup>58</sup> The 'three miles' rule obviates unfairness that might be caused by the peculiarities of parish boundaries.

About a third of all parish council elections are contested,<sup>59</sup> a similar proportion to that of rural district council elections.<sup>60</sup> The proportion varies from 9% to 64% in

56. Representation of the People Act 1969, ss. 1, 15 & 27.

57. Local Government Act 1933 s. 57.

58. Local Authorities (Qualification of Members) Act 1971.

59. 34% in England and Wales according to a survey by the author in 1966; 32% in England according to a survey carried out for the Royal Commission on Local Government - Report Vol. 3 App. 8, p 169.

60. Registrar-General's Statistical Review of England and Wales, Vol. 2, for 1963, 1964, 1965 and 1966.

English counties.<sup>61</sup> The following table shows the proportion of contests in elections for the various types of local authority<sup>62</sup>

	<u>Parish Councils 1964-6</u>	<u>Rural District Councils 1964-6</u>	<u>County Councils 1964-5</u>
% contested	34% (32% in England)	31%	47%
	<u>Urban District Councils and Municipal Borough Councils 1965</u>	<u>County Borough Councils 1965</u>	
% contested	73%	90%	

This table compares, in fact, electors' opportunities to vote, not the eagerness of candidates to stand, for, if for example 8 people desired 7 seats on each of several parish councils, this would mean, in the probable absence of warding, contests in all (100%) elections, whereas if 40 people desired the 35 seats of a rural district council, this would mean not more than five (14%) contested elections. Thus the eagerness of people to stand for election to the parish council is even less than the above table suggests in comparison with other local authorities. The ratio of candidates to seats is in fact 108% in England, varying from 85% to 141% between counties.<sup>63</sup> This lack of enthusiasm for contests is linked with the relative absence of party politics, and in

61. R.C.L.G., Report, Vol. 3, App. 8, p.169.

62. Survey of parish councils 1966, R.C.L.G. Report, Vol. 3, App. 8, p. 169 and Registrar-General's Statistical Review of England and Wales, Vol. 2, for 1964, 1965 and 1966.

63. R.C.L.G. Report, Vol. 3, App. 8, p. 169.

the case of parish councils with the number of councillors per elector.<sup>64</sup> Table 9A shows that contested parish council elections are more probable in larger than in smaller parishes. There would also seem to be less likelihood of contested elections in agricultural parishes.<sup>65</sup> There are many parishes where the number of parish council seats exceeds the number of candidates for them: 22% of English parish council elections fell into this category in 1964-6, including nearly half (45%) of the elections in one county but none in another.<sup>66</sup> Again this lack of candidates appears to be related to the agricultural character of the parishes.<sup>67</sup>

Very few parish councils are contested on political party lines. Only 8% of parish councillors are party nominees, and these tend to be found in the larger parishes and in mining areas.<sup>68</sup> For reasons explained above, where elections are on party lines, one-party parish councils are common, and one party parish councils are also found in some Labour areas where there is negligible organised opposition.<sup>69</sup> The extent of party politics on parish

64. Survey of parish councils, 1966.

65. According to an analysis by counties. R.C.L.G. Report, Vol. 3. App. 8, pp. 169 and 70.

66. Ibid.

67. Ibid.

68. Survey of parish councils, 1966.

69. Information from parish council clerks.

councils may be compared to that on other local councils by the following table of the proportion of councillors who are party nominees on the various types of council.<sup>70</sup>

	<u>Parish Councillors.</u>	<u>Rural District Councillors.</u>	<u>County Councillors</u>
% nominated by a party	8%		
% belonging to a political group on the Council.		29%	73%
	<u>Urban District and Municipal Borough Councillors.</u>	<u>County Borough Councillors.</u>	
% belonging to a political group on the Council.	71%		96%

There are also many parish councillors who sit as independents on that council but who belong to a political party and who may even stand for other local councils under a party label.<sup>71</sup>

It is difficult to state with any certainty the turnout of voters for parish council elections, as these take place at the same time as rural district ones. If there is a contest for both elections, most voters take part in both. There are occasions, however, when there is only the parish council election or only the rural district council election contested.

70. Survey of parish councils 1966 and Report of the (Maud) Committee on the Management of Local Government Vol. 2, 1967, (hereafter referred to as 'Maud Report Vol. 2') p. 198.

71. Information from parish councillors and clerks.

According to the Registrar General's Statistics for 1963-5, there was a turnout of 44% of electors in rural district council elections.<sup>72</sup> The returns of the author's survey of parish councils in 1966 suggests that turnout in parish council elections may be slightly higher than this, and evidence from individual parishes suggests that sometimes more voters may vote for parish councillors than vote for the rural district councillor. Whether or not parish council election turnout exceeds that for rural district council elections, it is at least as high as the turnout for other local elections as the following table shows.<sup>73</sup>

Elections for:	<u>Parish Councils</u>	<u>Rural District Councils 1964-6</u>	<u>County Councils (not GLC) 1964</u>
	1964-6		
turnout	50%	43%	39%
Elections for:	<u>Urban District or Municipal Borough Councils 1966</u>	<u>County Borough Councils 1966</u>	<u>Parliament 1966</u>
turnout	42%	36%	76%

Parish councils need not be entirely composed of elected members. There are no aldermen but a parish council may co-opt a chairman.<sup>74</sup> Such a co-opted chairman must be qualified to be a councillor. In fact only 3% of parish councils, and these usually in smaller parishes, do thus co-opt a

72. Registrar-General's Statistical Review of England and Wales, Vol. 2, for 1964 1965 and 1966. The Registrar-General's figures show how delusive some percentages are - Tintwistle R.D.C. is shown to have had a 95% turnout in 1964; only 1 out of 10 seats was contested and so only 20 out of over 1,000 electors could vote; 19 did so.

73. Ibid and survey of parish councils, 1966.

74. Local Government Act 1933 s. 49.

chairman;<sup>75</sup> the rest elect one of their own number to the chair. The chairman has the power of a casting vote but the importance of this is limited by the fact that most parish councils have an odd number of members.<sup>76</sup> The only legal duty of the chairman, apart from those connected with the running of the meetings, has been to receive certain documents and to exhibit notices of mobilising the Territorial Army.<sup>77</sup>

There are no bye-elections for parish council seats, except if the size of the parish council is increased, if the first election is found to have been improper, or if the parish council collapses and 'becomes unable to act.'<sup>78</sup> Casual vacancies are filled by co-option,<sup>79</sup> although it is obligatory to fill vacancies caused by death or resignation. There is a great variety of practice and traditions of parish councils in the manner of filling such vacancies. Common practices are to co-opt someone well known to existing councillors, to co-opt the loser with the highest number of votes at the last election, or to co-opt someone to represent the same section of village life or, in larger parishes, the same locality as the person whose place is being filled.<sup>80</sup> At least one parish council is proud to give

75. Survey of parish councils, 1966 - See Table 32.

76. Ibid. See Table 32.

77. Arnold-Baker, C. - New Law and Practice of Parish Administration, 1970, p. 78.

78. Local Government Act, 1933 s. 55.

79. Ibid. s. 67.

80. Information from Parish Council Clerks.

preference to a son of a retiring councillor<sup>81</sup> and one parish council has advertised the vacancy and interviewed candidates before co-opting one of them.<sup>82</sup>

There are about 64,000 parish councillors in England and Wales, including probably a little over 200 co-opted chairmen.<sup>83</sup> The probable total of about 57,000 in England alone<sup>84</sup> may be compared with the totals of 3,711 aldermen and 31,836 councillors on all other English local authorities outside Greater London.<sup>85</sup> The fact that parish councillors so easily outnumber all others means of course that there are many <sup>more</sup> councillors per elector in rural areas than elsewhere. For every 1,000 inhabitants of parishes with councils there were in the mid 1960's, 6.7 parish councillors, 1.5 rural district councillors and 0.2 county councillors or aldermen; for every 1,000 inhabitants of county boroughs there were 0.4 councillors or aldermen and for every 1,000 inhabitants in Greater London, under 0.3 Greater London of London Borough Councillors or aldermen.<sup>86</sup>

There is, however, a certain degree of overlapping membership of different types of council, especially of rural

81. Parish Councils Review. Winter 1969 - 70, p. 167.

82. Parish Councils Review. Autumn 1969. p. 117.

83. Figures from author's survey scaled up.

84. Ibid. and R.C.L.G. Report Vol. 3, App. 8, p. 168.

85. Hansard (H. of C.) Written Questions, 12 Nov. 1968, Col. 61.

86. Registrar-General's Estimates of the Population of England and Wales, 1963, 1964 and 1965, and Maud Report Vol. 2 p. 361.

district and parish councils. About half of all rural district councillors also sit on their parish council,<sup>87</sup> and those who are not parish councillors sometimes attend parish council meetings regularly.<sup>88</sup> Considered the other way round, it appears that over one in ten parish councillors sit on the rural district council also, and, more important, that three quarters of all parish councils have at least one member who sits also on the rural district council.<sup>89</sup> In some cases all the members of a rural district council are also parish councillors.<sup>90</sup> There is a smaller, but still marked, overlap of county council and parish council membership. Nearly one in ten county councillors,<sup>91</sup> about three in ten of those representing rural areas,<sup>92</sup> are also parish councillors. One in eight of parish councils have a member who sits on the county council also.<sup>93</sup> The likelihood of a rural district or county councillor sitting on the parish council increases with the size of the parish; one in ten parish councillors in parishes under 600 population are also rural district councillors, but one in five parish councillors in parishes

87. Maud Report Vol. 2 p. 44.

88. Minutes of several parish councils seen by the author.

89. Survey of parish councils, 1966.

90. For example Beverley R.D.C. according to the R.D.C.A. Chairman - Parish Councils Review Winter 1951 p. 103.

91. Maud Report Vol. 2 p. 44

92. Ibid. and Registrar-General's Estimates of the Population of England and Wales in 1965. It is assumed in this that representation of rural and urban areas is proportionate to their population.

93. Survey of parish councils, 1966.

over 3,000 population are.<sup>94</sup> Detailed statistics of overlapping membership are given in Table 21. Such dual membership affords the parish councils another means of communication to and from the rural district councils (and to a lesser extent county councils) and affords the rural district councillor a means of discovering the general opinion of his area, other than through his party or his personal acquaintances. For this reason rural district councillors often regularly attend parish council meetings even when they are not members.<sup>95</sup>

Parish councillors are, like other councillors, older in general than their electors and more likely to be men than women. 13% of parish councillors were women in 1966 compared to 12% of all other local councillors.<sup>96</sup> The proportion of women has been climbing gradually over the years from 0.05% of the first parish councillors in 1894 and possibly about 3% in 1935, until there was in 1966 at least one woman member on about 60% of parish councils.<sup>97</sup> There is in this respect a marked contrast between English parish councils and Welsh parish councils; 13% of English parish councillors but only 6% of Welsh parish councillors are women.<sup>98</sup>

94. Ibid.

95. Information from parish council clerks.

96. Survey of parish councils, 1966 and Maud Report Vol. 2, p. 16.

97. Annual Report of the Local Government Board for 1894-5 pp. 51-59, unpublished N.C.S.S. papers, 1935 and Survey of Parish Councils, 1966.

98. Survey of parish councils, 1966.

In their age structure parish councillors are more similar to town councillors than to rural district councillors or county councillors. A smaller proportion of parish councillors than town councillors are under forty years of age, but a smaller proportion are over sixty-five, with the result that the median age of both groups is around fifty-three, compared to around fifty-eight for rural district councillors and sixty-one for county councillors.<sup>99</sup> County councillors are indeed markedly older than any other category; fewer than a tenth of them are under forty-five years old and over a third are sixty-five or more.<sup>100</sup>

The relative lack of party politics on parish councils and the consequent greater need for candidates to build a reputation in other fields may explain why there are more members under forty-five on town councils (and especially on county borough councils) for, as the Maud Committee survey concluded, 'at present it is the political parties who bring in a substantial proportion of younger people'.<sup>101</sup>

The higher general age of entry to rural district and county councils could be similarly explained, with the additional effect of the hierarchical structure, parish council membership leading to one being considered as a rural

99. Ibid. and Maud Report Vol. 2 p. 16.

100. Maud Report, Vol. 2 p. 16.

101. Ibid. p. 294

district council candidate and success and experience there to county council candidature, and also with the greater relative attraction to retired people of the demands on one's time made by membership of the larger councils. The Maud Committee survey found that older councillors were more likely to devote more time to council work.<sup>102</sup> An explanation of why parish councillors should retire at an earlier age than their rural district or county council representatives is less easy to find but one may note that there are not on parish councils and positions of special influence or honour such as committee chairmanships or aldermanships on other councils. Elections to such positions take great account of seniority and thus the ambitions may be encouraged to prolong their service.

The median length of service for parish councillors is, as for other councillors, two terms.<sup>103</sup> There is less difference in this respect between the various types of councillor. County councillors and rural district councillors have the longest service but county borough councillors bear more resemblance in length of service to these than to other town councillors and the parish councillors.<sup>104</sup> On the other hand among parish councillors there is a tendency for length of service to increase the smaller the population of the

102. Ibid. p. 310.

103. Ibid. p. 310 and Survey of parish councils, 1966.

104. Ibid. p. 41 and Survey of parish councils, 1966

parish is.<sup>105</sup> This probably reflects simply a shortage of candidates, which is corroborated by the fact that contested elections are rarer in smaller parishes.<sup>106</sup> Tables 10, 19 and 20 give fuller figures on the age, sex and length of service of councillors.

In occupation parish councillors are more likely to be non-manual than manual workers.<sup>107</sup> On parish councils as on other types of local council, manual workers are in a 1 to 2 minority, whereas in the general population they are in a 2 to 1 majority.<sup>107</sup> Farmers make up nearly a quarter of all parish councillors and other members of the Registrar-General's Social Class II (businessmen, school teachers etc.) make up nearly another quarter.<sup>107</sup> Categorisation by social class shows parish councillors to be similarly distributed to other local councillors as a whole, but, as far as one can say, town councils appear to have more manual worker members and rural district councils fewer manual worker members.<sup>107</sup> This suggests that parish councils have a particular value as representative bodies in rural areas where the travelling and time involved may deter possible candidates from the other councils. The only single occupations for which comparable information is available for councillors are those of farmer and farmworker.

105. Survey of parish councils, 1966.

106. Ibid.

107. Survey of parish councils, 1966 and Maud Report Vol, 2 pp. 23 and 35.

Farmworkers, the originally intended beneficiaries of parish councils, now comprise only 2% of parish councillors, but an even lower percentage of rural district or county councillors.<sup>107</sup> There is a notable difference between parish councils and other rural councils in the proportion of farmers among their members. Farmers form nearly a quarter of parish councillors but over a third of rural district councillors and possibly two fifths of county councillors representing rural areas (if one assumes that all farmers on county councils represent rural areas and that the representation of rural and urban areas on county councils is proportionate to their population). The explanation of this may be not so much the attraction of rural district and county councils for farmers, as the greater relative difficulties that membership of these might cause people in other occupations. With the proposed abolition of boroughs and urban districts as such and the great enlargement of county districts, it may be expected that parish councils or their equivalent will be of increased value in their ability to attract a wider range of occupations to their membership.

The only other date for which the occupations of many parish councillors is known is 1894. Between 1894 and 1966 there has been a slight decrease in the proportion of parish councillors who are manual workers, with a decrease in the proportion who are unskilled manual workers

107. Survey of parish councils, 1966 and **Maud Report** Vol. 2 pp.23 and 35.

and increase in the proportion who are lower status non-manual workers.<sup>108</sup> While this may be considered as a reflection of changes in rural society as a whole, it does suggest that increased education can have had at most a very limited effect in allowing a wider spread of occupations to be found on councils. As the number of farm labourers in total has fallen, so has the number <sup>on</sup> of parish councils.<sup>108</sup> The proportion of parish councillors who are farmers has also declined from over 30% to under 25%, as their proportion of the rural population has declined.<sup>108</sup>

More details of the occupational structure of parish councillors are to be found in Tables 1, 10C and 19C.

Parish councils are unlike other local authorities in that they only rarely employ a full-time officer as administrator and adviser. A survey by the N.A.P.C. in 1966 discovered that only 522 of nearly 4,000 parish councils replying had any full-time employee and the proportion among non-responders would certainly be much lower.<sup>109</sup> 310 of the 522 councils employed only one person, and only 35 employed more than five people.<sup>109</sup> The majority of these employees, however, are groundsmen, caretakers and cemetery keepers. A survey by the author found that only 2 out of 684 parish councils in 1966 paid their clerk more than £1,000 a year and both these were councils of parishes of

108. Survey of parish councils, 1966 and Annual Report of the Local Government Board for 1894-5, pp. 51-59

109. Royal Commission on Local Government in England. Memorandum of Evidence by the N.A.P.C.

over 3,000 population.<sup>110</sup> From this one might expect there to be perhaps 20 full time parish council clerks in the whole country;<sup>110</sup> similarly in 1970 the N.A.P.C. estimated that there were about 40.<sup>111</sup> The other parish councils have a part time clerk, who may also be a councillor, provided he is in that case unpaid.<sup>112</sup>

The parish council clerk is normally responsible for keeping the records of the meetings of the parish council, for keeping its accounts, for its correspondence and for providing information for it. In return for this they may be paid anything from a full salary to nothing at all. The pay varies largely with the size of the parish. The median clerk's pay in parishes under 400 population is £10 or less per year, the median in parishes of 1,000 to 3,000 population is nearly £50, and parishes of over 3,000 population over £100.<sup>113</sup> There are fairly steady graduations in between these extremes. It may be noted, however, that fewer parish councils pay their clerk above the average for parishes of their size, than pay him below that average.<sup>113</sup> 3 of 212 clerks in parishes under 400 population were paid more than £20, whereas 4 of 218 clerks in parishes over 1,000 population received no pay and a further 40 received £10 or less.<sup>113</sup> It would seem that, despite the general encouragement of the N.A.P.C. of higher pay for parish council clerks,

110. Survey of Parish Councils, 1966.

111. N.A.P.C. Circular 274, 1971.

112. Local Government Act 1933, s. 122.

113. Survey of Parish Councils, 1966.

that their pay changed little in the decade 1956 - 1966 and that in real (as opposed to money) terms it actually fell.<sup>114</sup> Fuller details of the pay of parish council clerks in 1956 and 1966 are given in Tables 24A and 24B. It may be noted that these meagre salaries sometimes include 'office' expenses. It would appear, then, that parish councils depend on a spirit of voluntary service and an interest in local affairs to play a large part in attracting people to serve as clerks.

Thus parish councils do not have available to them the same expertise and knowledge that other local councils have in their clerks and other officers. The work of parish councils is certainly less than of other councils but the legislation and regulations concerning parish councils' work are no less complex. There were in 1965 36 enactments and 13 sets of regulations relevant to their allotments powers, 60 enactments and 10 sets of regulations relevant to their burial ground powers and 79 enactments and 10 sets of regulations relevant to their powers regarding open spaces etc.<sup>115</sup> Every year there are some new enactments and regulations that concern parish councils. The parish council clerks have the assistance of several possible handbooks, N.A.P.C. publications and, if members, of the N.A.P.C. Advisory Service. About half of all parish councils a

114. Ibid. and a survey of clerks by the N.A.P.C., 1957.

115. Royal Commission on Local Government in England. Memorandum of Evidence by the N.A.P.C. App. 9.

year<sup>116</sup> avail themselves at least once of this advisory service and some others consult the Clerk to their rural district council.<sup>117</sup> After a survey in 1968 the N.A.P.C. estimated that 1,500 parish councils had an up-to-date legal handbook, up to 3,000 more had a book five to ten years out of date, and more than 3,000 had just a pamphlet (often obsolete) or nothing at all.<sup>118</sup>

The practice of sharing clerks affords a way whereby the clerk gains more experience, although he loses local involvement. In about one in eight parish councils the clerk also serves another parish council, sometimes as many as five others.<sup>119</sup> This practice does not however afford a means for parish councils to club together and employ a full-time clerk between them, as has, on occasion been suggested.<sup>120</sup> The fact that parish councils meet on average six times a year (excluding committee meetings) and their meetings occupy most of the evening puts the maximum number of councils a clerk could serve at about two dozen, and two dozen average parish councils would pay their clerks only about £1,000 a year, not a sum likely to attract a full time professional clerk.

Some parish councils contrive to benefit themselves by

116. Survey of parish councils, 1966.

117. Parish Councils Review, Autumn 1968, p. 86.

118. Ibid.

119. Survey of Parish Councils, 1966.

120. For example in an article in the Parish Councils Review, Spring, 1968, p. 255.

appointing as their clerk an employee in the rural district or county council clerk's office or another local authority department or else a local solicitor. In at least one case it is the deliberate policy of a large parish council to look to the rural district council clerk's office as a place to find their own clerk.<sup>121</sup> Such people may be expected to be particularly qualified by their full-time occupation for work as parish council clerks. About 4% of parish council clerks are lawyers and about 15% are non-lawyers who work in other local council offices.<sup>122</sup> The likelihood of the parish council clerk having full time employment with another local authority increases markedly with the population of the parish.<sup>123</sup> The largest other single source of parish council clerks is the schoolteaching profession, whose members account for about 7% of the clerks.<sup>123</sup> For the rest their full-time employment is usually, as might be expected, in other non-manual occupations of the Registrar-General's Class II or Class III.<sup>123</sup> A fuller analysis of parish council clerks' full-time occupations is given in Table 23A.

Most parish councils meet regularly every one, two or three months. The most usual frequency is quarterly

121. Information given to author by the parish council clerk.

122. Survey of Parish Councils, 1966 and surveys of clerks by the N.A.P.C. 1957 and 1970. From the 1957 survey the figures are 5% and 15 - 20% respectively, and from the 1970 survey 3% and 15% respectively.

123. Survey of Parish Councils, 1966.

meetings in parishes of under 400 population, two-monthly meetings in parishes of between 400 and 1,000 population and monthly meetings in parishes of over 1,000 population, although where there is a monthly or two-monthly cycle, the August meeting is often omitted.<sup>124</sup> There is a legal requirement that every parish council should meet at least four times a year<sup>125</sup> but this is, for practical purposes, unenforceable and it is, in fact ignored by nearly one in ten parish councils who meet less frequently than this.<sup>126</sup> County councils meet quarterly; the great majority of other types of council meet monthly.<sup>127</sup> Parish council meetings are held in the evenings and the majority begin at 7,30 p.m., lasting on average one and a half to two hours.<sup>128</sup> Evening meetings mean that a much greater number of people are able to serve as councillors. One may note that it is county councils, who meet in the morning, and rural district councils, who meet in the morning or afternoon, that have the narrowest ranges of occupations and age groups represented among their numbers.<sup>129</sup> With regard to parish councils, evening meetings are also important in that they allow a larger number of possible candidates for the post of clerk. The law prescribes that parish councils should meet in the parish hall, or else

124. Survey of parish councils, 1966.

125. Local Government Act, 1933, Third schedule, pt. 1.

126. Survey of parish councils, 1966.

127. Stanyer, J. - op. cit. p. 115.

128. Survey of parish councils, 1966.

129. Stanyer, J. - op. cit. p. 115 and Maud Report, Vol. 2 pp. 16 and 23.

an state school, if possible, otherwise wherever they may decide.<sup>130</sup> Further figures about parish council meetings are given in Tables 17A, 17B and 17C.

In addition to the meetings of the parish council itself there are meetings of its committees. Parish councils are not obliged by law to establish any committees and, unlike the position in other types of local authority, the use of committees is not an important feature of parish government. Committees may be appointed to exercise delegated powers or as purely advisory bodies. If they exercise delegated powers, at least two thirds of the members must be parish councillors, and all the members in the case of a finance committee.<sup>131</sup> A third of parish councils do appoint committees, but only one in eight parish councils appoint more than a couple of committees.<sup>132</sup> Very few allocate every aspect of their work to one or other committee. Even in the largest parishes (over 1,000 population) only 82 of 219 parish councils appoint more than a couple of committees and in the smallest parishes (under 400 population) only 3 of 213 parish councils appoint more than one committee.<sup>132</sup> Most parish council committees are appointed to supervise particular areas of the parish council's functions, the most popular being committees for the recreation ground, public lighting, footpaths, allotments and burial grounds,

130. Local Government Act, 1933, s. 128.

131. Ibid. s. 85.

132. Survey of parish councils, 1966.

which subjects in 1966 accounted for three out of five of all committees.<sup>133</sup> Then there are committees to deal with planning applications in those parts of the country where parish councils are consulted on these, committees to deal with matters in which the parish council may have only partial responsibility (for example village halls, the most common committee in the smaller parishes), finance committees and a miscellany of other committees,<sup>133</sup> including at least one whose function is to appoint the members of other committees.<sup>134</sup> Parish councils are small bodies compared to other local authorities and about a third of all their committees include a majority of the council as members.<sup>135</sup> The frequency with which parish council committees meet varies considerably but the average is three or four times a year.<sup>136</sup> More statistics regarding parish council committees are given in Tables 18A, 18B and 18C.

Parish councils are financed almost entirely from their precepts upon the rates. If one ignores the income derived from services that they provide and other miscellaneous services, 95% of their current income came from their precepts in 1964-5 and 5% from grants, almost all the latter from the county councils.<sup>137</sup> This dependence upon the rates sharply

133. Ibid.

134. Information given to the author by the parish council clerk.

135. Survey of parish councils, 1966.

136. Ibid.

137. Epitome of the Accounts of Parish Councils and Parish Meetings for 1964-5 - unpublished information provided by the Ministry of Housing and Local Government (hereafter referred to as 'M.H.L.G. Epitome of Accounts 1964-5').

distinguishes parish councils from the other types of local authority whose rate income forms on average less than half their total current income.<sup>138</sup> A result of this is that although the aggregate income and expenditure of parish councils and meetings are very small compared with that of other councils, their rate income is relatively higher.<sup>139</sup>

The ability of parish councils to raise money by precepting on the rates, is, however, hedged about by a variety of restrictions in addition to the normal local government limitations caused by the 'ultra vires' rule. The basic restriction is that a parish council cannot precept for more than 1.7p (formerly 4d.) rate for 'general' purposes, without the consent of the parish meeting, nor for more than a 3.3p (formerly 8d.) rate, without the additional consent of the Minister of the Environment.<sup>140</sup> Within these 1.7p or 3.3p limits, there is also a restriction on precepts for expenditure on war memorials to a 0.6p (formerly 1.1/3d.) rate<sup>141</sup> and a restriction on expenditure for the general good of the parish, under a Local Government (Financial Provisions) Act 1963 s. 6, to a 0.1p (formerly 1/5d) rate product.<sup>142</sup> A rate

138. Local Government Financial Statistics.

139. H.E.L.G. Epitome of Accounts 1964-5, Local Government Financial Statistics for 1964-5 and Registrar-General's Estimates of the Population of England and Wales, 1964.

140. Local Government Act 1933, s. 193, amended by Decimal Currency Act 1969.

141. War Memorials Act 1923, s.2, as amended by Local Government Act, 1929, s. 75, Parish Councils Act 1957 s. 8 and Decimal Currency Act 1969

142. Local Government (Financial Provisions) Act 1963 s. 6, amended by Decimal Currency Act 1969

product is the value of a rate minus the cost of collection. In addition to a precept of up to 1.7p or 3.3p for 'general' purposes, a parish council may precept for income for certain other specified purposes, up to 0.8p.(formerly 2d.) rate for expenditure upon allotments<sup>143</sup> and an unlimited amount for expenditure upon recreation grounds, baths and washhouses, burial grounds and public lighting, as also for libraries while these were a parish council responsibility.<sup>144</sup> Expenditure for these purposes has been subject to a different type of restriction; the parish meeting has to 'adopt' the relevant Act of Parliament for the parish, that is to approve the commencement of raising money from the rates for the purposes of the Act. This procedure of adoption of an Act only continues now for the authorisation of expenditure on burial grounds.

Thus parish councils are restricted in the amount for which they precept principally by reference to a particular rate. Such restrictions have been rendered ridiculous by the large and often abrupt changes in the relationship of ratable values and the level of general costs that have occurred, particularly in the last forty years. Particular types of property have been periodically partially or wholly derated. Agricultural property was derated by 50% in 1896<sup>145</sup> within two years of the establishment of parish

143. Allotments Act, 1922 s. 16 as amended by Allotments Act, 1950 s. 11.

144. Parish Councils Act, 1957, First Schedule.

145. By the Agricultural Rates Act, 1896.

councils, which were thus deprived of about a fifth of the amount they might precept on the rates for 'general' purposes. Since 1929 agricultural property has been wholly derated.<sup>146</sup> Derating of industry has naturally had a smaller effect in rural parishes. In addition to the effects of derating there have been those caused by delays in revaluation in an inflationary period. Until 1963 domestic property was valued in 1939 terms. The ensuing fluctuation in the ratable values of parishes has never been compensated for by means of government grants to parish councils and has only once led to a change in the limits to parish councils' powers to precept on the rates. This was in 1929 when all such limits were raised by a third, which meant that the 3d. and 6d. rate limits for 'general' purposes were raised to 4d. and 8d., to compensate for the effect of derating.<sup>147</sup> The result of derating and delayed revaluations in the form of the rise and fall in the real amount that parish councils could precept for 'general' expenditure, is shown in Table 5. One may note the range of variation and abruptness of variation. In three steps in 1896, 1923 and 1929, the value of a 3d. rate was halved, the limit was then raised to 4d., in the twenty five years after 1930 the real value of a 4d. rate was halved; in two

146. By the Local Government Act, 1929, s. 67

147. Local Government Act, 1929, s. 75.

steps in 1956 and 1963 revaluation quintupled the value of a 4d. rate.<sup>148</sup> It is this great variability in the real value of the limited general rate, combined with the change in functions of parish councils from those outside the general rate limitations to those within them that has led at times to this limit becoming a brake on parish councils' activity. A further drawback to the restriction of parish councils' income by reference to a particular rate is the fact that, at a parish level, ratable value may sometimes bear little relation to the wealth of local inhabitants on account of the siting of large factories which draw few of their workers from the parish, for example the car factory at Halewood or the steelworks at Llanwern, or of buildings of great value but needing few workers, such as oil refineries.

With exceptions of the above sort, the ratable value of a parish is generally greater the larger the population of the parish. Table 11 shows the range of ld. rate products of parishes with councils in 1956 and 1963. In this period revaluation raised the median penny rate product from about £20 to about £70,<sup>149</sup> but the more important evidence that this table affords is of the great variety in amount of penny rate product of different parishes. There were in 1967 nearly fifty parishes whose penny rate product exceeded £2,000, an amount that is in excess of the penny rate product

148. Annual Reports of the Local Government Board, Rates and Ratable Values in England and Wales. See Table 34.

149. Figures obtained by the N.A.P.C. from the rural district council clerks, 1956 and 1963.

of one county and a hundred boroughs;<sup>150</sup> at the other end of the scale were the two hundred or so parish councils in 1963 who could command a penny rate of less than £20.<sup>151</sup>

Not only do the penny rate products vary greatly, the actual rates precepted by parish councils vary much more from council to council than those raised by any other type of local authority. This is so even after one takes into consideration the fact that a certain amount of variation is caused by rural district councils raising only rates expressed in whole pennies (and now in whole 'new' pennies). Thus a parish which precepted each year for an amount equivalent to a 1½d. rate, would find a 1d. and a 2d. rate being levied for them in alternate years. Table 26 shows the range of rates precepted by parish councils in 1965-6,<sup>152</sup> although the figures probably exaggerate slightly the actual rates precepted. It is known from a much more complete survey that no rate was raised for 30% of parish councils in 1966<sup>153</sup> as compared with the author's survey figures of 15% of parish councils making no precept and this difference cannot be entirely due to rural district councils' rounding off. In 1958-9 6% of parish councils were so inactive financially as to have no accounts to be audited.<sup>154</sup>

It is clear that not only do parish councils in larger

150. Parish Councils Review, Autumn 1968, pp. 95 - 96.

151. N.A.P.C. Survey 1963.

152. Survey for parish councils, 1966.

153. R.C.L.G. Report, Vol. 3, App. 8, p. 172.

154. Ibid.

parishes spend more than those in smaller parishes, as might be expected, but that they also precept a higher rate.<sup>155</sup>

As shown in Table 26, the median rate precepted by parish councils rises from 1d. in parishes of under 300 population to 3d. or 4d. in parishes of 3,000 or more population.<sup>155</sup>

In parishes of under 300 population more than 27% of parish councils precept no rate and up to 8% precept more than a 4d. rate; in parishes of 1,000 or more population about 6% of parish councils precept no rate and about 20% precept more than a 4d. rate.<sup>155</sup> Overall up to one in eight

parish councils precept for more than a 4d. rate and 1 in 100 precept for a 1s. rate or more.<sup>155</sup> To some extent the higher rates in larger parishes can be accounted for by the greater likelihood of parish councils of larger parishes exercising lighting powers, for this was at the time of the survey much the most expensive service provided by parish councils,<sup>156</sup> and one that was markedly more common in the larger parishes.<sup>157</sup>

Apart from rate precepts and apart from miscellaneous sources of income from voluntary fund raising, such as jumble sales, which some parish councils occasionally employ to supplement their revenue and relieve the 'burden of the rates', the other primary source of funds for parish councils is grants

155. Survey of Parish Councils, 1966.

156. N.H.L.G. Epitome of Accounts 1964-5, for total expenditure on lighting, and survey of parish councils, 1966 for number of parish councils spending on lighting.

157. Survey of parish councils, 1966.

from the government and other local authorities. The revenue from grants however is very small compared to that from the rate precepts. In 1964-5 the aggregate income of all parish councils and parish meetings from rate precepts was £3,036,837 and from grants by central government and other local authorities £161,477.<sup>158</sup> Of this £1,447, a negligible amount represents grants from the central government,<sup>159</sup> although at least three departments (Housing and Local Government, Agriculture and Education) were authorised to make grants to parish authorities. The important source of grants to parish councils and meetings are county councils. A county councils may make such grants for open spaces, parks, parish halls, footpath maintenance or the provision of litter bins.<sup>160</sup>

Other revenue comes from payments for services that parish councils provide, for example burial ground fees, allotment rents and village hall hiring fees. As regards allotments, indeed, parish authorities as a whole obtained more money from them than they spent on them in 1964-5,<sup>161</sup>

Parish councils may raise money for capital expenditure by borrowing, if they obtain the consent of the parish meeting to the expense or liability concerned and the agreement of the

158. M.H.L.G. Epitome of Accounts 1964-5.

159. Ibid.

160. Local Government Act, 1958, s. 56. Open Spaces Act, 1906, s. 14, Physical Training and Recreation Act, 1937, s. 4., Highways (Miscellaneous Provisions) Act, 1961, s. 4 and Public Health Act, 1961, s. 51.

161. M.H.L.G. Epitome of Accounts 1964-5.

county council.<sup>162</sup> Until 1957 certain loans needed county council consent<sup>163</sup> and until 1969 all loans needed individual Ministerial sanction, but then parish council loans were exempted from individual sanction if they amounted to less than £500 in a year, were for the purposes of acquiring land, buildings and certain types of plant, and fell within the prescribed duration of each type of loan.<sup>164</sup> In 1970 the system was changed; county councils were each given an annual block loan sanction to be shared with district and parish councils in the county.<sup>165</sup> The division of this loan sanction between the different authorities is arranged after consultations among them at which parish councils are represented by their County Association.<sup>166</sup>

The parish meeting's part is one of the additional democratic checks on the work of parish councils, that of the Department is to restrict borrowing in the light of the then current national economic situation. The total loans borrowed in 1964-5 by all parish councils and parish meetings amounted to £410,053.<sup>167</sup> The transfer of responsibilities for street lighting from parish authorities<sup>168</sup> has reduced the need for loans, as public (street and footway) lighting

162. Local Government Act, 1933, ss. 193 and 195 (as amended by Parish Councils Act, 1957, s.8.) and Department of the Environment Circular No.2/70, 1970

163. Local Government Act, 1933 s. 195.

164. Ministry of Housing and Local Government Circular No. 18/69. 'Loan Consents for Small Accounts,' 1969.

165. Department of the Environment Circular No. 2/70, 1970.

166. Parish Councils Review Spring 1971, p. 256.

167. M.H.L.G. Epitome of Accounts 1964-5.

168. By the Local Government Act 1966, s. 31.

accounted for 26% of their Capital expenditure in 1964-5.<sup>169</sup>

There is no official information as to whence the loans are obtained, but the Public Works Loan Board is the most usual source in the opinion of the N.A.P.C. Secretary.<sup>170</sup>

Other sources include the county councils, voluntary bodies such as the N.C.S.S. or the National Playing Fields Association or private sources.

The formalities of the loan procedure, have encouraged parish councils to treat items of capital expenditure as current expenditure when this was possible. It is not yet known if the recent changes have decreased such practice. Sometimes individuals' generosity may enable parish councils to avoid loan controls by arrangement for instalment payments. Thus members of a Cornish parish council bought land that the council wanted, when it failed to obtain loan consent, and held the land until the parish council was able to buy it from them.<sup>171</sup>

Fuller details of the amounts received by all parish authorities in 1964-5, by type and by subject, are given in Table 12.

Parish Councils are not only restricted in their possible actions by statutes and regulation and, within what these allow, by possible concern to ensure their re-election; there are also a variety of controls that enable parish meetings to protect electors from the parish councils, and enable

169. M.H.L.G. Epitome of Accounts 1964-5.

170. Interview with the N.A.P.C. Secretary, 1968.

171. Parish Councils Review, Spring 1952, p. 157.

county councils and ministers of central departments to protect a wider public from both of these.

Parish councils are exceptional among local authorities in the extent to which they are directly controlled by their electors. A Parish Meeting, in which all electors are entitled to participate, must be convened in every parish annually each March and, if the parish council wishes, at any other time also.<sup>172</sup> The positive powers of parish meetings, in parishes which have a council, are few; the negative powers are substantial. On the one hand a parish meeting can, if it so resolves, legally oblige the parish council to provide a burial ground,<sup>173</sup> and has a near-legal right to demand the provision of allotments<sup>174</sup> in addition to the opportunity to express its views on a variety of other matters. On the other hand a parish meeting can veto 'general' expenditure involving more than a 1.7p (formerly 4d.) rate<sup>175</sup> or expenditure or liability which will involve borrowing money,<sup>176</sup> or the sale, re-appropriation or exchange of land by the parish council,<sup>177</sup> or the 'adoption' of certain enactments that allow the parish council to exercise

172. Local Government Act, 1933 s. 43 and Third Schedule Part VI para. 1.

173. Local Government Act, 1894 s. 7 and Burial Act 1852 s. 25.

174. Small Holdings and Allotments Act, 1908 s. 23 and Allotments Act 1950 s. 9.

175. Local Government Act 1933 s. 193 (Amended by Decimal Currency Act, 1969.)

176. Ibid.

177. Local Government Act 1933 s. 170 and Town and Country Planning Act 1959 s. 28.

particular powers. The only such adoptive acts that now remain are the Burial Acts, which if adopted, authorise a parish council to provide a burial ground;<sup>178</sup> until 1957 public lighting was similarly authorised, and in the past the provision of libraries and baths and washhouses also. A vote is taken at a parish meeting by a show of hands but five electors or one third of those present may demand that a formal poll be taken.<sup>179</sup> The only other examples of direct democracy in English and Welsh local government have been polls on municipal bills and referenda on the Sunday opening of cinemas and on the Sunday opening in Wales of premises licensed to sell alcoholic drinks.

In practice parish meetings usually are the occasions of expression of opinions rather than of making decisions. Parish meetings have been formal occasions held often immediately prior to a parish council meeting and attended usually by the councillors and one or two other electors,<sup>180</sup> The bulk of the electors probably did not find out when it was to be held and probably were unaware even of their right to participate. Even in parishes that have parish councils there have been occasions when the annual parish meeting was not held;<sup>181</sup> in parishes without parish councils such oversight is more likely. Attendance of electors may be increased

178. Local Government Act 1894, s. 7.

179. Local Government Act 1933 Third Schedule Part VI para. 5.

180. Information from survey of parish councils, 1966,  
author's survey of parish council minutes and the N.A.P.C.

181. N.A.P.C. Papers and Survey of Parish Councils, 1966.

by a controversial proposal, for example the installation of public lighting that would benefit a particular part of the parish. The N.A.P.C. has recently initiated a campaign to revive parish meetings (in parishes with a council) as fora of discussion of parish affairs. This campaign is described in the previous chapter.<sup>182</sup> It has achieved some improvement in the publicity given to parish meetings and in public attendance at them, but it is still only a very small minority of electors that usually attend.<sup>183</sup> The proportion of electors attending the parish meeting appears from a sample survey to have risen from 1.2% in 1966 to 1.5% in 1967.<sup>184</sup>

In addition to these controls by electors, parish councils are subject to various controls by county councils and the central government.

The county council as the highway authority, may veto certain proposed activities of a parish council such as the planting of verges or the erection of bus shelters.<sup>185</sup> It has reserve powers to provide allotments if a parish council fails to meet a demand.<sup>186</sup> Subject to the agreement of the Secretary of State for the Environment, the county council makes, or refuses to make, compulsory purchase orders on behalf of parish councils.<sup>187</sup> The county council has

182. 'The N.A.P.C. and Parish Councils'.

183. Annual Reports of the N.A.P.C. for 1967-8 & 1968-9.

184. R.C.L.G. Report Vol. 3 1969, App. 8. p.179.

185. Highways Act 1959 s. 2.

186. Small Holdings and Allotments Act, 1908 s. 24.

187. Local Government Act 1933, s. 168.

discretionary powers to give grants to parish councils and such grants form about 4% of the total income of parish councils.<sup>188</sup> These grants cover most areas of parish council activity but are principally given in respect of the upkeep of open spaces and parks (24% of these grants in 1964-5) and, when street lighting could be a parish council responsibility, for public lighting (33% of these grants in 1964-5).<sup>189</sup> Since 1970 the county council plays a major part, as described above, in giving or refusing loan sanction to parish councils.

County councils also determine, subject to approval of the Ministry of the Environment, the boundaries of parishes and the existence of parish councils in smaller parishes. Parish boundaries, the merger of parishes with each other or with another type of local authority and the grouping of parishes under a joint parish council are matters for the county council to settle, after a local enquiry and subject to the confirmation of the Secretary of State for the Environment.<sup>190</sup> Similarly it may convert a municipal borough into a rural borough or an urban district into a parish.<sup>191</sup> It is the county council that decides also whether or not there is to be a parish council in a

188. M.H.L.G. Epitome of Accounts 1964-5.

189. Ibid. For a fuller breakdown of such grants see Table 12.

190. Local Government Act 1933 s. 141.

191. Ibid. and Local Government Act 1958 s. 28 as amended by Local Government (Termination of Reviews) Act 1967.

parish under 200 population when the parish meeting requests the creation or dissolution of a parish council.<sup>192</sup> County councils' policy on this has been described earlier. It can order fresh elections if a parish council collapses.<sup>193</sup> Such a collapse may be due to mass resignation or persistent inability to muster a quorum.

Parish councils are controlled by the central government through the latter's powers to veto certain financial procedures, the exercise of 'police' powers and certain minor activities. There is no indirect control of policy by means of grants, for central government grants form only 0.02% of parish councils' income.<sup>194</sup>

The consent of the Secretary of State for the Environment is necessary for a rate precept by a parish council for general expenditure that exceeds 3.3p (formerly 8d.) in the pound,<sup>195</sup> and for the raising of any loan by a parish council.<sup>196</sup> In 1969 consent was made automatic for such loans of up to £500 a year upon certain standard conditions,<sup>197</sup> and then in 1970 county councils were given block sanctions to share with district and parish councils.<sup>198</sup> The Department has thus delegated the choice between different

192. Local Government Act 1933 s. 141.

193. Ibid. s. 55.

194. This figure is for 1964-5. M.H.L.G. Epitome of Accounts 1964-5.

195. Local Government Act 1933 s. 193 (amended by Decimal Currency Act 1969).

196. Local Government Act 1933 s. 195 (amended by Parish Councils Act, 1957 s. 8).

197. Ministry of Housing and Local Government Circular No. 18/69, 1969.

198. Department of the Environment Circular No. 2/70, 1970.

capital projects and merely limits the total borrowing each year.

Parish councils' power to make byelaws for the regulation of recreation grounds, pleasure boats, mortuaries, cycle parking, public bathing and baths and washhouses is subject to ministerial confirmation of such byelaws.<sup>199</sup> The responsibility for most types was transferred from the Minister of Health to the Home Secretary in 1947.<sup>200</sup> There are no statistics available of the number of byelaws confirmed or refused.<sup>201</sup> The Home Office policy has been to discourage parish councils from making any byelaws, unless they can demonstrate they are really essential, and, if their necessity is agreed, to encourage the use of the model sets of such byelaws, published by the Home Office.<sup>202</sup> The justification of such a policy is the difficulty and confusion that might be caused by numerous and varied byelaws. The Home Office asks parish councils to apply for provisional approval before formally making the byelaws and to accompany this application with a completed, brief, standard Home Office questionnaire about the matter concerned.<sup>203</sup> After byelaws are formally made by the parish

199. Local Government Act 1933 s. 250.

200. The Secretary of State for the Environment is the confirming authority for byelaws relating to cycle parks.

201. Information from the Home Office, 1968.

202. Model Byelaws: Series Xa, as published in 1968, and interview with the N.A.P.C. Deputy Secretary, 1968.

203. Home Office Memorandum on Procedure for Making Byelaws.

council, they must be published (the Home Office demands a copy of the newspaper as evidence) and made available to the public, whose objections the Home Office takes into account before confirming or refusing the byelaws.<sup>204</sup> The Model Byelaws for Pleasure Grounds prohibit certain uses of the ground and damage caused on it and set a maximum penalty of twenty pounds for offences.<sup>205</sup>

Several minor acts of a parish council require ministerial consent. A sale of allotments requires the consent of the Minister of Agriculture,<sup>206</sup> provision of a museum requires that of the Secretary of State for Education,<sup>207</sup> the scale of sexton's fees that of the Home Secretary,<sup>208</sup> the scale of burial plot fees or contributions to the National Trust that of the Secretary of State for the Environment.<sup>209</sup> On the scale of plot fees, the Department is mainly concerned, according to the N.A.P.C. Secretary, to curtail excessive rises in the charge for the cheapest plots.<sup>210</sup>

The above central government controls affect very few parish councils in any one year. A form of check that concerns all parish councils, or at least all except the 6% with no financial transactions,<sup>211</sup> is the District Audit.

204. Local Government Act 1933, s. 250.

205. Model Byelaws. Series Xa, as published in 1968.

206. Allotments Act 1925 s. 8 as amended by Agricultural Land (Utilisation) Act 1931, 2nd schedule.

207. Public Libraries and Museums Act, 1964 s. 12.

208. Burial Act 1900 s. 3.

209. Burial Act 1855 s. 7, Burial Act 1900 s. 4 and National Trust Act 1937 s. 7.

210. Interview with N.A.P.C. Secretary, 1968.

211. R.C.L.G. Report Vol. 3 1969 App. 8 p. 172.

District Auditors, employed by the Secretary of State for the Environment, audit parish councils' annual accounts, not only for financial accuracy, but also for the legality of expenditure.<sup>212</sup> They may, subject to appeal to the Secretary of State, disallow ultra vires expenditure and surcharge councillors for it. The number of such disallowances of parish councils or parish meetings expenditure has gradually decreased over the years; there were about 150 a year before the First World War, about 50 a year in the 1920's and only one or none a year in the mid 1960's.<sup>213</sup> The number of surcharges was 15 or 16 a year for all local authorities recently, of which one a year was for parish councils or meetings.<sup>214</sup> In the years 1961 to 1965 there were two disallowances of parish council expenditure, totalling £33.13.4d. both relating to overpayment of clerks' salaries, and four surcharges, totalling £188.5.3d. all consequent on fraud.<sup>215</sup> In 1966 and 1967 there was one disallowance of £25 and three surcharges, amounting to £194.8.10d. relating to fraud, misconduct and illegal expenditure.<sup>216</sup> These sums are dwarfed by the amounts that parish councils may recover as a result of district audit.

212. Local Government Act 1933 s. 219.

213. Annual Reports of the Local Government Board for 1900 - 1914, Annual Reports of the Ministry of Health for 1919-1925 and information from the N.A.P.C.

214. Annual Reports of the Ministry of Housing and Local Government for 1965 and 1966 and information from the N.A.P.C.

215. Information from the N.A.P.C.

216. Parish Councils Review, Autumn 1968, p. 107.

In one audit district alone there were in two years 57 cases in which a total of £1,550 was recovered, in uncollected fees, unclaimed grants, unclaimed income, tax refunds, over-payments and duplicate payments.<sup>217</sup> In addition to this the district auditors' advice can be financially beneficial to parish councils.

The above description of the structure and organisation of parish councils applies to both English and Welsh parish councils. Although English and Welsh local government reforms are being treated separately by the Government, there has until now been no difference in the legal structure of local government in the two countries. As far as parish councils are concerned there is also little practical difference. A regional analysis of the author's survey of parish councils shows hardly any differences between the English regions and Wales. The most notable difference between Welsh parish government and that of any English region is the smaller proportion of women councillors in Wales. There they form 6% of all parish councillors, English proportions range from 10% in Yorkshire and in East Anglia to 17% in the South-East.<sup>218</sup>

There have been in the twenty five years since 1945 a variety of changes in the functions of parish councils but no important change in the organisation of parish government. The problems connected with parish council election methods

217. Ibid.

218. Survey of parish councils, 1966

have been largely solved. Rating revaluations have effectively raised the limits on expenditure. The conversion of a few small municipal boroughs to a new type of parish and of urban districts to rural parishes is probably a precedent for future changes.

It now seems that more significant changes in the whole structure of parish or community government are possible in the near future. Recent proposals to this end are discussed in the epilogue to this work.

CHAPTER 9

PARISH COUNCILS SINCE 1945:  
THE WORK OF PARISH COUNCILS

The work of parish councils varies considerably both in its extent and in its nature from one parish to another. This is in small part due to the variation in legal powers between parish councils, but mainly due to the fact that they have, unlike other types of local authority, no universally obligatory functions. Their varied work may however be distinguished into two broad categories, the execution of minor functions and the representation of parish interests to other bodies.

The executive work of parish councils is dependent on statutory sanction as it normally involves expenditure. The most important powers are given by general legislation; other powers are obtained for parish councils in particular counties by County Council Acts, further powers may be delegated to parish councils by rural district councils and a few councils derive additional powers from trusts they administer.

The minor nature of the executive functions of parish councils is indicated by the level of their expenditure. In 1964-5 the average expenditure (on current account) of parish councils was £480 each or about £0.35 per head of population compared with total local government expenditure

of about £61 per head of population.<sup>1</sup> Not surprisingly, the councils of parishes with large populations spent more than those of parishes with small population. The median expenditure of all parish councils was just over £100, that of those in parishes under 400 population was about £25 while that of those in parishes of over 1,000 population was between £700 and £800.<sup>2</sup> Fuller details of the relationship of level of expenditure and population of parish are given in Table 25. More noteworthy is the fact that, on the whole, expenditure per head tends to increase with the population of the parish. This is reflected in the level of precepts levied. The median parish council precept was a 2d. rate in 1966.<sup>3</sup> Although the survey figures for 1966 precepts are less reliable than for other items, on account of non-response or uncertainty on this question, it would seem that over half of parish councils in parishes of under 400 population precepted less than a 2d. rate and a quarter of them more than a 1d. rate, whereas over a quarter of

1. Assuming nil expenditure by parish meetings. Unpublished Ministry of Housing and Local Government 'Epitome of Parish Councils' and Meetings' Accounts for 1964-5, (hereinafter referred to as 'M.H.L.G. Epitome of Accounts 1964-5'), Ministry of Housing and Local Government Handbook of Statistics for 1967 (numbers of parish councils not published for previous years). Local Government Financial Statistics for England and Wales for 1964-5 and Registrar-General's Estimates of the Population of England and Wales in 1964.
2. Survey of parish councils, 1966.
3. Ibid.

parish councils in parishes of over 1,000 population precepted less than a 2d. rate and a half of them more than a 2d. rate.<sup>4</sup> A separate survey of 1966 precepts also suggests that the median rate precept was a 2d. rate, but 1d. rate (or possibly nil) for parish councils in parishes of under 400 population, and 3d. rate in parishes of over 1,000 population.<sup>5</sup> More details of precepts levied in different sizes of parishes are given in Table 26. Since 1967 the growth in parish council expenditure and precepts has been slowed, especially in the larger parishes, by the transfer of street lighting functions from parish councils to county councils.<sup>6</sup>

Until 1967 the largest subject of parish council expenditure was public lighting. This has always accounted for a substantial part of parish councils' expenditure, being one of the original powers of parish councils. In 1964-5 it accounted for 33% of all parish councils' current expenditure (£1,210,320) and 26% of all parish councils' loan expenditure (£96,158).<sup>7</sup> Prior to 1966 the only restriction on parish councils' lighting powers was the refusal of their parish meeting to agree to the 'adoption' of the relevant Act or the adoption of the powers for the parish by the rural district council which thus precluded parish adoption. In some of the latter cases, however, the

4. Ibid.

5. Stanyer, J. - County Government in England and Wales, 1967 p. 116

6. By the Local Government Act, 1966 s. 31.

7. M.H.L.G. Epitome of Accounts 1964-5.

rural district council delegated its powers, and the N.C.S.S. between the Wars recommended this method of delegation as a simpler method of obtaining lighting powers for parish councils. In 1958 there were 1,786 parish councils that were lighting authorities<sup>8</sup> and a survey in 1966 suggested that the total might be higher than this.<sup>9</sup> As public lighting was a relatively expensive function for parish councils, it was more commonly undertaken by larger parish councils. In 1966 over half of all parish councils in parishes of over 1,000 population did so, compared with under a third of those in parishes of under 600 population.<sup>10</sup> The Local Government Act 1966 drew a distinction between road lighting and footway lighting, allocating the former (the greater part of public lighting systems) in rural areas to the county councils, but leaving the latter to parish councils (or rural district councils.) Notwithstanding the probability that most public lighting in villages was provided primarily for the benefit of pedestrians, the distinction between footway and road lighting is defined in terms of the height of the lamps and their distance from each other.<sup>11</sup>

Another group of powers that has long been an important, and increasingly important, part of parish councils'

8. Evidence of the N.A.P.C. to the Joint Committee on the Promotion of Private Bills, Report (HL.176-HC.262) 1959 p. 243.

9. Survey of parish councils, 1966.

10. Ibid.

11. Local Government Act 1966, s. 32.

functions is the provision of recreation grounds, playing fields or open spaces. Expenditure on these comprises 23% of all parish councils' current expenditure and 44% of their loan expenditure.<sup>12</sup> About a third of parish councils provide a recreation ground, but this also is work much more likely to be undertaken by larger parishes.<sup>13</sup> Nearly two thirds of parish councils in parishes of over 1,000 population provide recreation grounds, but less than an eighth of parish councils in parishes of under 400 population.<sup>13</sup> To some extent this may reflect a greater availability of alternative places for recreation in more rural villages.

Parish councils may, if their parish meetings agree to 'adopt' the Burials Acts, provide burial grounds. This accounted for 11% of their current expenditure and 7% of the loan expenditure of all parish councils and meetings in 1964-5.<sup>14</sup> Income from charges however provides nearly half of this current expenditure.<sup>14</sup> At least a tenth of parish councils are enabled to spend under the Burial Acts.<sup>15</sup>

The provision of allotments, originally one of the powers most strongly sought for parish councils, has become by now a much less important function. Not only did allotments take up merely 2% of current parish councils' expenditure in 1964-5, but the aggregate income from the

12. M.H.L.G. Epitome of Accounts 1964-5.

13. Survey of parish councils, 1966.

14. M.H.L.G. Epitome of Accounts 1964-5.

15. Annual Reports of the Local Government Board for the years from 1894 to 1914.

exceeded the expenditure by a large margin.<sup>16</sup> This is a result of over-conservative depreciation provision and a lack of demand for new allotments. Demand for allotments has, indeed, so declined that incompletely utilised allotments are a feature of many parishes. Nearly a quarter of parish councils still provide allotments and, again, it is those in larger, rather than the smaller parishes that are most likely to do so, the proportion providing allotments ranging from one in ten of parish councils in parishes of under 400 population to two in five of those in parishes of over 1,000 population.<sup>17</sup>

The other executive functions of parish councils include a great variety of minor powers, some of which are quite widely used, and a few more expensive functions that are undertaken by very few parish councils. The miscellany of minor powers include the erection of war memorials,<sup>18</sup> the provision of bus or other shelters,<sup>19</sup> public seats,<sup>20</sup> litter baskets<sup>21</sup> and public clocks,<sup>22</sup> the care of footpaths<sup>23</sup> and road verges,<sup>24</sup> the planting of trees,<sup>25</sup> the provision

16. M.H.L.G. Epitome of Accounts 1964-5.

17. Survey of Parish Councils, 1966.

18. War Memorials Act 1923 ss. 1-3, as amended by Local Government Act 1948 s. 133.

19. Local Government (Miscellaneous Provisions) Act, 1953 s. 4 and Parish Councils Act 1957 s. 1.

20. Parish Councils Act 1957 s. 1.

21. Public Health Act 1961 s. 1.

22. Parish Councils Act 1957 s. 2.

23. Highways Act 1959 s. 46.

25. Highways Act 1959 s. 82.

of cycle parks<sup>26</sup> and boating pools,<sup>27</sup> and the erection of place name signs and warning signs.<sup>28</sup>

The majority of these powers have been conferred nationally in the last twenty years and largely at the instigation of the N.A.P.C.<sup>29</sup> Such small but useful minor powers have been widely utilised. At least a tenth and perhaps a quarter of all parish councils have provided bus shelters, public seats and litter baskets; in over a hundred parishes the new powers relating to public clocks and roadside verges have been used.<sup>30</sup> In other matters, such as footpath maintenance, parish councils normally prefer to suggest action to others.<sup>31</sup>

Another category of functions are those which involve relatively high expense. The old power to provide baths or washhouses still survives.<sup>32</sup> It is doubtful if more than a few dozen parish councils have ever used these powers, but there is at least one parish council launderette known<sup>33</sup> and one very large parish has been provided with a full length swimming pool by its parish council.<sup>34</sup> The provision

26. Parish Councils Act 1957 s. 4 re-enacted by Road Traffic Act 1960 ss. 91 - 5, and again. by the Road Traffic Regulation Act 1967 ss. 46 - 50.

27. Public Health Act 1961 s. 54.

28. Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970 s. 3.

29. For a list of enactments influenced by the N.A.P.C. see Table 6. The exercise of such influence is described in Chapter 7.

30. Survey of use of new powers by the N.A.P.C.

31. Inspection of Minutes of parish councils by the author.

32. Public Health Act 1936 ss. 221-3, 227, 230.

33. Evidence of N.A.P.C. to the Royal Commission on Local Government in England, App. 6B

34. Ecclesfield (Yorkshire West Riding) Parish Council - Parish Councils Review, Summer 1962, p. 31.

of a village hall is also expensive and for that reason usually undertaken by parish councils in collaboration with other bodies.<sup>35</sup> Parish councils have been prohibited from starting to provide a public library since 1919 and in 1965 the existing 17 parish council libraries were transferred to the county councils.<sup>36</sup> It is interesting to note that 7 of these 17 libraries were provided by Welsh parish councils.<sup>37</sup> A few of these parish councils had ceased to spend anything on their library; the largest libraries were provided in most populous parishes.<sup>37</sup> Parish councils may still, with ministerial consent, provide a museum.<sup>38</sup>

The powers so far described are all ones conferred nationally by public general enactments. Parish councils also receive powers from enactments promoted by their county council, although this practice has been criticised.<sup>39</sup> By 1968 parish councils in seventeen counties had thus been given a variety of powers. Several of such powers have since been conferred nationally, for example the provision of public seats, shelters, litter bins and warning signs, or the maintenance of graves. Other powers are still peculiar to certain counties. In several counties parish

35. The N.C.S.S. encourages and assists such collaboration.

36. Public Libraries Act 1919 and Public Libraries and Museums Act 1964.

37. Parish Councils Review Autumn 1960.

38. Public Libraries and Museums Act 1964 s. 12.

39. This procedure is described in Chapter 7.

councils may provide direction posts;<sup>40</sup> in five counties they may provide car parks;<sup>41</sup> in some three others they may provide apparatus to rescue the drowning.<sup>42</sup> A full list of the powers thus conferred by county general powers acts on parish councils in the various counties is given in Table 7.

A third source of power for parish councils are the rural district councils. These may delegate powers to parish councils or to specially established parochial committees (which consist usually of rural district councillors and parish councillors chosen by the rural district council).<sup>43</sup> Probably about one in twenty parish councils exercise delegated rural district council powers.<sup>44</sup> The number of parochial committees is unknown but they are found in certainly not more than a tenth of all parishes and probably in much fewer.<sup>45</sup>

Rural district councils may also delegate other powers de facto under the guise of consultation for example the

40. Hertfordshire County Council Act 1935, s.32., Cumberland C.C. Act 1948 s. 13, West Riding of Yorkshire C.C. Act 1951 s. 23, Nottinghamshire C.C. Act 1951 s. 38, Berkshire C.C. Act 1953 s. 42, Cheshire C.C. Act 1953 s. 227, Derbyshire C.C. Act 1954 s. 40, Gloucestershire C.C. Act 1956 s. 46, Kent C.C. Act 1958 s. 32, Somerset C.C. Act 1960 s. 7., Devon C.C. Act 1961 s. 19, Durham C.C. Act 1963 s. 29.
41. Berkshire County Council Act 1953 s. 68, Devon C.C. Act 1965 s. 17, Somerset C.C. Act 1967 s. 39, Lancashire C.C. Act 1968 s. 41, Cheshire C.C. Act 1968 s. 18,
42. Somerset County Council Act 1967 s. 25, Lancashire C.C. Act 1968 s. 43, Cheshire C.C. Act 1968 s. 49.
43. Local Government Act 1933 ss. 87 and 88.
44. Survey of Parish Councils, 1966.
45. Ibid.

nomination of tenants for council houses.<sup>46</sup>

Some work of a parish council derives from their administration of parochial secular, charitable trusts. These exist in great variety. Nearly half of all parish councils administer charities or appoint trustees, a quarter deal with more than one such charity and some with eight or more.<sup>47</sup> As these originate from trusts founded in the past rather than present parish council enterprise, there is less difference between more populous and less populous parishes in this respect than in respect of other executive functions. The total income of charities administered by parish councils was £40,637 in 1964-5 and their total expenditure £28,844.<sup>48</sup>

A parish council may accept any gift of property for a local public purpose or the benefit of the inhabitants and spend money on the property if its purpose falls within the legal powers of parish councils.<sup>49</sup> In this way parish councils come to hold temporarily assets of clubs or voluntary organisations that become extinct.

Parish councils may also co-operate with other bodies in undertaking certain functions. This is most usual in the provision of village halls or playing fields, in particular the former. As village halls are expensive items for most

46. An example of such consultation is given in the Report of the (Maud) Committee on the Management of Local Government, Vol. 5, p. 369.

47. Survey of parish councils, 1966.

48. M.H.L.G. Epitome of Accounts 1964-5.

49. Local Government Act 1933 s. 268.

parish councils they are frequently provided by co-operation of the parish council with church organisations, games clubs, Women's Institutes, youth clubs and other local bodies. An examination of the trust deeds of 50 village halls reveals the participation of 359 voluntary bodies in all, an average of 7 per parish.<sup>50</sup> According to the N.C.S.S 1,600 such village trusts have been formed between 1952 and 1966 alone. This type of co-operation with voluntary bodies is thus very common; the extent of other types of co-operation is uncertain as difficulties of precise definition prevent any exact assessment but it would seem that more than half of all parish councils co-operate in some way with voluntary bodies, usually with one or two in the small parishes and with four or five in the largest parishes.<sup>51</sup> Parish councils have no general power to give or to lend to other bodies for purposes for which they may themselves spend. Various enactments however have given them specific powers to contribute to many things, from public clocks to parish halls, from fishery harbours to National Trust properties.<sup>52</sup> Such powers of contribution may be, like executive powers, conferred by County Council Acts, as well as public general enactments. In Somerset and Cheshire, for instance, parish councils may subsidise local entertainments.<sup>53</sup> The long-existing

50. Evidence of N.A.P.C. to the Royal Commission on Local Government in England, App.8.

51. Survey of parish councils, 1966.

52. Parish Councils Act 1957 ss. 2 & 6; Local Government Act 1933 s. 127; Fishing Harbours Act 1915; National Trust Act 1937 s. 7.

53. Somerset County Council Act 1967. s. 40 and Cheshire C.C. Act 1968 s. 80.

power to guarantee the Post Office against losses in providing services,<sup>54</sup> has been rendered useless by the refusal of the Post Office to accept such guarantees.<sup>55</sup>

All the powers of parish councils so far mentioned are specific powers given by legislation or delegation. The rule that any local government body's activity required such specific authorisation for expenditure on it to be legal might be occasionally bypassed by evasion of the spirit of the law in such cases as the provision of a car park by a parish council nominally for the use of those going to the village hall, but de facto for general use. In 1963, however, parish councils, together with other local authorities, were given the power to spend a limited amount for any general benefit to their inhabitants.<sup>56</sup> For parish councils the amount that could be so spent was limited to the product of a 1/5d. rate (now a 0.1p rate) and the only restrictions were that the expenditure must be, in the opinion of the council, in the interests of the parish or its inhabitants and that it must not be used for any purpose for which the council were already authorised, unconditionally or subject to any condition or limitation, to make payments.<sup>56</sup> The purpose of the latter condition is to prevent the use of this power

54. The power was first given in 1895 and is now re-enacted in Post Office Act 1953 s. 51.

55. Evidence of N.A.P.C. to the Royal Commission on Local Government in England, App. 1.

56. Local Government (Financial Provisions) Act 1963 s. 6 (amended by Decimal Currency Act 1969).

to evade limitations or conditions which applied to the exercise of other powers. But there is no prohibition on the use of this power to provide services that another local authority (the county council or R.D.C.) has power to provide. Thus, as their existing powers were fewer than those of other types of local authority, parish councils gained by this act a greater increase in the scope for their activities than other councils, although more limited in financial terms.

Within three years of the enactment of these powers by the Local Government (Financial Provisions) Act, 1963, the 'free fifth' power (as it was nicknamed for brevity) was utilised by one in every five parish councils.<sup>57</sup> In the initial period, at least, however, a quarter of those claiming to use the new power, in fact invoked it for a purpose for which they were already empowered to spend by other enactments.<sup>58</sup> Though this was not the intention of the legislators, it may be regarded as an additional benefit that parish councils thus felt able to do something that ignorance of often complex legislation had previously precluded. The effect of the 'ultra vires' rule and abstruse legislation was thus shown to be not only a devotion of the time of parish councillors, clerks and advisers to examination of enactments and regulations, but also a deterrent to the full effectiveness of the legislation itself.

57. Survey of parish councils, 1966.

58. Parish Councils Review Summer 1965, p. 41.

For 40% of all parish councils the product of a 1/5d. rate was less than £10, and for less than a tenth was it more than £80.<sup>59</sup> This is probably part of the explanation why parish councils in more populous parishes made more use of the new power than those in smaller parishes. 34% of parish councils of over 1,000 population had used the power by 1966, but 13% of those in parishes of under 600 population.<sup>60</sup> In spite of the small size of many of the amounts available for 'free fifth' expenditure, the uses to which the new power has been put have covered a wide range, including improvements to the appearance of villages, provision of public facilities (village surgeries, public telephones, car parks, public lavatories), provision of aids to public safety (lifebelts, well covers, fencing), preservation of old objects (stocks, pinfolds), and assistance to village social welfare organisations (meals on wheels, day nurseries) or other voluntary bodies.<sup>61</sup> As one of the important features of this legislation is the great variety of opportunities opened up for local initiative in taking action for the benefit of the neighbourhood, a list of 178 uses to which the power is known to have been put is given in Table 15. No legislation would have ever covered specifically all the varied purposes for which the 'free fifth' was used.

59. Information obtained by the N.A.P.C. from rural district councils.

60. Survey of parish councils, 1966. A fuller breakdown is given in Table 28.

61. Parish Councils Review Summer 1965, pp. 41-43 and Annual Report of the N.A.P.C. for 1968-9.

Largely as a result of postwar legislation there has been a great change in the executive functions of parish councils between 1945 and 1970. Of the five most important functions of parish councils previously, public lighting has been largely transferred to other authorities, the provision of allotments has greatly declined in importance, the provision of burial grounds and the administration of charities remain parish council functions, and the provision of open space and recreation grounds has increased in importance. The new functions given to parish councils nationally or in particular counties have been nearly all minor powers connected with local amenities, the most used being the powers to provide shelters, seats and litter baskets. This trend to an increase in the minor, that is relatively inexpensive, powers of parish councils, is especially to be seen in the general 'free fifth' powers given by 1963 Local Government (Financial Provisions) Act.

Parish councils may also be able to extend the range of their work by organising voluntary work to achieve what they are not allowed to undertake directly themselves. One parish council successfully organised the clearing and cleaning of the village pond by voluntary labour. Many organise work connected with the entry of villages for 'Best Kept Village Competitions.'

A second type of 'powers of action' that parish councils possess are those of regulation and prosecution. Subject to Ministerial confirmation, parish councils may make byelaws

regulating the use of and preventing disorder or nuisance in their recreation grounds and open spaces and regulating the use of their public baths and washhouses, pleasure boats, cycle parks or mortuaries (or, in Lancashire, regulating the use of the seashore).<sup>62</sup> Councils are encouraged by the Home Office to make use of the model sets of byelaws which exist in respect of public bathings, baths and washhouses, pleasure grounds, pleasure boats and mortuaries.<sup>63</sup> The most common type of byelaws made by parish councils concern recreation grounds but no statistics are kept of the number of sets of byelaws made.<sup>64</sup>

Parish councils have been entitled to prosecute litter droppers since 1958<sup>65</sup> and unlawful loudspeaker operators since 1960.<sup>66</sup> By 1963 at least 31 parish councils are known to have exercised their right to prosecute litter offenders.<sup>67</sup>

This concludes a description of the executive work of parish councils in general but it must be stressed that parish councils differ from other types of local authority in the degree to which their work differs from one council to another. This is due to the fact that parish councils

62. Local Government Act 1894 s. 8 and Public Health Act 1875 s. 164; Open Spaces Act 1906 s. 15; Public Health Act 1936 s. 223; Local Government Act 1894 s. 8 and Public Health Act 1980 s. 44; Road Traffic Regulation Act 1967 s. 46; Public Health Act, 1936 s. 198; Lancashire County Council Act 1968 s.44.

63. Model Sets of Byelaws VIII, IX, X, XII, and XV respectively.

64. Information from the Home Office by letter of 26 Apr. 1968.

65. Litter Act 1958 s.1.

66. Noise Abatement Act 1960 s. 2.

67. Survey by N.A.P.C. of parish councils' use of new powers

have never had any functions that they are all obliged by law to undertake, and the variety of their work has been increased by the miscellany of new powers given to them by recent legislation, especially by the 'free fifth' power. There are parish councils that own a public house<sup>68</sup> or a castle,<sup>69</sup> that have provided a surgery<sup>70</sup> or a subway;<sup>71</sup> there are others that provide no services.<sup>72</sup>

The other broad category of the work of parish councils is their representation of local views to a variety of other bodies.

In some matters parish councils have special rights to make representations. County councils are required to consult parish councils on their footpaths survey for rights of way maps;<sup>73</sup> parish councils can complain to the county councils (and, if that fails, to the Minister) about the rural district council's failure to exercise its housing powers;<sup>74</sup> they can demand that the rural district council removes highway obstructions<sup>75</sup> or that the Medical Officer of Health inspects and reports on houses' fitness for habitation;<sup>76</sup> they must be given notice of proposed sewerage

68. Report of the Joint Committee on the Promotion of Private Bills (#176-HC.262) 1959 p. 243

69. Parish Councils Review, New Year 1966, p. 177.

70. Parish Councils Review, Autumn 1964, p. 110.

71. Parish Councils Review, Autumn 1963, p. 80.

72. 6% of parish councils had no accounts to be audited in 1958-9. Royal (Redcliffe-Maud) Commission on Local Government in England Report 1969, Vol. 3, App. 8 (Hereafter referred to as 'R.C.L.G. Report App.8') p. 172

73. Road Traffic Act 1960 s. 23.

74. Housing Act 1957 s. 171.

75. Highways Act 1959 s. 116

76. Housing Act 1957 s. 157.

works, rights of way extinction or highway closure or diversion.<sup>77</sup>

Similar to parish councils' particular rights of representation or consultation are their rights to appoint members of other bodies. Parish Councils generally have the right to appoint, and to remove if dissatisfied, one third of the managers of county or 'controlled' primary schools for their area.<sup>78</sup> Other appointments differ from parish to parish and include charitable and non-charitable trustees and members of voluntary bodies. One parish council appoints members of a Harbour Board, another members of a Water Undertaking<sup>79</sup> and one county council has arranged that parish councils nominate secondary school governors.<sup>80</sup> Other positions may be filled indirectly by parish council recommendations to the formal appointing body.

In most matters, however, parish councils present their views without any claim to a special right to do so, except the particular status of being a popularly elected statutory body. A random selection of subjects of parish councils' representations includes representations to the county council about library opening hours, to the rural district council about derelict houses, to the police about vandalism, to the county council about the siting of a

77. Public Health Act 1936 s. 15; Highways Act 1959 ss. 110 and 108.

78. Education Act 1944 s. 18.

79. Report of the Joint Committee on the Promotion of Private Bills (HL 176 - HC 262) 1959 p. 243.

80. Cambridgeshire County Council - Arnold Baker, C. - New Law and Practice of Parish Administration, 1970 p. 75.

pedestrian crossing, to the Ministry of Defence about aircraft noise, to a bus company about bus services, to the Electricity Board about planned overhead cables, to the rural district council about foul smells and to the general post office about postal services.<sup>81</sup>

Almost every parish council engages in 'spokesman' activity to some extent. The most comprehensive information on this aspect of parish councils' work results from a survey of parish councils in Oxfordshire and the West Riding of Yorkshire in 1967, undertaken for the Royal Commission on Local Government in England. When the reported pressure group activities were categorised by subject, it was found that nearly all the respondents reported that they had engaged in such activities in the last two years on matters concerning the state of roads and footpaths, that over three quarters of the respondents reported such activities on matters of traffic management and public nuisances, and that over half of them did so on matters of planning and transport.<sup>82</sup> The most notable difference between parish councils in small parishes and those in large parishes concerned vandalism, the subject of representations by a quarter of parish councils in parishes of under 500 population but by three quarters of councils in parishes of over 2,500 population.<sup>82</sup> Comparing different types of

81. Information from Clerks to various parish councils.

82. R.C.L.G. Report App.8, pp. 181-185.

parishes, the study reveals that amenities and planning issues were most discussed by parish councils in residential or mixed (residential and industrial or rural) villages and amenities were least discussed by those in industrial villages, especially mining villages.<sup>82</sup> Further details of the Royal Commission's analysis are given in Table 14.

The work involved in such representations varies widely, from the simple passing on of an elector's complaint to the responsible authority with the council's endorsement to activity such as that of a parish council, which disagreeing with a planning decision and the unwillingness of the county council to produce an outline plan for the area, established a planning committee and, prepared a report and recommendation for discussion with local landlords and the county planning officer.<sup>83</sup>

Although some of parish councils' representations are made to ad hoc bodies, notably the evidence given by 594 parish councils to the Royal Commission on Local Government in England,<sup>84</sup> most of their representations are made to public bodies with whom they are continually in touch.

82. R.C.L.G. Report App. 8, pp. 181-185.

83. Church with Chapel Brampton (Northants) Parish Council - Parish Councils Review Summer 1965 p. 25.

84. Royal (Redcliffe-Maud) Commission on Local Government in England, Report, Vol. 1 1969 pp. 350 - 357. This figure of 594 may be compared with that of 268 and 68 parish councils and meetings who gave evidence of the Local Government Commissions for England and Wales respectively. These were often parishes likely to be involved in county borough expansions.

The most frequent recipients of representations by parish councils are rural district councils and county councils, to whom are sent about half and a third respectively of such parish council queries or demands.<sup>85</sup> The proportion depends on the extent of county council delegation to rural district councils and on the existence or not of any schemes of regular consultation of parish councils.

Regular consultation may be about such subjects as the management of council houses or planning development control. At least one parish council sends monthly report to the county council on the state of roads and hedges within the parish.<sup>86</sup> The schemes of consultation that have gained most publicity in recent years, on account of attempts to make them obligatory by private members' legislation,<sup>87</sup> are those concerned with town and country planning, or more precisely, development control.

The Cambridgeshire scheme of consultation on applications for planning permission has operated since 1962 and is the most comprehensive type. Cambridgeshire County Council notifies the parish councils and parish meetings of every planning application concerning their parish, and asks them to reply within a fortnight, whether or not they have comments to make.<sup>88</sup> Thus no delay is caused to the County Council Planning Committee's consideration of the applications but

85. Survey of parish councils, 1966.

86. Information from parish council clerk.

87. This attempt is described at length in Chapter 7.

88. Parish Councils Review Summer 1965 pp. 21-24.

parish councils and parish meetings that wish to participate must arrange to meet, or for a committee to meet, to fit in with this timetable. An investigation into the working of the scheme was carried out in 1964. This revealed that 30% of parish councils and meetings replied, but this could be broken down in a 58% response on major and a 23% response on minor applications.<sup>89</sup> There was no significant difference in the frequency of response between more and less populous parishes.<sup>89</sup> About a third of the replies were something other than 'no comment' or 'no objection' and of these 'positive' comments, which thus concerned one in nine applications, just over half were acted upon by the County Council Planning Committee.<sup>89</sup>

Some schemes of consultation are less comprehensive. In Oxfordshire, applicants for planning permission are asked to notify parish councils, and those parish meetings that so wish, of their application.<sup>90</sup> The County Council cannot compel such notifications but issues a threat of possible delay if they are not given.<sup>90</sup> The County Council's part is to supply parish councils with a list of dates by which comments on applications must be received, to supply applicants with the addresses of parish council clerks, and then to notify the parish councils of the results of the applications.<sup>90</sup> A number of county councils, and of rural district councils with delegated planning powers

89. Ibid.

90. R.C.L.G. Report App. 8 p. 164.<sup>194</sup>

have started schemes of consultation with parish councils in the last two decades. In at least one case a county council has brought pressure to bear on its rural district councils to establish such consultation.<sup>91</sup> It is estimated that parish councils in about two thirds of all rural district are regularly consulted on planning applications.<sup>92</sup>

Such schemes of regular consultations, however, form only a small part of the continuous correspondence between parish councils and rural district and county councils, most of which takes the form of enquiries or comments from one to the other. The range of subjects of consultation or representation by a rural district council and a parish council can be illustrated by the correspondence received by a Kent parish council from the rural district council in a period of two months between meetings. This consisted of copies of planning applications, letters about a proposed reservoir, a tree preservation order, car parking on the grass verges on a council estate, sewage disposal for a caravan site, a proposed new public footpath, a sewage scheme, the Regional Sports Council and proposals for mail-bus services in rural areas.<sup>93</sup>

Although schemes of regular consultation are a relatively recent phenomenon, parish councils have always regarded part of their role as being the presentation of local opinion to

91. Interview with the N.A.P.C. Secretary, Feb. 1968.

92. Estimate of the N.A.P.C. 1968.

93. Sturry (Kent) Parish Council Agenda for Meeting of 25th May, 1967.

other authorities. The Local Government Act, 1894, gave parish councils rights to complain to the county council about the provision of water and sewerage, to appeal to the county council about the rural district council's implementation of the Public Health Act, and to insist on highway maintenance.<sup>94</sup> Similar rights in respect of housing were given in 1925 and rights to consultation on rights of way maps in 1949.<sup>95</sup> Parish councils have felt free to raise a variety of other matters without such specific rights. Inspection of the Minutes of the small sample of parish councils shows that matters of representation of parish interests have always formed part of parish councils' discussion, that about a quarter or a third of items discussed have referred to other local authorities' discharge of their functions and that the proportion such items form of the total has tended to increase slightly over the years.<sup>96</sup>

Representations by and consultation of parish councils offer another means by which local opinion may be expressed, in addition to that afforded by the rural district and county councillors for the locality. The greater number of parish councillors gives them a possible advantage in discovering local opinion and the parish council is more able to express a synthesis of parish opinion rather than a personal, or party opinion. Parish Councils may also seem more representative

94. Local Government Act 1894 ss. 16 and 19.

95. By the Housing Act 1925 ss. 73 - 75 and National Parks Act 1949 s. 28.

96. Inspection of the Minutes of 11 parish councils for 1895, 1905, 1914, 1925, 1935, 1946, 1955 and 1964.

of local opinion in dealings with other bodies as well as local authorities. Representations by parish councils may not only inform authorities of local opinion, they may also provide local information and facilitate co-ordination of the work of different authorities in the parish. For instance, one parish council claims to have informed the postal authorities of the planned expansion of its population so that more counters were provided for customers at the post office, and to have prevented the creation of one way traffic in a street when another authority was planning to block one end of it.<sup>97</sup>

It is difficult to assess the relative importance of parish councils' executive work and their work as the voice of local opinion. One approximate measure is the amount of time given by parish councils in their meetings to matters of representation or to matters within their own sphere of executive competence. It would seem that about two fifths of their time, on average, is spent on what are strictly 'parish council matters', three tenths on matters of representation to the rural district council, a fifth on matters of representation to the county councils and a tenth on matters of representation to other bodies.<sup>98</sup> These figures are only averages derived from estimates given by a sample of parish council clerks, over a third of whom were unable

97. Swanley (Kent) Parish Council - papers of the then N.A.P.C. Chairman, 1968.

98. Survey of Parish Councils, 1966.

to give even a rough estimate. In any case the estimated allocations of time varied greatly from parish to parish.<sup>98</sup> Some parish councils spent hardly any time considering the administration of their own services, on the other hand some regard representative activity as being more properly the function of the rural district and county councillors. The average proportion of parish council meetings' time given to matters of representation to other bodies is very similar whatever the population of the parish.<sup>98</sup> As parish councils in more populous parishes are generally, by most criteria, more active in their executive functions, this suggests that they are also more active in their representative work. This is corroborated by the findings of the Royal Commission's research. On their definitions, parish councils in parishes of over 1,000 population were more than twice as likely to be 'active' as pressure groups, and correspondingly less likely to be 'inactive' as pressure groups than those in parishes of under 500 population.<sup>99</sup>

Thus parish councils in more populous parishes are more likely to be active in exercising their powers as minor local authorities and in voicing parish opinion to other bodies. It should not, however, be inferred from this that widespread mergers of parishes are to be desired, unless one is willing to disregard the unique attribute of parish councils in rural local government, the fact that they each usually represent a generally recognised community. In so far as local

98. Survey of Parish Councils, 1966.

99. R.C.L.G. Report App. 8 p. 182.

authorities are areas of local option rather than solely of local administration, their identity with particular communities is valuable.

This identification of the parish as the local community by most inhabitants has been well demonstrated by a recent study, carried out for the Royal Commission on Local Government in England, of what they termed 'community attitudes'.<sup>100</sup> The researchers began this examination of community attitudes by asking their national sample of 2,199 electors, 'Is there an area round here, where you are now living, which you would say you belong to, and where you feel at home?'<sup>101</sup> Nearly four in five replied 'Yes', and then, being asked to describe that area, most described a rural parish, an urban ward or a smaller area.<sup>102</sup> In rural districts 44% thought of the parish as their 'home area' and 41% (38% of those who felt that they belonged to such an area) thought of a smaller area.<sup>102</sup> In towns 30% thought of the equivalent of a ward as their 'home area' and 46% thought of a group of streets or a smaller area.<sup>102</sup> This varied with the size of the town; the proportion describing the whole local authority area as their 'home area' fell from 46% of those living in towns of under 30,000 population to 5% in towns of over 250,000 population.<sup>103</sup>

100. Royal (Redcliffe-Maud) Commission on Local Government in England - Research Study 9. Community Attitudes Survey: England, 1969.

101. Ibid. p. 11.

102. Ibid. p. 13.

103. Ibid. p. 15.

The majority said they would be sorry to leave their home areas and such feelings were more prevalent in rural districts and small towns than in large towns.<sup>104</sup> When asked for their attitudes to a change in the size of their local authority, a majority favoured no change, but of those that favoured a change, many more wanted an increase in its size than wanted a decrease.<sup>105</sup> Their reasons were hopes of more efficient services rather than feelings of community interests.<sup>106</sup> When asked about areas of electoral representation, however, electors were more likely to think in terms of their 'home areas'; 54% thought the area unit of representation should be the area of a parish or a ward and 40% thought it should be a smaller area.<sup>107</sup> Their reasons were that this was the limit of the work a councillor could cope with or of the area he could know well.<sup>108</sup>

Thus, of the various local authority areas, only parishes corresponded with an acknowledged 'home area' of the average elector. It was however, not generally desired that such home areas should be the principal areas of local government, for those questioned put efficient administration as their first object in local government and the minority dissatisfied with the present local authority areas thought that these should be enlarged. When, however, what is in question is

104. Ibid. pp. 25-27.

105. Ibid. p. 128.

106. Ibid. pp. 130-2.

107. Ibid. p. 138.

108. Ibid. pp. 140-1.

not the administration of services everywhere desired and everywhere provided, but the provision or not of services according to local desires, it is more reasonable that the locality to be taken into account should be, as far as possible, an acknowledged community. With regard to local councils' function of expressing local opinion, it may be thought reasonable that this should be community opinion, if there is to be a common interest to be expressed; it may be noted that the minority in the survey who were dissatisfied with the present areas of representation in local government, thought that these should be smaller.

The smallest existing elected local authorities, the parish councils, have seen since 1945 a great curtailment of the legal restrictions on their activities, as they have been given a variety of new powers, in particular the 'free fifth' power, and as the real value of the limited amounts that they may spend has risen. That they have taken advantage of these changes is shown by the increase in the amounts they have precepted and spent, not only in money terms, but also in real terms.<sup>109</sup> It is more difficult to say whether or not their work in voicing parish opinion has similarly expanded, but some evidence, such as the spread of planning consultation schemes, suggests that it has. The increase in the variety of parish councils' activities is as important as the increase in their extent.

109. Local Government Financial Statistics and National Income Blue Book. For details see Table. 5.

In so far as local government is the local provision, in the most economically efficient yet humane manner, of services or amenities that are nationally agreed to be essential, there is little part for parish councils; in so far as local government is the separate choice in different localities as to the service or amenities to be locally provided or the manner in which they are to be provided, there is a suitable role for parish councils both in the provision of minor services or amenities and in the expression of local opinion on the provision of others.

## EPILOGUE

THE POSITION OF PARISH COUNCILS  
IN PROPOSALS FOR THE REFORM  
OF LOCAL GOVERNMENT

The last chapter concluded the description of the work of parish councils. As however the English and Welsh local government structure will undergo in the very near future the biggest changes since parish councils were established in 1894, it would not be fitting to end without describing the major proposals that have been made for changes in parish councils' part in the local government system and the present prospect of reform.

The position of parish councils in English and Welsh local government has remained very little changed since they were first established, although there have been changes, in recent years quite numerous ones, in their functions. Local Government reform has been continually under discussion since the last War but until the last few years proposals for local government reform that considered parish councils merely recommended their continued existence. An example of this thinking was the 1956 White Paper on the Areas and Status of Local Authorities which described the work of parish councils as potentially valuable and merely reiterated existing policy that county councils should try, by mergers or groupings of parishes, to give every parish a parish council.<sup>1</sup> No reference was made to the effects that a universal implementation of such a policy in sparsely populated areas would have upon the general identity of parish and community.

1. Area and Status of Local Authorities in England and Wales - A White Paper, 1956.

The most contentious issue in questions of local government reform at that period was the dispute between county boroughs and counties over the spreading suburbs of the boroughs. One of the effects of borough extensions was the extinction of any parish councils that existed in the area concerned. The Local Government Boundary Commission stated in their 1946 Report that they were impressed by the frequency with which borough extensions were opposed with the argument that this would deprive people of their parish councils, and suggested some equivalent to these might be introduced in urban areas.<sup>2</sup> Perhaps in the hope of meeting some arguments against borough extensions, the A.M.C. expressed itself in favour of some sort of parish council equivalent in boroughs. In 1958 the N.A.P.C. issued a paper on 'The Establishment of Urban Village Councils' which advocated the establishment of such councils with minor executive powers as well as an advisory position to the borough councils.<sup>3</sup> The N.A.P.C. proposed that these councils should not necessarily be universal but would be most suitable in rural parishes absorbed by a borough, in self-contained housing estates and in old 'ward' communities.<sup>4</sup> A similar suggestion of parish councils in some urban areas was among the proposals for local government reform recommended

2. Report of the Local Government Boundary Commission for 1946.

3. Royal (Redcliffe-Maud) Commission on Local Government in England (hereafter referred to as R.C.L.G.) - Written Evidence of the N.A.P.C., App. 10.

4. Ibid.

to the Liberal Party by a committee on this in 1962.<sup>5</sup>

Meanwhile following recommendations of the Local Government Commission for county borough extensions, extensions that tended to increase in size as the Commission proceeded with its work, several such extensions occurred and several suburban parish councils ceased to exist. The other part of the 1958 Local Government Act review procedure was the revision of district boundaries in county reviews. In these reviews the dominant belief was that larger districts would be more economic units. Accordingly, smaller rural districts were merged, small urban districts made parishes and small municipal boroughs made rural boroughs, a new form of rural parish with certain special features.<sup>6</sup> However, the Local Government Commission for England had not completed its work and county reviews had hardly begun when, in 1966, the Royal Commission on Local Government in England was appointed to consider not merely boundary alterations and the special problems of conurbations, but the whole structure of local government in England outside Greater London.

Prior to the appointment of the Royal Commission, parish councils seemed to be secure in their minor role in English rural local government. The security of their position seemed to have increased over the previous three decades

5. Local Government - A Report to the Liberal Party, 1962.

6. Rural boroughs are described in Ch. 8 of this work.

but over this period the general perception of their role seems also to have changed, more emphasis being placed on their function of expressing parish opinion to other authorities. This was seen as their main purpose by the Local Government Boundary Commission in their Report for 1947<sup>7</sup> and this aspect of their work was put on a par with their exercise of minor executive powers in proposals for the future of local government as diverse as the 1956 White Paper and the 1965 Bow Group plan.<sup>8</sup> The N.A.P.C. devoted much of its parliamentary efforts in the 1960s to attempts to secure for parish councils not rights of action but rights of consultation - on town and country planning decisions.<sup>9</sup> The N.A.P.C. was unsuccessful but more favourable attitudes to consultation on town and country planning were evinced in the report of the Skeffington Committee, which recommended consultation of parish councils as part of their proposals for wider participation in planning.<sup>10</sup>

The other aspect of parish councils' work, their execution of minor activities, was not ignored. This was ensured by the accession of several new powers by various enactments from the 1950s onwards, and especially by the 'free fifth' power given in 1963, that is the right to spend

7. Report of the Local Boundary Commission for 1947, p. 42

8. Areas and Status of Local Authorities in England and Wales - A White paper, 1956 and New Life for Local Government - A Bow Group Pamphlet, 1965.

9. Described in Ch. 6 of this work.

10. Report of the (Skeffington) Committee on Public Participation in Planning, 1969, p. 11.

up to a 1/5d. rate product on almost anything of general benefit to their parishes.<sup>11</sup> Demand for the extension of this power so as to give scope to local imagination and action without necessitating lengthy parliamentary legislation or detailed restrictions was a very important part of the evidence given by the N.A.P.C. to the Royal Commission on Local Government in England.<sup>12</sup>

In this evidence to the Royal Commission the N.A.P.C. naturally advocated the continued existence of parish councils and parish meetings. Its arguments were basically for the democratic value of parish councils and meetings, claiming that they afforded public participation, drew upon community loyalty, attracted public interest, provided training in public responsibility and facilitated the communication of local knowledge and opinion.<sup>13</sup> Their value in these respects, asserted the N.A.P.C., would be increased if other local authorities became fewer and larger.<sup>14</sup> The principal reform demanded by the N.A.P.C. was a simplification of the law relating to parish councils and an extension of the 'free fifth' idea so that instead of the varied restrictions of ultra vires, there would be only one restriction on expenditure, a general limitation of the total.<sup>15</sup>

11. Described in Ch. 9 of this work.

12. R.C.L.G. - Written Evidence of the N.A.P.C. & Minutes of Evidence of the N.A.P.C.

13. Ibid.

14. Ibid.

15. Ibid.

Among the individual local authorities that sent evidence to the Royal Commission were nearly six hundred parish councils. With a very few exceptions,<sup>16</sup> these all expressed their confidence in the value of parish councils in the local government system and their hope that parish councils might continue to play the same part in any new structure proposed.<sup>17</sup>

The other two national associations representing rural local authorities, the C.C.A. and the R.D.C.A., both, in their evidence, recommended the continued existence of a type of parish council in rural areas, with more emphasis on such councils' function of expressing local opinion than on executive functions.<sup>18</sup>

On the question of parish councils in urban areas, the N.A.P.C. drew attention to its previously published views that these were desirable in some places but did not press this view strongly.<sup>19</sup> The Commission noted that both the C.C.A. and the A.M.C. favoured the establishment of some equivalent of parish councils in towns.<sup>20</sup>

16. Caddington (Bedfordshire) P.C. demanded principally more powers for rural district councils; Amersham (Buckinghamshire) P.C. wished their parish to become an urban district; Weaverham (Cheshire) P.C. wished their parish to be merged into an adjacent urban district.
17. R.C.L.G. - Written Evidence of Parish Councils.
18. R.C.L.G. - Written Evidence of the C.C.A. and of the R.D.C.A.
19. R.C.L.G. - Written Evidence of the N.A.P.C. & Minutes of Evidence of the N.A.P.C.
20. R.C.L.G. Report, Vol. 1, 1969, p. 96.

The Royal Commission did not rely solely on the written and oral evidence proffered to them; they also commissioned research. Two of these research investigations were of particular relevance to the parish councils' part in local government. One was a study of the activity of parish councils;<sup>21</sup> the other was a study of community attitudes.<sup>22</sup> The findings of these have been described in previous chapters of this work.

After consideration of the evidence, the Royal Commission were united in proposing that parish councils (under other names) should continue to fulfil a basically similar role to that they already did. One member of the Commission, however, disagreed with the rest on the basic issue of whether there ought to be a 'one-tier' or a 'two-tier' system of local government and therefore wrote a full length memorandum of dissent.

The majority of the Redcliffe-Maud Commission recommended that in the areas of the 'unitary' local authorities, there should be 'local councils' for the areas of existing parish councils, urban district councils and borough councils.<sup>23</sup> These local councils would be elected bodies that would act as spokesmen for their areas with certain rights to consultation by the higher authorities and would promote local

21. R.C.L.G. Report, Vol. 3, 1963, Research App. 8. pp. 165-196.

22. R.C.L.G. Research Study 9, 1969.

23. R.C.L.G. Report Vol. 1, 1969, p. 96.

24. Ibid. pp. 99-100.

amenities, such as recreation grounds or swimming pools, community centres or entertainments, and local conveniences, such as car parks, lavatories or allotments.<sup>24</sup> The Commission recommended that these local councils should have no duty except to express local opinion and that they should have a general power to spend for any purpose considered to be in the interest of the locality (as by the 1963 Local Government (Financial Provisions) Act) and that there should be, not only no financial limits on their expenditure, but also no financial limits on the exercise of this 'general power'.<sup>24</sup> The only restraint would be the councils' consideration of the wishes of their electors. The Commission also suggested that large local councils might take part in the provision of the major local government services.<sup>25</sup>

Mr. Senior, the dissentient member of the Commission, recommended a two-tier system of local government, but also 'common councils' similar to the others' 'local councils'. These common councils would also be elected bodies with a general power to undertake minor activities and able to express local opinion.<sup>26</sup> They would however, unlike the 'local councils', represent wards not the whole area of large towns, and would exist in metropolitan areas as well as elsewhere.<sup>27</sup> The reasons given for this difference were that Mr. Senior

24. Ibid. pp. 99-100.

25. Ibid. pp. 101-103.

26. R.C.L.G. Report Vol. 2, 1969, pp 126-7.

27. Ibid. pp 128-130.

was anxious that these councils should represent what are popularly accepted as communities and that they should not be diverted from their basic functions into participation in the provision of major services, participation that he considered would recreate the quarrels, costs and blurred responsibilities sometimes criticised in the existing local government system.<sup>28</sup> Mr. Senior agreed there should be no limit on common councils' expenditure, but desired annual elections to concentrate the councils' minds on the cost of their activities.<sup>29</sup>

Thus the basic features of parish councils are apparent in these proposed local councils or common councils; they would be elected councils for each community with powers of expenditure on minor amenities and speaking on behalf of their community to the principal local authorities. The strength of the Commission's belief in the value of local choice is a notable feature of their recommendations on 'local councils'. The odd part of the proposals was the majority view that local councils in towns should represent the whole area of the existing borough or urban district rather than smaller areas which their own research showed to be nearer equivalent to rural parishes in people's identification of 'home areas'. Local councils for towns such as Leeds, Sheffield or Bristol would bear little resemblance to the concept of such a council for every community.

28. Ibid. pp. 128-129.

29. Ibid. pp. 127 and 133.

It would appear that the enthusiasm of the majority of the Commission for the role of 'community councils' in local democracy was reinforced by, and in this matter overcome by, a wish to find a role for as many as possible of the existing local authorities.

The recommendations of the Redcliffe-Maud Commission were broadly accepted by the Labour Government in 1970, including those for local councils with rights to consultation, minor executive powers and the right to make certain appointments.<sup>30</sup> The suggested participation in the major functions of local government was rejected, however, and doubt expressed on a general power to benefit the locality without financial limitation.<sup>30</sup> The Conservative victory in the 1970 election led to another change in the plans for local government reform; district councils in an enlarged form were to survive. On local councils this White Paper was more non-committal, saying only that in rural areas parish councils would remain and that in <sup>other</sup> urban areas they might be retained or established.<sup>31</sup> On the powers and rights of these councils there was a heavy silence.<sup>31</sup>

The structure of local government in Wales has until now been identical to that in England, and so parish councils play the same part there as in England. The reform of Welsh local <sup>g</sup>overnment, however, in recent years has been

30. Reform of Local Government in England - a White Paper, 1970.

31. Local Government in England - Government Proposals for Reorganisation, 1971.

considered separately and the history of proposals for such reform in Wales has followed a separate course to that in England. A separate Local Government Commission for Wales made two successive sets of proposals, both of which would have had the main effect of reducing the number of county councils.<sup>32</sup> The only implementation of these proposals were extensions to Cardiff and Newport county boroughs, as the Government rejected them and promised fresh proposals. No Royal Commission was appointed on Welsh, as they were on English or Scottish, local government. The ensuing Government proposals would have reduced the number not only of county councils but also of second tier authorities.<sup>33</sup> Earlier proposals would not have affected parish councils (except by the demise of a few near Cardiff or Newport); the 1967 White Paper proposed that parish councils, renamed common councils, should continue to function and that the 'free fifth' limit should be raised.<sup>33</sup> It also proposed that such common councils should also exist in urban areas if desired and initially for the existing boroughs and districts.<sup>33</sup> With the publication of the Reports of the Royal Commissions, the Government amended its plans so as to divide Glamorgan and Monmouthshire into three unitary 'city region' authorities, similar to those proposed for England.<sup>34</sup> Within

32. Local Government Commission for Wales. Draft Proposals, 1961. and Final Report and Proposals, 1963.

33. Local Government in Wales - A White Paper, 1970.

34. Local Government Reorganisation in Glamorgan and Monmouthshire - A White Paper, 1970.

these unitary areas there would be 'community councils', but the position of these was left indefinite.<sup>34</sup> This plan to have different systems of local government in South Wales and the rest of Wales was rejected by the new Conservative Government, which in 1971 proposed a two-tier structure similar to that they proposed in England, for the whole country, with community councils (similar to parish councils) in rural, and possibly some urban, areas.<sup>35</sup>

Scotland has a different local government system to that of England and Wales and has no parish councils. A Royal Commission on Local Government in Scotland, however, which reported simultaneously with that for England, expressed approval of the suggested establishment of community councils in their proposed two-tier system of local government.<sup>36</sup> These community councils would be financed by grants and established, primarily to express local opinion but also to exercise minor powers, either for towns and the largest villages (called 'parishes') or for the equivalents of English rural districts (called 'localities').<sup>37</sup> In 1971 the Government declared itself to be in favour of such community councils but for the larger areas.<sup>38</sup> Thus

34. Local Government Reorganisation in Glamorgan and Monmouthshire - A White Paper, 1970.

35. The Reform of Local Government in Wales - A Consultative Document, 1971.

36. Royal Commission on Local Government in Scotland, Report 1969 pp. 206-210.

37. Ibid. pp. 206-210 and App. 13.

38. Reform of Local Government in Scotland - A White Paper, 1971.

their similarity to the proposed English parish councils and Welsh community councils would be very limited.

The pressure groups representing the various local government interests continued to press their cases after the publication of the Royal Commissions' Reports. In February 1970 they were joined by a group formed to press for a type of local authority as yet non-existent, the Association for Neighbourhood Councils, whose aim was to persuade the Government to establish neighbourhood councils as urban counterparts of parish councils. This new association is not an adjunct of the N.A.P.C. but there are close links, as among the founders of the A.N.C. are Mr. Arnold-Baker, Mr. Clark and Mr. Stuart, who are respectively N.A.P.C. Secretary, N.A.P.C. Deputy Secretary and Leicestershire A.P.C. Secretary. The Chairman of the A.N.C., Dr. Young, and its Secretary, Mr. Baker, are both of the Institute of Community Studies. The other founders are Mrs. Jenkins, Chairman of the Consumers' Association, Mr. Reinold, Secretary of the National Federation of Community Associations, Mr. Senior, a journalist and dissenting member of the Redcliffe-Maud Commission, Mr. Sharpe, lecturer and lately research director for the Redcliffe-Maud Commission, and a senior figure from each of the principal political parties, Mr. Blenkinsop, Lord Boyle, and Mr. Grimond.<sup>39</sup>

39. Descriptive Pamphlet put out by the Association for Neighbourhood Councils, 1971.

The proposed neighbourhood councils would represent local wishes, with rights to some consultation by higher authorities, could improve local amenities with the right to precept on the rates and receive grants, and support local voluntary groups.<sup>40</sup> They would be elected in towns, including London, for areas of about 5,000 to 10,000 population, delimited to accord with locally acknowledged communities.<sup>41</sup> The delimitation of the neighbourhoods would thus be a very important part of their establishment. The Association supported its case with the findings of the Royal Commission and its research studies and with surveys sponsored by itself. A survey in six towns showed three quarters of respondents favoured the establishment of neighbourhood councils and 13% to 25% said they might be willing to stand for such councils,<sup>42</sup> compared with the 8% the Maud Committee survey found who said they might stand for existing local councils.<sup>43</sup> A national survey commissioned from the Gallup Poll found a majority in favour of neighbourhood councils, the proportion being higher among younger people and in larger towns.<sup>44</sup>

Despite the Royal Commission's Report and the A.N.C., the prospect of local government reform as it concerns parish councils is now one of less radical changes than recently

40. Baker, J. & Young, M. - The Hornsey Plan, 1971, pp.10-12.

41. Ibid. pp. 8-9, 12-13.

42. Descriptive Pamphlet put out by the Association of Neighbourhood Councils, 1971.

43. Report of the Maud Committee on the Management of Local Government, Vol. 3 The Local Government Elector.

44. Baker, J. & Young, M. - op. cit. pp. 5-6.

seemed possible. The basic concept of the parish council as it has now developed is one of an elected council for the area of each small community precepting upon the rates for its work of expressing local opinion and advice, especially to the higher local authorities, and of carrying out a . . . miscellany of optional executive activities. Such councils will almost certainly exist, as now, in rural areas. It is yet to be seen whether, against present indications, such councils are, as the N.A.P.C. and the Redcliffe-Maud Commission have urged, given not limited and listed powers but rights to consultation and a general executive power, and whether, also against present indications, such councils are, as the A.N.C. and others have urged, established in urban as well as rural areas.

APPENDIX  
AND  
TABLES

APPENDIXTHE SAMPLE SURVEY OF PARISH COUNCILS, 1966The Sample

This was taken from the list of parish councils in the 1965 Municipal Year Book. Entries there are made by the rural district council in whose area a parish lies. Ten rural district councils did not state which of their parishes had a parish council but as these ten (Axminster, Braughing, Chailey, Chester, Chorley, Clare, Newtown & Llanidloes, Petworth, Tenbury and Wokingham) were scattered over the country, it was considered that to ignore them would not substantially affect the sample. This left a total of 7,341 parish councils, which, allowing for the other ten rural districts, may be compared with the total of 7,712 parish councils (including joint parish councils) in England and Wales in 1967 according to the Ministry of Housing and Local Government Handbook of Statistics for 1967. From the 7,341 parish councils, a sample of 1200 was selected at random.

The Distribution of the Questionnaires

The questionnaires were distributed by the County Associations of Parish Councils. It then appeared that some of the sample parishes had no council. Where this was due to misreporting by the rural district council, noth<sup>ing</sup> was done; where the Municipal Year Book's presentation made it uncertain which parish of two or more grouped for rural district council elections, was the one with a parish council, the sample was altered accordingly. County Association secretaries who

suggested that the sample should be altered because some were not members or were known to be unlikely to reply, were asked not to do so. In the event 16 replies were received from parish councils not in the sample. The majority of these seemed to come from councils whose clerk served also a parish councils in the sample and who replied on behalf of the wrong council. As the populations of these 16 parishes were typical of the whole sample, and as to ignore these would distort figures for the extent to which clerks serve more than one council, these replies were used.

#### The Response

Two replies were received from parishes, where there was said to be no parish council. Another reply was received from a county borough clerk, whose office the questionnaire had somehow reached, pointing out that there was no parish council in his town. Of the 1,190 possible respondents, 5 replied that they or their councils refused, for various reasons, to complete the questionnaire; 3 clerks were declared untraceable by the Post Office; 694 (58%) completed questionnaires were returned. It may be that some other non-respondents had no parish council, for the response rate from parishes under 200 population was markedly lower than that for other groups. The response rate for the various population categories is shown in the following table:

Population of parish	Number in sample	Number Replying	Replies as a % of sample
0 - 199	69 6%	31 4%	45
200 - 299	145 12%	83 12%	57
300 - 399	183 15%	101 15%	55
400 - 599	207 17%	115 17%	56
600 - 999	234 20%	140 20%	60
1000 - 4999	322 27%	204 29%	63
5000 +	30 3%	18 3%	60
Total	1190 100%	692 <sup>A</sup> 100%	58

A Another 2 replies were received, with most of the questionnaire completed but with no identification of the parish.

The response rate for the various regions is shown in the following table. There were no important regional variations in response. The Regions are the Standard Economic Planning Regions.

Region	Number in sample	Number Replying	Replies as a % age of sample
North	90 8%	58 8%	64
North-West	52 4%	34 5%	65
Yorkshire & Humberside	100 8%	54 8%	54
East Midlands	127 11%	72 10%	57
West Midlands	103 9%	64 9%	62
South West	210 18%	114 16%	54
South East	251 21%	158 23%	63
East Anglia	147 12%	76 11%	53
Wales	110 9%	64 9%	58
Total	1190 100%	694 100%	58

Those who replied, generally replied to all questions. The average response rate to all except <sup>three</sup> four of the questions was over 98%. The <sup>three</sup> four questions, for which the response rate was markedly lower, were those concerning the time given to various subjects at parish council meetings (63% of the 694 replied), the <sup>number</sup> proportion of electors voting (63% of the 694 replied), and the rate precepted (81% of the 694 replied).

Attention is drawn to the unreliability of the results in these areas, when information on these subjects is given.

#### The Analysis of the replies

In tabulating the replies to each question, parish councils were all categorised in two ways, by the population of the parish and by the region in which the parish is situated. The tables in which parish councils are categorised by the population of the parish are given in this work, but as the categorisation of parish councils by regions revealed very few noteworthy differences between regions (when the different average populations of parishes in the regions was taken into account), these differences are referred to in the text but the full tables are not given in this work.

TABLE 1OCCUPATIONS AND SOCIAL CLASS OF PARISH COUNCILLS 1894

This analysis of the occupations of the first parish councillors is based on a survey by the Local Government Board, reported in their Annual Report for 1894-5 pp. 51-59. The survey covered all parish councillors (3,227) elected in 1894 to 410 parish councils in the area of 26 Unions.

Occupations were classified, for comparison with the 1966 survey, by means of the same 1966 Registrar-General's Classification of Occupations.

<u>Class</u>	<u>Number</u>	<u>% age</u>
Social Class I	194	6
Social Class II	1591	49
Social Class III Non-Manual	97	3
Social Class III Manual	587	18
Social Class IV	262	8
Social Class V	280	9
Gentlemen	190	7
Ladies	15	
Military	11	

N = 3,227

TABLE 1 (contd)

<u>Occupation</u>	<u>Number</u>	<u>% age</u>
Farmers	1,008	31
Yeomen	31	1
Market Gardeners or Nurserymen	44	1.5
Gardeners	46	1.5
Publicans	77	2
Grocers	89	3
Bakers	32	1
Bootmakers	36	1
Blacksmiths	53	2
Carpenters & Joiners	112	3
Wheelwrights	27	1
Builders	51	2
Bricklayers	24	1
Labourers	269	8
Miners	54	2
Schoolmasters	39	1
Clergymen	104	3
Ministers	14	0.4
Gentlemen, Peers etc.	190	6

N = 3,227

TABLE 2

NUMBER OF ACTIVE PARISH COUNCILS 1896-1915

Year	Number of parishes	Number of parish councils	Number of parish councils with accounts	Number of parish councils with charity accounts	Number of parish councils receiving loan sanction +
1896-7					41
1897-8	13,103	7,384	7,076	424	37
1898-9	13,062	7,336	7,014	405	
1899-00	13,021	7,292	6,887	380	71
1900-1	13,011	7,275	6,706	376	41
1901-2	12,993	7,259	6,739	364	29
1902-3	12,985	7,250	6,531	360	40
1903-4	12,876	7,152	6,453	362	29
1904-5	12,969	7,245	6,467		33
1905-6					26
1906-7	12,934	7,231	6,582		12
1907-8	12,928	7,216	6,728		20
1908-9	12,906	7,210	6,547		28
1909-10		7,216	6,566		36
1910-11					28
1911-12		7,223	6,734		43
1912-13		7,229	6,563		36
1913-14		7,214	6,548		46
1914-15					37
1920-21			6,225		
1934-35			6,714		

+ in calendar year, not financial year

Year	<u>Number of parish councils and meetings spending on:-</u>				
	burial grounds	public lighting	baths and washhouses	libraries	public improvements
1896-7	356	622	5	21	2
1897-8	398	687	5	23	3
1898-9	474	721	10	27	2
1899-00	581	773	12	25	1
1900-1	651	798	14	25	1
1901-2	684	838	17	28	4
1902-3	716	877	17	27	3
1903-4	763	893	17	34	3

Source: Annual Reports of the Local Government Board.

TABLE 3

AVERAGE RATES RAISED BY DIFFERENT TYPES OF  
RURAL LOCAL AUTHORITY, 1895-1920

	<u>1895-6</u>	<u>1899-1900</u>	<u>1904-5</u>	<u>1909-10</u>	<u>1913-4</u>	<u>1919-20</u>
Average rate in the £ raised by:						
Parish Councils and Meetings	0.7d.	0.7d.	0.7d.	0.7d.	0.9d.	1.2d.
Burial Authorities <sup>1</sup>	?	0.2d.	0.2d.	0.2d.	0.1d.	-
Rural District Councils	11.4d.	16.7d.	21.2d.	21.4d.	24.0d.	30.5d.
Guardians	12.3d.	12.7d.	14.3d.	14.4d.	13.9d.	19.2d.
School Boards (England)	8.0d.	9.7d.	-	-	-	-
School Boards (Wales)	9.6d.	11.5d.	-	-	-	-
County Councils	6.3d.	6.8d.	16.4d. <sup>2</sup>	21.0d.	27.0d.	43.9d.

- 1) Burials expenditure was distinguished from other parish council expenditure.
- 2) The Education Act 1902 made education a county council responsibility in rural areas.

Sources:- The Royal (Onslow) Commission on Local Government, Minutes of Evidence Volume 1, Evidence of Ministry of Health p. 165 and Annual Reports of the Local Government Board.

TABLE 4

A. EXPENDITURE OF PARISH COUNCILS AND PARISH MEETINGS IN 1896-9,

1934-5 AND 1964-5.

	Expenditure (Capital+Current)			Loan Charges (Interest+Repayments)			Expenditure (Total)			
	1896-9(Av.) <sup>1</sup>	1934-5	1964-5	1896-9	1934-5	1964-5	1896-9(av.)	1934-5	1964-5	
Figures are of £,000 and expressed to the nearest £1,000.										
<u>Overheads</u>										
Salaries	6	3%	65	12%	696	18%	-	6	65	696
Established charges	17	9%	28	5%	108(+)	3%	-	17	28	119(+)
Meetings and elections	15	8%	14	3%			11	15	14	
<u>General Expenditure</u>										
Allotments	27	15%	48	9%	75	2%				84
Parks and Commons	6	3%	45	8%	795	21%				893
Footpaths (and Bus-shelters 1964-5)	11	6%	18	3%	95	3%	?	?	204	96
Fire Engines	5	3%	21	4%	-	-				-
Miscellaneous (incl. village halls)	19	11%	40	8%	483(-)	13%				511(-)
<u>'Special' Expenditure<sup>2</sup></u>										
Public Lighting	47	26%	183	34%	1,209	32%			185	1,297
Burial Grounds	28	15%	56	11%	217	6%			73	246
Libraries	0	0%	5	1%	63(-)	2%	?	?	6	65(-)
Baths and Washhouses	0	0%	1	0%	28	1%			1	36
Public Improvements	0	0%	1	0%	under misc.				1	-
	183		531		3,771					
<u>Charity Funds</u>	?		6		29			?	6	29
<u>Total</u>	183		537		3,799		?	?	587	4,042

+ charity funds

TABLE 4 (contd.)

Expenditure at 1900 prices

£,000 Capital and Current Expenditure

	<u>1896-9(av.)</u> <sup>1</sup>		<u>1934-5</u>		<u>1964-5</u>	
	Actual	At 1900 prices	Actual	At 1900 prices	Actual	At 1900 prices
<u>Overheads</u>						
Salaries	6	6	65	40	696	119
Establishment Charges	17	17	28	17	} 108(+)	18(+)
Meetings & Elections	15	15	14	9		
<u>General Expenditure</u>						
Allotments	27	27	48	29	75	13
Parks & Commons	6	6	45	27	795	136
Footpaths (& Bus Shelters)	11	11	18	11	95	16
Fire Engines	5	5	21	130	-	-
Miscellaneous	19	19	40	24	483(-)	82(-)
<u>Special Expenditure</u>						
Public Lighting	47	47	183	111	1,209	206
Burial Grounds	28	28	56	34	217	37
Libraries	0	0	5	3	63(-)	11(-)
Baths & Washhouses	0	0	1	1	28	5
Public Improvements	0	0	1	1	under misc.	
<u>Total</u>	183	183	531	323	3,771	664
Charity Funds	?	?	6	4	29	5
<u>Total</u>			537	326	3,800	649

(-) and (+) indicate that the figures are probably a little overstated or understated respectively.

1. The mean figures for the years 1896-7, 1897-8 and 1898-9. These exclude the expenditure of parish meetings, which was another £1,400 a year.
2. The price index used is that given in Butler, D. and Freeman, J. - British Political Facts 1900-1967, 1968, pp. 222-4.

For an alternative presentation of 1964-5 expenditure, see also Table 12.

TABLE 4 (contd.).(B) PARISH COUNCIL LOAN SANCTIONS 1895-1915 AND  
LOAN DEBT 1935 AND 1965

The available information for 1896-9 and 1934-5 does not distinguish between current and capital expenditure, but does offer a breakdown of loans sanctioned (1894-1921) and outstanding loan debt (1935)

Loans sanctioned in £,000	<u>1895-1905</u>	<u>1905-1915</u>
Total	187	220
for		
Burial Grounds	146	105
Allotments	6	63
Recreation Grounds	6	35
Parish Rooms & Public Buildings	21	9
Public Lighting	4	3
Fire Stations (from 1899)	4	5
other purposes	1	0

The other purposes were reading rooms, the improvement of parish property and a mortuary.

Loan debt outstanding in £,000	<u>1935</u>	<u>1965</u>
Total	500	2,567
for		
Burial Grounds	150	303
Public Lighting	22	807
Allotments	198	145
Parks and Commons	86	818
Village Halls	22	} 491
other purposes	20	

The other purposes in 1935 were fire brigades, public baths, a refuse dump, libraries, public conveniences and a purchase of foreshore. The other purposes in 1965 included public baths (£102,000) and libraries (£46,000)

The statistics of parish councils' expenditure at different times is presented in the above form in order to render comparable, as far as possible, the available figures.

TABLE 4 (contd).

The 1896-9 figures are taken from the Annual Reports of the Local Government Board for these years and represent the mean aggregate expenditure of about 7,000 parish councils in 1896-7, 7,076 in 1897-8 and 7,014 in 1898-9. It may be noted that, in addition, about 600 parish meetings in 1896-7, 508 in 1897-8 and 439 in 1898-9 spent a mean aggregate of £1,400 each year. The 1934-5 figures are taken from unpublished statistics collated by the Ministry of Health, and represent the aggregate expenditure of 6,714 parish councils and 717 parish meetings. The 1964-5 figures are taken from unpublished statistics collated by the Ministry of Housing and Local Government.

TABLE 5

AGGREGATE EXPENDITURE, AGGREGATE PRECEPT  
INCOME AND AVERAGE RATE PRECEPTED BY PARISH  
COUNCILS AND PARISH MEETINGS IN VARIOUS  
YEARS 1895-6 TO 1968-9

<u>Year</u>	<u>Expenditure (£,000)<sup>A</sup></u>		<u>Precept Income (£,000)</u> <u>Actual at 1900 prices.</u>	<u>Average Rate</u> <u>Precepted</u> <u>(d in the £)</u>
	<u>Actual at 1900 prices</u>			
1895-6	175			0.7
1896-7	187			
1897-8	184			0.7
1898-9	183			0.6
1899-1900	189			0.7
1900-01	191	191		0.6
1901-2	207	204		0.7
1902-3	229	224		
1903-4	211	204		
1904-5	225	215		0.7
1905-6	221	214		
1906-7	225	217		
1907-8	223	208		
1908-9	223	204		
1909-10	230	211		
1910-11	234	212		
1911-2	258	230		
1912-3	293	253		
1913-4	261	225		0.9
1914-5				
1915-6				
1916-7				
1917-8				
1918-9				
1919-20				1.2
1920-1				
1921-2				
1922-3				
1923-4				
1924-5				
1925-6				
1926-7				
1927-8				
1928-9				
1929-30				
1930-31				
1931-2				
1932-3				
1933-4				
1934-5	532(587)	328(362)		3.3
1935-6	(652)	(397)		3.8
1936-7	(620)	(366)		3.4
1937-8				

TABLE 5 (contd).

<u>Year</u>	<u>Expenditure (£,000)</u> <u>Actual at 1900 prices</u>	<u>Precept Income (£,000)</u> <u>Actual at 1900 prices.</u>	<u>Average Rate</u> <u>Precepted</u> <u>(d in the £)</u>		
1938-9					
1939-40					
1940-41					
1941-2					
1942-3					
1943-4					
1944-5					
1945-6					
1946-7					
1947-8					
1948-9					
1949-50					
1950-51		795	215	4.6	
1951-2		842	210	4.8	
1952-3		940	215	5.3	
1953-4		1107	254	6.3	
1954-5		1066	244	5.7	
1955-6		1182	261	6.1	
1956-7		1340	279	4.0	
1957-8		1463	299	4.3	
1958-9		1586	317	4.5	
1959 60		1814	363	4.4	
1960-61		1917	375	4.6	
1961-2		2090	400	4.9	
1962-3		2276	421	5.1	
1963-4		2583	472	2.2	
1964-5	3771(4042)	709(760)	3036	539	2.4
1965-6		3427	585	2.6	
1966-7		3948	629	2.9	
1967-8		3705	575	2.6	
1968-9		3797	562	2.6	

A = excluding charities expenditure and loan charges.

Figures in brackets include these items.

Sources: Annual Reports of the Local Government Board.  
 Royal (Onslow) Commission on Local Government, Evidence.  
 Unpublished Minutes of Health statistics (for 1934-5)  
 and Ministry of Housing and Local Government statistics  
 (for 1964-5).  
 Local Government Financial Statistics for England & Wales.  
 Rates and Ratable Values for England and Wales.  
 (for index of inflation) Butler D. and Freeman J.  
 British Political Facts 1900 - 1967 and National  
 Income Blue Book 1970.

TABLE 6

ENACTMENTS THAT THE N.A.P.C. CLAIMS TO HAVE INFLUENCED, 1948-1965

Local Government Act 1948	ss. 111-117	authorised various allowances to councillors.
"	s. 129	authorised subscriptions to local authorities' associations.
"	s. 130	allowed parish councils to insure their employees.
National Parks Act 1949	s. 28	made county councils consult parish councils and their parish meetings about footpaths survey.
Local Government (Miscellaneous Provisions) Act 1953	ss. 4-7	provision of Bus Shelters by parish councils authorised.
	s. 16	allowances to parish councillors.
Local Government Elections Act 1956		synchronised R.D.C. and parish councils elections
Parish Councils Act 1957	s. 1	authorised parish councils to provide seats and shelters by the roadside.
"	s. 2	authorised parish councils to provide public clocks.
"	s. 3	replaced the 1833 Lighting and Watching Act as authority for street lighting.
"	s. 8	abolished some county council controls on parish councils.
"	s. 9	authorised parish councils to insure against accidents to members.
	s. 10	authorised contributions by parish councils to churchyards etc.
	s. 12	raised the maximum number on a parish council to 21.
Recreational Charities Act 1958	s. 1	confirmed the charitable status of trusts providing village halls.

TABLE 6 (contd).

Local Government Act 1958	ss. 17-25 & 28-33	on local government re- organisation.
"	s. 54	widened the range of trustee stocks in which a parish council can put money.
"	s. 56	authorised County Council grants to parish councils for open spaces.
Litter Act 1958	s. 1	empowered parish councils to prosecute for litter offences.
Physical Training & Recreation Act 1958		authorised parish councils to lend money to voluntary bodies for baths or play- ing fields.
Town & Country Planning Act 1959.	s. 28	authorised parish councils to use land appropriated for one purpose for another.
Highways Act 1959	ss. 1-3 & 11-13	authorised parish councils to provide lighting on certain new roads.
"	s. 33	authorised parish councils to make agreements for the dedication of new footpaths and to maintain these.
"	ss. <sup>5</sup> 46 & 33	authorised parish councils to supplement a highway authority's or private individual's maintenance of footpaths.
"	s. 50	made notification of the parish council essential to highway closure.
"	s. 82	authorised parish councils to plant shrubs etc. in highway verges.
Charities Act 1960	s. 37	allowed the transfer to parish councils of charities for recreational or allotment purposes.

TABLE 6 (contd).

Road Traffic Act 1960	ss.	91-95	added to the places where parish councils might establish cycle parks.
Highways (Miscellaneous Provisions) Act 1961.	s.	4	authorised grants by highway authorities to parish councils which maintained footpaths.
Licensing Act 1961	s.	12	made obligatory the notification to the parish council of application for a licence.
Public Health Act 1961	s.	45	allowed the attachment of street lamps to buildings.
"	s.	51	authorised parish councils to provide litter bins in recreation grounds.
"	s.	54	authorised parish councils to recover up to £20 summarily as a civil debt.
Rating & Valuation Act 1961	s.	13	wholly derated open recreation grounds.
Local Government (Records) Act 1962			provided for the keeping of parish councils records,
Local Government (Financial Provisions) Act 1963	s.	1	authorised allowances to councillors attending meetings to discuss local authority matters or certain local matters.
"	s.	6	authorised parish councils to spend up to 1/5 rate on (almost) any purpose they think is in the interests of the area.
Local Government (Pecuniary Interests) Act 1964			exonerated trivial interests.
Public Libraries & Museums Act 1964	s.	12	authorised parish councils that were library authorities to contribute to other libraries or museums.

TABLE 6 (contd)

Finance Act 1965	ss. 35 & 66	exempted charities, local authorities and local authority associations from income, corporation and capital gains taxes.
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Between 1965 and 1970 the N.A.P.C. claims to have influenced legislation in 27 particulars, including the five sections of the Parish Councils and Burial Authorities (Miscellaneous Provisions) Act, 1970, passed at the N.A.P.C.'s instigation.

Sources - Annual Report of the N.A.P.C. for 1964-5, p. 21  
Parish Councils Review Autumn 1970, p. 129.

TABLE 7.POWERS CONFERRED ON PARISH COUNCILS BY ENACTMENTS PROMOTED BY COUNTY COUNCILS 1935-1968

<u>Power</u>	<u>Number of counties where the power was conferred</u>	<u>Dates conferred in these counties</u>	<u>Date conferred by public general act</u>
Provision of direction posts	13	1935-1963	-
Provision of litter bins	8	1935-1956	1961
Provision of public seats	9	1937-1956	1957
Provisions of shelters	3	1948-1953	1953 & 1957
Provision of boating pools	3	1948-1956	1961
Park Keepers may be sworn as constables	1	1948	-
County Council may contribute to open spaces	3	1948-1956	1958
Provision of warning signs	10	1948-1963	1970
Summary recovery of damages (lamp posts)	7	1948-1957	1957
Maintenance of graves	11	1951-1968	1970
Erection of street lamp brackets	3	1952-1953	1957
Provision of car parks	5	1953-1968	-
Powers re damage to trees and plants in public places	1	1954	-
Powers re stopping up and diversion of highways	4	1954-1964	-

TABLE 7 (contd)

<u>Power</u>	<u>Number of counties where the power was conferred.</u>	<u>Dates conferred in these counties</u>	<u>Date conferred by public general act</u>
Powers re defacing of road surfaces and direction posts	1	1960	-
Powers re trees, verges and gardens	2	1960-1964	-
Provision of bus stop signs	3	1963-1968	1970
Provision of village place namesigns	5	1963-1968	1970
Provision of rescue apparatus	3	1967-1968	-
Provision of entertainments	2	1967-1968	-
Donation of prizes for allotments competitions	1	1968	-
Making byelaws for sea- shore	1	1968	-

TABLE 7 (contd)

<u>County</u>	<u>Number of 'parish councils clauses' in county acts 1935-1968</u>	<u>Dates of these acts</u>
Hertfordshire	5	1935-1960
Cumberland	13	1948-1964
Lancashire	5	1951-1968
Nottinghamshire	7	1951
Yorkshire - West Riding	5	1951-1964
Essex	2	1952
Glamorgan	3	1952
Berkshire	13	1953
Cheshire	11	1953-1968
Derbyshire	8	1954
Gloucestershire	8	1956
Monmouthshire	7	1956
Buckinghamshire	1	1957
Kent	2	1958
Somerset	8	1960-1967
Devon	4	1961-1965
Durham	4	1963

Sources: Report of the Joint Committee on the Promotion of Private Bills (H.L.176-HC.262), 1959, pp. 240-242, and N.A.P.C. Circular No.239, 1969.

TABLE 8

NUMBER OF REQUESTS MADE BY PARISH COUNCILS TO THEIR  
ASSOCIATION OF PARISH COUNCILS IN THE YEAR, 1965-6 -  
BY POPULATION OF PARISH

Percentage of Parish Councils making the  
following numbers of requests in a year

	<u>None</u>	<u>1</u>	<u>2</u>	<u>3 or 4</u>	<u>5 or more</u>	<u>N=</u>
All	45	19	17	14	5	666
Population of parish						
0-199	73	13	10	3	-	30
200-299	57	18	16	8	1	17
300-399	66	10	8	14	2	100
400-599	42	19	20	15	5	107
600-999	41	25	17	14	4	137
1,000-2,999	32	21	21	16	10	166
3,000 +	33	19	23	17	8	48

Source: Author's survey

TABLE 9

A. PROPORTION OF PARISH COUNCIL ELECTIONS CONTESTED IN 1964-6  
BY POPULATION OF PARISH.

<u>Population Range</u>	<u>% contested</u>	<u>% uncontested</u>	<u>N =</u>
0 - 199	16	84	31
200 - 299	10	90	80
300 - 399	26	74	98
400 - 599	37	63	111
600 - 999	40	60	138
1000 - 2999	38	62	164
3000 +	59	41	51
ALL	34	66	674

Source: author's survey.

Note: This survey was of a sample of parish councils in England and Wales.

A further survey by the Royal Commission on Local Government found that in the same years 32.2% of 6,538 English parish council elections were contested - Report, Vol. 3, Research App.8 p. 169.

A survey by the Royal Commission on Local Government of parish councils in Oxfordshire and the West Riding of Yorkshire found that in the same years 38.3% of those 444 parish council elections were contested.

Their information suggests a higher proportion of contests in all sizes of parish but confirms that contests are more likely the larger the parish. The above table may be compared with that in the Report, Vol. 3, Research App.8 p. 177.

B. PERCENTAGE OF ELECTIONS CONTESTED IN 1964-6 - BY TYPE OF  
LOCAL COUNCIL

<u>Elections for</u>	<u>% contested</u>	<u>% uncontested</u>	<u>N=</u>
Parish councils,	34	66	674
rural district councils,	31	69	14,713
urban district councils and	31	69	
municipal borough councils	25	25	14,780
county councils	47	53	3,760
(excluding Greater London)			
county borough councils	9	91	4,053

Source: for parish council elections, author's survey; for other elections, Registrar-General's Statistical Review of England and Wales for 1964, 1965 and 1966.

TABLE 10

CHARACTERISTICS OF PARISH COUNCILLORS (1966) AND OTHER LOCAL COUNCILLORS (1964)

## A. Age of Councillors.

<u>Type of Authority</u>	Percentage of Councillors aged					N =
	under <u>35</u>	35- <u>44</u>	45- <u>54</u>	55- <u>64</u>	65 or <u>more</u>	
Parish Councils	4	17	31	30	17	5502
Rural District Councils	3	13	24	32	27	1362
Urban District Councils	6	17	30	32	15	843
Municipal Borough Councils	6	19	28	29	18	717
County Councils	1	8	21	35	34	470
County Borough Councils	6	20	26	29	19	439
Metropolitan Borough Councils	12	21	23	25	18	139

B. 13% of 5760 parish councillors were women (1966)

12% of 3970 other local councillors were women (1964)

TABLE 10 (contd)

## C. Occupation of Councillors.

<u>Percentage whose occupations are of</u>	<u>Parish Councillors, 1966.</u>	<u>Other local Councillors 1964.</u>	<u>Adult Male Population 1963.</u>
Registrar General's Class I	6	9	3
Registrar-General's Class II	45	48	13
Registrar-General's Class III (Non-Manual)	8	13	14
Registrar-General's Class III (Manual)	15	17	37
Registrar-General's Class IV	6	7	17
Registrar-General's Class V	4	3	8
Unclassifiable (A)	16	3	8
N =	5,654	3,970	8,365

(A) No occupation or insufficient evidence.

## Percentage whose occupation is

	<u>Farmer</u>	<u>Farm Worker</u>	N =
Parish Councillors (1966)	24	2	5,654
Rural District Councillors	35	0	1,362
Urban District Councillors	2	0	843
Municipal Borough Councillors	1	-	717
County Councillors	16	0	470
County Borough Councillors	0	-	439
Metropolitan Borough Councillors	-	-	139

Sources - for parish councillors, 1966 - author's survey; for other councillors, 1964 and adult population, 1963 - (Maud) Committee on the Management of Local Government 1967, Vol. 2 pp. 16,35 and 23.

TABLE 11

PENNYRATE PRODUCTS OF PARISH COUNCILS 1956 AND 1963

<u>Number of parish councils having a ld. rate product of</u>	<u>in 1956</u>		<u>in 1963</u>	
up to £10	1,600	19%	20	0%
£10-20	2,532	30%	230	3%
£20-30	1,172	14%	1,156	16%
£30-40	658	8%	928	12%
£40-50	518	6%	680	9%
£50-100	1,034	12%	1,725	23%
£100-200	720	8%	1,184	16%
£200-300	184	2%	542	7%
£300-400	50	1%	292	4%
£400-500	26	0%	216	3%
over £500	50	1%	494	7%
	<hr/>		<hr/>	
	4,272		7,467	

Source: National Association of Parish Councils' National Circular No. 161.

The information was obtained by the N.A.P.C. from the rural district councils. In 1956 only about half the figures were tabulated.

TABLE 12

INCOME AND EXPENDITURE OF PARISH COUNCILS AND PARISH MEETINGS 1964 - 1965.

In respect of	Income £				From other sources	Total of current income	% age	Loans received	Exp	
	Precept	From Central Government	From other local authorities	From other sources					General Current	Interest paid
General Administration		5	19,252		33,528	52,785	1%		430,864	2,023
Public Lighting		281	52,746		59,376	112,403	3%	96,237	1,122,958	41,612
Parks and Open Spaces		6	37,047		178,677	215,720	5%	173,037	782,684	38,095
Burial Grounds		441	18,163		135,637	154,241	4%	20,091	387,775	15,146
Allotments		198	3,681		139,884	143,763	4%		75,257	5,422
Footpaths			4,193		8,704	12,897	0%		95,311	253
Libraries and Museums			2,288		15,137	17,425	0%	12,000	50,487	1,133
Baths and Washhouses			2,128		19,894	22,022	1%		40,665	5,838
Miscellaneous		516	19,284		248,530	268,330	7%	108,688	414,708	12,418
Precept	3,036,837					3,036,837	75%			
Total	3,036,837	1,447	158,782		839,357	4,036,423		410,053 → 410,053	3,400,709	121,940
Percentage	75%	0%	4%		21%	100%			93%	3%
Charity Funds			1,248		39,389	40,637			28,844	
						4,077,060			4,077,060	
									4,487,113	

## e n d i t u r e

<u>Loan Repayments</u>	<u>Total Current</u>	<u>% age</u>	<u>Loan expenditure</u>	<u>In respect of</u>
8,842	441,729	12%		General Administration
45,750	1,210,320	33%	96,158	Public Lighting
29,260	850,039	23%	166,860	Parks and Open Spaces
13,944	416,865	11%	24,350	Burial Grounds
3,768	84,447	2%		Allotments
532	96,096	3%		Footpaths
1,049	52,669	1%	13,000	Libraries and Museums
2,489	48,992	1%	851	Baths and Washhouses
15,454	442,580	12%	68,576	Miscellaneous
<hr/>				
121,088	3,643,737		369,795 - 369,795	Total
3%	100%			Percentage
	28,844			Charity Funds
	392,686			Increase in cash in
	40,258			hand - rate fund account
	11,793			- loans account
	<u>4,117,318</u>		<u>4,117,318</u>	- charity funds a/c
			<u>4,487,113</u>	

NOTE (1) £695,830 of the current expenditure was spent on salaries

NOTE (2) There are no figures available for parish councils' assets. Their outstanding loan debt in 1965 was £2,567,994. The balances in hand of the charity funds in 1965 were £66,569.

SOURCE: These figures have been made available by the Ministry of Housing and Local Government and are derived from an analysis of the Financial Statements of parish councils. Some of the figures have been published in the Report of the Royal Commission on Local Government Vol. 3 p. 171.

TABLE 13.USE TO WHICH THE 'FREE FIFTH' HAS BEEN PUTSmall Public Properties

Resurfacing a road or market  
 Removing a war memorial  
 Providing a public telephone  
 Making an artificial village green  
 Purchasing a film projector  
 Constructing a culvert  
 Providing a village surgery  
 Making a garden of rest in a non-maintained churchyard  
 Erecting a war memorial outside the parish  
 Contributing to a footpath improvement  
 Erecting a plaque showing the site of an ancient inn  
 Purchasing an invalid wheel chair  
 Providing a mobile lavatory for the Harvest Festival  
 Purchasing a book for the parish  
 Repairing a children's W.C.  
 Providing a doctor's car radio  
 Erecting memorials to local worthies  
 Putting a footpath gate in a fence  
 Providing a public seat outside the parish  
 Providing a car park  
 Kerbing the roadside  
 Providing a public lavatory  
 Repairing a bier-house or shelter  
 Repairing a round house  
 Contributing to the making up of a highway  
 Purchasing a bible for a school  
 Making a turning bay by the road  
 Providing a duck-house for the village pond  
 Providing telephones at almshouses and stations

Preservation or Restoration of Old Objects or Buildings

Preserving stocks, firehooks or pinfolds  
 Restoring a church or chapel  
 Repairing a Jubilee arch, a pound, a bier-house, or a  
 market or village cross  
 Repairing a windmill  
 Contributing to a local Preservation Society

Improvement of Appearance of Villages

Taking part in the Best Kept Village competition  
 Giving garden competition prizes  
 Clearing Rubbish  
 Subscribing to a village preservation society  
 Organising a street 'face-lift' scheme  
 Arranging a planning competition

Providing a village sweeper  
 Contributing to moving tombstones  
 Tidying derelict land of unknown ownership  
 Contributing to the salary of an anti-litter warden  
 Hiring a lorry to collect and dispose of junk  
 Putting hanging baskets of flowers on a bus shelter  
 Removing a slaughter-house  
 Arranging a litter competition  
 Cutting grass  
 Clearing the beach  
 Landscaping  
 Clearing a common  
 Establishing a local garden centre  
 Planting trees, shrubs or flowers  
 Contributing to a National Trust appeal

### Influence

Representing the parish at public inquiries  
 Obtaining an aerial survey  
 Subscribing to such bodies as the River Thames Society,  
     a Railway Protection Association, the Chiltern Society,  
     a District Sports Council or the Council for the  
     Preservation of Rural England  
 Contributing to an anti-London Airport campaign  
 Organising propaganda or surveys in connection with a  
     proposal for a school, a bus service, an open prison,  
     a civic centre or various amenities

### Ceremonial and Entertainment

Providing illuminated or ornamental Christmas trees  
 Arranging ceremonial entertainments and Civic Services  
 Purchasing chains and badges of office  
 Contributing to sports prizes  
 Providing flags or flagstuffs  
 Contributing to a children's gala  
 Arranging a parish council dinner  
 Beating the bounds of the parish  
 Putting on an art exhibition, a concert, a firework  
     display or a touring opera performance  
 Organising flower shows, a school spring fair, a field  
     day, a gymkhana, a local Eisteddfod or a village dance  
 Arranging an opening ceremony  
 Commemorating a centenary  
 Arranging a ceremony for distinguished visitors  
 Giving the chairman an entertainment allowance

### Safety

Erecting warning signs  
 Erecting safety guard-rails  
 Providing life-belts

Filling dangerous holes  
 Arranging lectures on artificial respiration  
 Giving a party for Red Cross cadets  
 Providing distress cards and lights for old people  
 Providing a cover for a village well  
 Establishing a first-aid post  
 Providing a road warden  
 Erecting safety posts and bollards  
 Organising safety competitions  
 Organising inshore rescue services  
 Contributing to an Accident Prevention Committee  
 Organising flood prevention and relief  
 Purchasing fluorescent safety-jackets  
 Organising emergency volunteers  
 Organising a fireworks party  
 Fencing a dangerous riverbank  
 Fencing a dangerous edge of a road

#### Public Information

Erecting footpath signposts  
 Erecting village signs  
 Publishing parish handbooks and guides  
 Publishing village histories  
 Displaying public maps  
 Publishing parish newsletters  
 Arranging lectures on parish affairs and local history  
 Erecting bus-stop signs  
 Printing the Chairman's annual report  
 Publishing a hotel and boarding-house list  
 Publishing information sheets  
 Staffing an information office for summer visitors  
 Sending letters of welcome to newcomers  
 Contributing to a local publicity association.

#### Assisting Voluntary Bodies without Premises

Old people's clubs or groups  
 Youth clubs  
 Community associations  
 Village bands  
 Women's Institute  
 Theatre group  
 Music club  
 Garden club  
 Local history society  
 Scouts and guides  
 Sports associations and clubs  
 Play groups

Social Welfare

## Contributions to:-

A Meals on Wheels service  
 A Citizens' Advice Bureau  
 An old people's welfare committee  
 A marriage guidance committee  
 A new ambulance  
 A day nursery  
 An honorarium to a village librarian (mobile library)  
 A flood relief committee  
 A mobile physiotherapy unit  
 A baby clinic  
 A children's home  
 The Samaritans  
 'Task Force'  
 A family planning advisor  
 A sickness fund  
 A handicapped children's committee  
 A Welfare committee  
 Good neighbour schemes  
 A welfare food scheme  
 Christmas parcels for the house-bound  
 W.R.V.S.  
 Almshouses  
 A spastics hostel  
 A holiday home for the handicapped  
 A hospital fund for special facilities

Recognition of Public Service

Giving testimonials to doctors on retirement  
 Giving gratuities to youths making historical discoveries  
 in the parish  
 Giving an honorarium to the Area Secretary of the  
 Parish Councils Association

Communications

Contributing to a local bus service  
 Repairing a ford  
 Making up a road  
 Clearing snow  
 Diverting a footpath  
 Erecting no-parking signs  
 Making a temporary road  
 Repairing a private street

Educational

Arranging lectures on history or local government  
 Compiling a village history  
 Giving a further education grant  
 Contributing to the 'Duke of Edinburgh Award Scheme'

Miscellaneous

Purchasing the 'South-East Study'  
 Organising a traffic survey  
 Restocking a river with trout  
 Sending a choir to an Eisteddfod  
 Organising an essay competition  
 Making a loan to an allotment society  
 Arranging a flower and vegetable show  
 Repairing a sheep-wash  
 Repairing a slipway

Source: The information is derived principally from surveys by the N.A.P.C. in 1964 and 1969, each of which received replies from nearly 3,000 parish councils. The 1969 results were published in the N.A.P.C. Annual Report for 1968-9, the 1964 results in the N.A.P.C. Memorandum of Evidence to the Royal Commission on Local Government, Appendix 6A and in the Parish Councils Review Summer 1965 pp. 41-3.

TABLE 14PRESSURE GROUP ACTIVITIES OF PARISH COUNCILS - BY SUBJECT AND BY POPULATION OF PARISH.

<u>Population of Parish</u>	<u>0-500</u>	<u>500-1,000</u>	<u>1,000-2,500</u>	<u>2,500 +</u>	<u>Total</u>
Number of parish councils	171	101	81	43	396
% age reporting activity on:					
the state of roads or paths	92	97	96	98	95
traffic management	69	83	86	100	80
nuisances (e.g. litter, dirty ponds)	67	77	91	88	77
planning	55	62	73	67	62
public transport	54	57	69	88	62
amenities	44	50	56	37	47
vandalism	26	47	60	74	43
charities	35	39	52	47	41
other matters	81	85	90	86	84

Source: Royal (Redcliffe-Maud) Commission on Local Government Report. Vol. 3 Research Appendix 8 p. 180.  
 The parish councils in the sample were those in Oxfordshire and the West Riding of Yorkshire. The 396 replies represent 98% of the 444 councils in the sample.

TABLE 15

VOTERS' TURNOUT IN PARISH COUNCIL AND OTHER LOCAL ELECTIONS,  
1964-6

A. Percentage of parish council elections where the following percentage of electors voted.

Under 35% of electors	27
35 - 45%	14
45 - 55%	19
55 - 65%	16
Over 65% of electors	24

N = 155

NOTE: The above figures should be regarded as only very approximate. Only 63% of 247 clerks in parishes where the electors were contested answered this question and several of these gave only very general estimates.

Source: author's survey.

B. Percentage of Electors voting in elections for:

		N =
rural district councils, 1964-6	43%	2,845,213
county councils, 1964 (excluding G.L.C.)	39%	8,197,248
urban district and municipal		
borough councils, 1965	43%	7,425,872
county borough councils, 1965	38%	7,899,433

Source: Registrar-General's Statistical Review of England and Wales for 1964, 1965 and 1966.

TABLE 16

ATTENDANCE OF ELECTORS AT PARISH MEETINGS

A.

Number of electors attending 1966, exclusive of parish councillors.

<u>Number of electors</u>	<u>Percentage of parishes in which that number attend.</u>
none	16%
1 - 10	41%
11 - 25	28%
26 - 50	13%
50 +	2%

N = 656

Source: Author's survey

B.

Electors attending (exclusive of parish councillors) as a percentage of total population, 1966, by population of parish.

Percentage of parishes in which the proportion of the population attending was:

<u>Population range</u>	<u>nil</u>	<u>under 1%</u>	<u>1% - 2%</u>	<u>2% - 3%</u>	<u>3% - 5%</u>	<u>5% - 10%</u>	<u>Over 10%</u>
0 - 199	32	4	4	7	14	21	18
200 - 299	24	16	8	15	19	8	9
300 - 399	21	16	18	16	10	13	6
400 - 599	19	23	14	18	11	14	1
600 - 999	14	26	34	8	12	4	1
1000 - 2999	11	52	22	10	4	1	-
3000 +	4	91	2	2	2	-	-
All	16	34	19	11	9	7	3

N = 656

Source - author's survey

Note: 1. about 70% of the population were electors  
2. the attendance figures are for 1966, the population for 1961.

TABLE 16 (contd)

C.  
Electors attending (inclusive of parish councillors) as a proportion of total population, 1966 and 1967 - by population of parish.

<u>Population of parish</u>	<u>Average proportion of the population attending</u>		
	<u>1966</u>	<u>1967</u>	<u>N =</u>
0 - 500	3.5%	4.0%	52,590
500 - 1000	2.1%	2.7%	67,930
1000 - 2500	1.5%	1.7%	126,596
1500 +	0.4%	0.5%	253,872
All	1.2%	1.5%	500,988

Source: Survey by the Royal Commission on Local Government of parish councils in Oxfordshire and the West Riding of Yorkshire.

Report. Vol. 3 App. 8. p. 180

Note: 1. About 70% of the population were electors.  
2. The attendance Figures are for 1966 and 1967, the population for 1961.

TABLE 17

FREQUENCY, DURATION AND STARTING TIME OF MEETINGS OF PARISH COUNCILS, 1966

A. Frequency of Meetings - by population of parish

<u>Percentage of parish councils holding the following number of meetings a year</u>	<u>All</u>	<u>Population ranges</u>						
		<u>0</u>	<u>200</u>	<u>300</u>	<u>400</u>	<u>600</u>	<u>1,000</u>	<u>3,000</u>
	<u>-199</u>	<u>-299</u>	<u>-399</u>	<u>-599</u>	<u>-999</u>	<u>-2,999</u>	<u>+</u>	
1	1	7	1	3	2	-	-	-
2	2	-	9	5	4	-	-	-
3	6	23	18	10	4	1	1	-
4	18	30	28	30	28	14	5	4
5	13	17	18	13	14	22	7	2
6	15	13	11	14	20	22	14	4
7	7	7	7	10	3	7	10	4
8	5	-	1	4	11	4	5	4
9	2	-	1	4	3	3	2	2
10	6	3	-	7	3	8	8	6
11	9	-	1	1	4	6	20	27
12	8	-	2	-	4	6	16	29
over 12	6	-	1	-	2	6	12	19
N =	685	30	83	101	112	139	168	52

TABLE 17 (contd)

B. Average Duration of Meetings

	<u>about</u> <u>1 hour or less</u>	<u>1<math>\frac{1}{2}</math> to 1<math>\frac{3}{4}</math> hours</u>	<u>2 hours</u>	<u>over</u> <u>2 hours</u>
Percentage of parish councils	12	40	32	16
N = 689				

C. Usual Time when Meetings Start

	<u>before 7.30 p.m.</u>	<u>at 7.30 p.m.</u>	<u>after 7.30 p.m.</u>
Percentage of parish councils	20	55	25
N = 687			

Source: Author's survey

Note: Table 17 A. may be compared with that in the Report of the Royal (Redcliffe-Maud) Commission on Local Government Vol. 3 Research Appendix 8, p. 179. The parish councils in their sample meet more frequently but still show same positive correlation of frequency of meetings and the population of the parish.

The frequency and starting times of the meetings of the other types of local authority in 1965 are tabulated in Stanyer, J. - County Government in England and Wales, 1967, p. 115.

TABLE 18

PARISH COUNCIL COMMITTEES, 1966A. Number of Committees by population of parish

<u>Population of parish</u>	<u>Percentage of parish councils having the following number of committees</u>						<u>N =</u>
	<u>none</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4 or 5</u>	<u>6 or more</u>	
0 - 199	94	6	-	-	-	-	31
200 - 299	89	10	1	-	-	-	82
300 - 399	90	8	1	1	-	-	100
400 - 599	80	14	3	2	1	-	112
600 - 999	65	17	11	4	4	-	139
1000 - 2999	41	15	12	13	14	4	167
3000 +	23	6	15	23	17	15	52
All	67	12	7	6	6	2	684

Note: The membership of 62% of 568 parish councils committees is less than half the membership of the parish council itself.

B. Number of Committee Meetings

Percentage of committees meeting each year

less than 3 times	38
3, 4 or 5 times	36
more than 5 times	26

N = 453

TABLE 18 (Contd)

C. Subjects of Committees by population of parish

<u>Percentage of Committees that are for</u>	<u>Population of parish</u>					<u>All</u>
	<u>0 - 399</u>	<u>400 - 599</u>	<u>600 - 999</u>	<u>1000 - 2999</u>	<u>3000 +</u>	
Recreation Ground etc.	8	16	13	15	14	14
Lighting	4	3	6	15	15	12
Footpaths	4	19	13	14	7	12
Allotments	8	6	10	11	9	10
Burial Ground	8	6	9	9	12	10
Finance	..	6	1	5	13	7
Village Hall	21	6	6	4	5	5
Planning	4	6	10	3	1	4
Open Spaces etc.	4	3	4	4	3	4
Other purposes	37	26	27	20	20	22
N =	24	31	89	285	152	581

Source: author's survey

TABLE 19

AGE, SEX AND OCCUPATION OF PARISH COUNCILLORS, 1966, BY POPULATION OF PARISH

## A.

Age of Parish Councillors

<u>Population of Parish</u>	<u>Percentage of parish councillors aged</u>						N =
	<u>Under 35</u>	<u>35 - 44</u>	<u>45 - 54</u>	<u>55 - 64</u>	<u>56 - 74</u>	<u>75 or more</u>	
0 - 199	6	16	35	23	18	3	154
200 - 299	3	18	29	31	15	4	502
300 - 399	5	16	28	32	17	2	621
400 - 599	4	17	32	29	16	3	775
600 - 999	3	16	33	31	15	2	1,176
1000 - 2999	4	19	29	31	15	2	1,627
3000 +	4	20	34	26	15	1	635
ALL	4	17	31	30	15	2	5,502

## B.

Sex of Parish Councillors

<u>Population of Parish</u>	<u>Percentage of parish councillors who are</u>		N =
	<u>men</u>	<u>women</u>	
0 - 199	84	16	176
200 - 299	91	9	519
300 - 399	89	11	640
400 - 599	86	14	838
600 - 999	88	12	1,202
1000 - 2999	88	12	1,696
3000 +	83	17	671
ALL	87	13	5,760

TABLE 19 (contd).

C.  
Occupations of Parish Councillors

<u>Percentage of parish councillors whose occupations are</u>	<u>All</u>	<u>Population of parish</u>						
		<u>0- 199</u>	<u>200- 299</u>	<u>300- 399</u>	<u>400- 599</u>	<u>600- 999</u>	<u>1000- 2999</u>	<u>3000 +</u>
Farmer	24	44	44	34	30	25	15	5
Farm labourer	2	2	4	3	2	2	1	0
Clergyman	1	1	2	1	2	2	1	1
R-G Class I <sup>A</sup>	4	3	2	3	5	4	6	6
R-G Class II <sup>B</sup>	20	11	13	17	18	21	26	21
R-G Class III (Non-Manual)	8	5	4	7	8	7	10	12
R-G Class III (Manual)	15	11	12	15	10	16	17	21
R-G Class IV <sup>C</sup>	6	5	5	4	5	6	6	12
R-G Class V <sup>C</sup>	2	2	3	1	2	2	1	2
Unclassifiable <sup>D</sup>	16	15	12	15	18	16	16	19
N =	5,654	176	516	646	822	1,194	1,661	626

A except Clergymen

B except Farmers

C except Farm labourers

D no occupation of insufficient information

Occupations are categorised by the Registrar-General's classification

Source: author's survey.

TABLE 20

A. LENGTH OF SERVICE OF PARISH COUNCILLORS, 1966, BY POPULATION OF PARISH

<u>Population of Parish</u>	<u>Percentage of Councillors who have served the following number of years:</u>						N =
	<u>0 - 3</u>	<u>4 - 6</u>	<u>7 - 12</u>	<u>13 - 18</u>	<u>19 - 24</u>	<u>25 or more</u>	
0 - 199	28	15	25	14	12	6	163
200 - 299	24	19	24	16	10	7	502
300 - 399	23	18	25	13	13	8	622
400 - 599	28	19	23	15	10	5	777
600 - 999	29	18	22	17	8	6	1,157
1000 - 2999	31	21	23	13	8	5	1,637
3000 +	37	17	22	11	7	5	642
ALL	29	19	23	14	9	6	5,512

Source - author's survey

B. LENGTH OF SERVICE OF OTHER LOCAL COUNCILLORS, 1964

	<u>Percentage of Councillors who have served the following number of years</u>					N =
	<u>0 - 3</u>	<u>4 - 9</u>	<u>10 - 20</u>	<u>21 or more</u>	<u>Unknown</u>	
County Councillors	22	31	35	10	2	470
Rural District Councillors	23	32	35	9	1	1,362
Urban District Councillors	31	33	29	6	1	843
Municipal Borough Councillors	30	28	32	9	1	717
County Borough Councillors	27	26	35	11	1	439
Metropolitan Borough Councillors	24	31	36	9	-	139

Source: Report of (Maud) Committee on the Management of Local Government, Vol. 2, 1967 p. 41

TABLE 21

OVERLAPPING MEMBERSHIP OF PARISH COUNCILS AND OTHER LOCAL COUNCILSA. By population of parish, 1966

<u>Population of parish</u>	Percentage of parish councillors who also sit on	
	<u>the R.D.C.</u>	<u>the County Council</u>
0 - 199	11	2
200 - 299	10	1
300 - 399	11	1
400 - 599	11	1
600 - 699	13	2
1000 - 2999	15	2
3000 +	20	2
ALL	14	2
N =	5,762	N = 5,770

76% of parish councils had at least one member who also sat on the rural district council.

13% of parish councils had at least one member who also sat on the county council.

Source: author's survey.

B. Percentage of members of other councils who are also parish councillors, 1964.

County councillors	9	470
Rural district councillors	48	1,262
Urban district councillors	2	843
Municipal borough councillors	0	717
County borough councillors	0	439
Metropolitan borough councillors	-	139

Source: Report of the (Maud) Committee on the Managements of Local Government, Vol. 2, 1967, p. 44.

TABLE 22

PARISH COUNCILLORS AND PARTY POLITICS, 1966A. By population of parishPercentage of Parish Councillors

	<u>nominated by a political party</u>	<u>-not so nominated</u>	N =
All	8	92	5,650
Population:			
0 - 199	-	100	176
200 - 299	-	100	499
300 - 399	1	99	644
400 - 599	2	98	814
600 - 999	3	97	1,189
1000 - 2999	6	94	1,665
3000 +	44	56	651

## Percentage of Parish Councillors nominated by

the Labour Party	6.1
the Conservative Party	1.2
the Liberal Party	0.2
other parties	0.2
no party	92.3

N = 5,650

Note: On 10% of parish councils, there is at least one member  
nominated by a political party

Source: author's survey

TABLE 22 (contd)

B. Comparison with other local councillors

Percentage of councillors who are:-

	<u>'nominated by a political party; 1966</u>	<u>'First asked to stand by a political body.' 1964</u>	<u>'Members of the two leading groups on the council' 1964</u>	N =
parish councillors	8			5,650
rural district councillors		8	29	420
urban district and municipal borough councillors		47	65	483
county councillors		40	67	152
county borough councillors		62	90	134
metropolitan borough councillors		70	96	46

Source: for parish councillors, author's survey  
for other councillors, Report of the Committee  
on the Management of Local Government, Vol. 2,  
pp. 64, 196 and 200.

TABLE 23

A. OCCUPATION OF PARISH COUNCIL CLERKS 1966 -  
BY POPULATION OF PARISH

<u>Percentage of</u> <u>parish councils</u> <u>whose clerk's</u> <u>occupation is</u>	<u>Population of parish</u>							
	All	0	200	300	400	600	1,000	3,000
		-199	-299	-399	-599	-999	-2,999	+
lawyer	4	10	5	3	4	3	4	4
local govt. official (non-lawyer)	15	10	6	10	11	14	21	36
school-teacher	7	3	6	12	6	8	8	2
social class A <sup>1</sup>	5	6	2	4	4	9	4	6
social class B <sup>2</sup>	16	23	24	12	18	22	18	8
social class C <sup>3</sup>	22	23	13	20	28	15	29	20
social class D <sup>4</sup>	5	6	7	5	2	7	5	2
social class E <sup>5</sup>	3	-	5	4	2	3	1	2
social class F <sup>6</sup>	0	-	1	-	-	-	-	-
Unclassifiable <sup>7</sup>	22	19	29	29	26	20	17	20
N =	677	31	82	98	112	138	165	52

- 1 - Registrar-General's Class I (except lawyers)
- 2 - Registrar-General's Class II (except school-teachers and local government officials).
- 3 - Registrar-General's Class III Non-Manual (except local government officials)
- 4 - Registrar-General's Class III Manual.
- 5 - Registrar-General's Class IV
- 6 - Registrar-General's Class V.
- 7 - Insufficient information or no occupation

Note: A survey of 370 clerks in 1970 by the N.A.P.C. found that 3% were lawyers and another 15% were local government officers.

TABLE 23 (contd).

B. PERCENTAGE OF PARISH COUNCILS WHOSE CLERK IS ALSO CLERK  
TO:

no other parish council	86
1 other	7
2 others	2
3 others	1
4 others	1
5 or more others	1
'some' others	1

N = 688

Source: author's survey

TABLE 24A. PAY OF PARISH COUNCIL CLERKS IN 1956 AND 1966

<u>Pay per annum</u>	<u>Percentage of clerks in</u>	
	<u>1956</u>	<u>1966</u>
Nil	} 23	8
up to £10		25
£10 - 20	33	24
£20 - 30	17	10
£30 - 50	8	11
£50 - 100	13	13
£100 - 200	5	} 8
£200 - 300	} 1	
£300 - 500		
over £500		0
	N = 438 <sup>a</sup>	N = 684

Source: 1966 figures - author's survey  
 1956 figures - survey by N.A.P.C. of sample of  
 600 parish councils.

- a) The figures have been corrected by the author to make the sample representative of parish councils in all ranges of ratable value.

TABLE 24 (contd).

B. PAY OF PARISH COUNCIL CLERKS IN 1966 -  
BY POPULATION OF PARISH

<u>Percentage of</u> <u>clerks paid</u> <u>per annum</u>	<u>Population</u>							<u>All</u>
	0	200	300	400	600	1,000	3,000	
	<u>-199</u>	<u>-299</u>	<u>-399</u>	<u>-599</u>	<u>-999</u>	<u>-2,999</u>	<u>+</u>	
Nil	29	18	9	15	3	2	2	8
up to £10	65	63	58	30	5	2	-	25
£11 - 20	6	17	31	41	38	8	4	24
£21 - 30	-	1	-	10	27	13	-	10
£31 - 50	-	-	2	2	17	28	2	11
£51-- 100	-	-	-	3	6	35	27	13
£101 - 500	-	-	-	-	3	12	61	8
£500 or over	-	-	-	-	-	-	4	0
N =	31	82	99	114	139	167	51	684

Source: author's survey

TABLE 25

THE EXPENDITURE OF PARISH COUNCILS 1966 -  
BY POPULATION OF PARISH

<u>Percentage of</u> <u>parish councils</u> <u>that spent</u>	<u>All</u>	<u>Population ranges</u>						
		<u>0</u> <u>-199</u>	<u>200</u> <u>-299</u>	<u>300</u> <u>-399</u>	<u>400</u> <u>-599</u>	<u>600</u> <u>-999</u>	<u>1,000</u> <u>-2,999</u>	<u>3,000</u> <u>+</u>
£ nil	2	7	4	4	3	-	-	-
£10 or less	7	37	20	14	4	-	1	-
£11 - 30	18	37	38	37	29	8	1	-
£31 - 50	9	10	15	9	13	13	1	2
£51 - 100	12	7	14	16	17	19	4	-
£101 - 200	15	-	6	13	21	22	15	6
£201 - 500	16	3	4	5	13	27	25	15
£501 - 1,000	10	-	-	2	1	7	30	10
£1,001 - 5,000	10	-	-	-	1	4	23	40
over £5,000	2	-	-	-	-	-	1	27
N =	666	30	81	94	111	134	162	52

Source: author's survey

TABLE 26

PARISH COUNCILS' PRECEPTS, 1966 - BY POPULATION OF PARISH

<u>Percentage of parish councils precepting</u>	<u>All</u>	<u>Population ranges</u>						
		<u>0</u> <u>-199</u>	<u>200</u> <u>-299</u>	<u>300</u> <u>-399</u>	<u>400</u> <u>-599</u>	<u>600</u> <u>-999</u>	<u>1,000</u> <u>-2,999</u>	<u>3,000</u> <u>+</u>
nil	15	32	23	28	16	12	5	10
1d in the £	27	32	40	20	30	32	27	10
2d in the £	23	23	16	18	29	27	23	118
3d in the £	9	5	9	5	5	12	9	12
4d in the £	13	9	7	15	10	9	19	22
5 or 6d in the £	7	-	5	7	7	4	11	10
7 or 8d in the £	3	-	-	4	1	2	4	6
9, 10 or 11d in the £	2	-	-	1	3	1	6	
1s or more	1	-	-	3	1	1	-	8
N =	564	22	57	74	94	113	152	51

Note: (1) Precepts were categorised to the nearest <sup>penny</sup> (d.)

(2) The above precepts are the total, not only the 'general' precept.

Source: author's survey

TABLE 26 (Contd)

The above table overstates the rates raised by parish councils, on account of a probable higher rate of non-response from inactive parish councils. It may be compared with the figures given in Stanyer, J. - County Government in England, 1967, p. 166. Whereas the above table is derived from information given by parish council clerks, Mr. Stanyer's is derived from information given by rural district council clerks, and had a much higher response rate. His information is thus both fuller and not liable to bias towards active parish councils. This is corroborated by the fact that 30% of English parish councils were found to raise no precept in 1966-7 according to information obtained by the Royal Commission on Local Government from the great majority of rural district councils (Report, Vol. 3, Research App. 8, p. 172); the comparable figure on Mr. Stanyer's information is 27% in 1966, on the author's 15% in 1966.

Mr. Stanyer's published table gives the precepts for all parishes, not only those with parish councils. In the following table, information derived from Tables F/2 and F/4 (Stanyer, J. - op. cit. p. 116) is presented in a form comparable to that obtained from the author's survey, with the author's survey figures in brackets.

<u>Percentage of</u> <u>parish councils</u> <u>precepting</u>	<u>Population ranges</u>					
	<u>0-199</u>	<u>200-299</u>	<u>300-399</u>	<u>400-999</u>	<u>1,000 +</u>	<u>ALL</u>
Nil	62(32)	57(23)	40(28)	25 (14)	8 (6)	27 (15)
1d. in the £	(32)	(40)	19(20)	20 (31)	15 (23)	(27)
2d in the £	(23)	(16)	17(18)	20 (28)	15 (22)	(23)
3d in the £	(5)	(9)	7 (5)	9 (9)	10 (10)	(9)
4d in the £	(9)	(7)	8(15)	11 (9)	15 (20)	(13)
5d or more in the £	(-)	(5)	9(14)	14 (10)	32 (20) +6?	(2)
N =	56(22)	108(57)	75(74)	236(207)	175(203)	650(564)

TABLE 27

THE EXERCISE OF CERTAIN POWERS BY PARISH COUNCILS, 1966 -  
BY POPULATION OF PARISH

A. Percentage of parish councils exercising powers to:

	<u>provide public lighting</u>	<u>provide a recreation ground</u>	<u>provide allotments</u>	<u>appoint trustees of a charity</u>
All	42	33	24	44
Population				
0 - 199	19	10	-	26
200 - 299	33	12	7	36
300 - 399	33	11	14	37
400 - 599	31	18	21	39
600 - 999	46	32	25	47
1,000 - 2,999	57	61	32	51
3,000 +	57	67	65	54
	N = 683	N = 683	N = 685	N = 680

Note: Parish councils have since lost the power to provide 'street lighting' but retained the power to provide 'footway lighting'.

B. Percentage of Parish Councils appointing Trustees to:

no charity	56
1 charity	23
2 charities	10
3 charities	5
4 or 5 charities	3
6 or more charities	1
'some' charities	2

N = 680

Source: author's survey

TABLE 28PARISH COUNCILS' USE OF THE 'FREE FIFTH' POWER BY 1966 -  
BY POPULATION OF PARISH

	<u>Percentage of Parish Councils that</u>	
	<u>- have used the power</u>	<u>- have not</u>
All	22	78
Population of parish		
0 - 199	3	97
200 - 299	13	87
300 - 399	14	86
400 - 599	14	86
600 - 999	22	78
1,000 - 2,999	33	67
3,000 +	38	62
N = 666		

Source: author's survey

TABLE 29

THE SUBJECT MATTER OF PARISH COUNCIL MEETINGS -  
PARISH ADMINISTRATION AND REPRESENTATION - 1966  
BY POPULATION OF PARISH

Estimated percentage of the time of  
council meetings that is spent on--

	<u>representations</u> <u>to the R.D.C.</u>	<u>representations</u> <u>to the C.C.</u>	<u>other</u> <u>representa-</u> <u>tions</u>	<u>Parish</u> <u>council</u> <u>matters</u>
All	30	19	10	41
Population of parish				
0 - 199	-	-	-	100
200 - 299	30	5	5	60
300 - 399	40	20	10	30
400 - 599	20	60	15	5
600 - 999	53	45	2	0
1,000 - 2,999	40	20	10	30
3,000 +	5	5	5	85

Source: author's survey

Note: These figures should be regarded only as very approximate. They are based on rough estimates by clerks and 37% of the respondents to the survey gave no answer to the relevant question. This table is based on the replies of 435 clerks.

TABLE 30

THE DELEGATION OF RURAL DISTRICT COUNCIL POWERS TO  
PARISH COUNCILS OR PAROCHIAL COMMITTEES, 1966 -  
BY POPULATION OF PARISH

	<u>Percentage of parish councils exercising delegated RDC powers</u>	<u>Percentage of parishes where there is a parochial committee</u>
All	5	11
Population		
0 - 199	3	13
200 - 299	6	14
300 - 399	1	8
400 - 599	2	14
600 - 999	3	10
1,000 - 2,999	11	10
3,000 +	4	12
	N = 665	N = 668

Source: author's survey

Note: The number of parochial committees is probably overstated as clerks sometimes confused these with parochial church councils.

TABLE 31

NUMBER OF VOLUNTARY BODIES WITH WHICH THE PARISH COUNCIL  
COOPERATES, 1966 - BY POPULATION OF PARISH

Percentage of parish councils cooperating  
with the following numbers of voluntary  
bodies:

	<u>None</u>	<u>1 or 2</u>	<u>3 or 4</u>	<u>5 or more</u>	N =
All	39	30	18	13	644
Population					
0 - 199	57	30	7	7	30
200 - 299	58	31	10	1	78
300 - 399	57	34	9	-	94
400 - 599	41	37	16	6	104
600 - 999	34	33	25	8	130
1,000 - 2,999	22	25	26	27	161
3,000 +	22	20	13	46	46

Source: author's survey

TABLE 32

SIZE OF PARISH COUNCILS, 1966

A. Percentage of parish councils with the following number of seats -

<u>Seats</u>	<u>% of Councils</u>
5	16
6	5
7	29
8	5
9	19
10	4
11	9
12	3
13	3
14	0
15	5
16	0
17	-
18	0
19	-
20	-
21	0

N = 694

B. Average number of parish councillors by population of parish -

<u>Population of parish</u>	<u>Average No. of parish councillors</u>
0 - 199	5.7
200 - 299	6.3
300 - 399	6.5
400 - 599	7.3
600 - 999	8.7
1000 - 2999	10.2
3000 +	13.0
All	8.4

Note: 3% of 691 parish councils co-opt an additional member to be their chairman.

Source: author's survey

TABLE 33

FORM OF PARISH GOVERNMENT 1965 - BY POPULATION OF PARISH

<u>Percentage of parishes that have</u>	<u>Population of parish</u>		
	<u>less than 100</u>	<u>100 - 199</u>	<u>200 - 299</u>
a parish meeting only	89.2	77.8	24.0
a joint parish council	5.4	1.1	2.7
a parish council	2.0	21.2	70.0
unknown	2.0	0.6	3.3
N =	148	184	144

Source: Stanier, J. - County Government in England and Wales, 1967, p. 116.

TABLE 34

CHANGES IN THE 'REAL' FINANCIAL LIMITS ON PARISH COUNCILS  
POWERS TO PRECEPT - IN SELECTED YEARS 1895 - 1968

<u>Year</u>	<u>Assessable Value of</u> <u>all Rural Parishes</u>	<u>Value of 3d rate</u> <u>in all rural</u> <u>parishes</u>	<u>Value of such</u> <u>a rate at</u> <u>1900 prices</u>
	£m.	£ ,000	£ ,000
1896	50.9	637	(?650)
1899	40.4	505	509
1902	41.8	522	512
1904	42.8	535	510
1907	44.0	550	513
1910	45.3	566	512
1912	45.5	569	491
1916			
1919			
1922			
1925			
1928		Value of 4d. rate	
1931	34.5	575	340
1934	33.3	555	353
1937	32.6	543	335
1940	35.1	585	261
1943	37.8	630	226
1946	39.3	655	216
1949	39.9	665	186
1952	42.6	710	166
1955	46.8	780	170
1958	84.7	1,412	282
1961	103.3	1,722	330
1964	303	5,050	884
1967	338	5,629	872
1969	365	6,082	855

Sources: Annual Reports of the Local Government Board,  
 Rates and Ratable Values.  
 (for price index) Butler, D.E & Freeman, J -  
 British Political Facts 1900-1967, pp. 222-4  
 and National Income Blue Book, 1970.

TABLE 35

USE OF NEW POWERS BY PARISH COUNCILS, BY 1963

<u>Enactment and Subject</u>	<u>Number of Parish Councils making use of the Power</u>	<u>As a % age of respon-dents</u>	<u>As a % age of all Parish Councils</u>
Local Government Act 1948 s.112 (Compensation for loss of earnings and other expenses)	202	9	3
Local Government Act 1948 s.113 (Compensation for extra-parochial travel)	590	25	8
Local Government Act 1948 s.113 (Compensation for extra-parochial subsistence)	426	18	6
Local Government Act 1948 s. 133 (Alteration of War Memorials)	271	11	4
Local Government (Miscellaneous Provisions) Act 1953 ss.4 - 6 <i>(Provision of Bus Shelters)</i>	870	37	11
Parish Councils Act 1957 s. 1 (Provision of Roadside seats and shelters)	833	35	11
Parish Councils Act 1957 s. 2 (Provision of Public Clocks)	167	7	2
Parish Councils Act 1957 s. 4 (Provision of Cycle Parks)	21	1	0
Parish Councils Act 1957 s. 8 (Abolition of County Council consents)	328	14	4
Parish Councils Act 1957 s. 9 (insurance against accidents to members)	808	34	10
Parish Councils Act 1957 s. 10 (Contribution to maintenance of burial grounds)	521	22	7

TABLE 35 (contd).

<u>Enactment and Subject</u>	<u>Number of Parish Councils making use of the Power</u>	<u>As a % age of respondents</u>	<u>As a % age of all Parish Councils</u>
Litter Act 1958 s. 1 (Prosecution for litter offences)	31	1	0
Physical Training and Recreation Act 1958 s. 1 (Loans to voluntary associations)	70	3	1
Town and Country Planning Act 1959 s.28 (Use of acquired land for a new purpose)	63	3	1
Highways Act 1959 s.82 (Provision of roadside trees and shrubs)	98	4	1
Public Health Act 1961 s. 51 (Provision of Litter baskets)	668	28	9
Public Health Act 1961 s. 81 (Summary Recovery of damages as a civil debt)	88	4	1
	N =	2365	7605 (1967 figures)

Source: Survey by the N.A.P.C. 1963

TABLE 36

EXPENDITURE AND INCOME FROM RATES OF THE VARIOUS TYPES OF LOCAL AUTHORITY, 1964-5 - ACTUAL AND PER INHABITANT

	<u>Expenditure (Revenue + Capital Ac)</u>				<u>Income from rates</u>	
	<u>Rate fund</u>		<u>Trading Services</u>		<u>Actual</u>	<u>per head</u>
	<u>Services</u>					
	<u>Actual</u>	<u>per head</u>	<u>Actual</u>	<u>per head</u>	<u>Actual</u>	<u>per head</u>
	£m	£	£m	£	£m	£
County borough councils	1187	85.7	200	14.4	289	20.8
County councils (excluding London)	1288	42.4	3	0.1	390	12.9
Municipal borough, urban district and rural district councils	1015	33.4	58	1.9	167	5.5 <sup>A</sup>
Parish councils and parish meetings	4	0.4	0.4 <sup>B</sup>	0.04 <sup>B</sup>	3	0.3

A. Rates levied minus precepts.

B. Burial grounds

Sources: Local Government Financial Statistics for 1964-5, Unpublished Ministry of Housing and Local Government Epitome of Accounts of Parish Councils and Parish Meetings for 1964-5.

