

Support to Morecambe Parish Council

4th March 2009

Report of the Chief Executive

PURPOSE OF REPORT

To consider requests from the Morecambe Town Council Working Group for the City Council to provide support to the future Morecambe Parish Council

This report is public

RECOMMENDATION

- (1) That consideration be given to the following requests made by the Elected Member Working Group that the City Council:**
 - (a) allow Morecambe Parish Council (and its committees) to meet, free of charge, in Morecambe Town Hall**
 - (b) consider the possible provision of clerical assistance to the new Parish Council, if requested and at cost, from 1st April until such time as they are able to recruit a Parish Clerk. Full details to be negotiated with the Chief Executive.**
 - (c) retain the precept income until such time as the elected Parish Council can establish a bank account (which will probably be after the elections on 4th June 2009)**
- (2) That consideration be given to the options contained in paragraph 2.4 relating to the future of the PCSO's in Morecambe.**

1.0 Introduction

- 1.1** The Order relating to the establishment of a Parish and the election of a Parish Council for Morecambe was approved at the last meeting of Council and will be effective from 1st April, 2009.
- 1.2** Whilst all previous reports have referred to a "Town Council" for Morecambe the legislation requires the word "Parish" to be used. However, Morecambe Parish Council will be able, at their first meeting following the election, by resolution, to change the name to Morecambe Town Council

- 1.3 In considering the potential operation of the Parish Council in order to estimate a reasonable budget, a number of other issues were discussed by the Working Group who agreed the following recommendations:

That the City Council be requested:

- (a) To allow Morecambe Parish Council (and its committees) to meet, free of charge, in Morecambe Town Hall
 - (b) To hold two 'Prospective Councillor' training events at Morecambe Town Hall during April, 2009 for members of the public wishing to stand for election to the Parish Council
 - (c) To maintain the existing Working Group until the "Shadow Parish Council" is inaugurated on 1st April, 2009.
 - (d) To consider the possible provision of clerical assistance to the new Parish Council, if requested and at cost, from 1st April until such time as they are able to recruit a Parish Clerk. Full details to be negotiated with the Chief Executive.
 - (e) To retain the precept income until such time as the elected Parish Council can establish a bank account (which will probably be after the elections on 4th June, 2009)
- 1.4 With regard to (b) above, the City Council would not normally hold events for prospective election candidates this year as these will be run by the County Council. They have previously been held for Parish candidates and the request would meet the obligations now placed on the City Council to promote electoral participation and are considered best practice. The minimal cost of the events can be contained within existing budgets and the City Council agreed to this request at its meeting on 4th February.
- 1.5 It was also agreed to maintain the existing Working Group as set out in (c) above should any issues require discussion prior to 1st April, 2009 when the Shadow Parish Council will be established.

2.0 Proposals

2.1 Use of Morecambe Town Hall

- 2.1.1 Parish Councils are required to meet a minimum of four times a year one of which must be the Annual Meeting. However, it is anticipated that a parish the size of Morecambe would wish to meet, on average, at least once per month as a full council and may have additional committee meetings to deal with matters such as planning.
- 2.1.2 The cost for the use of Morecambe Town Hall for meetings of this nature would be £40 for the first two hours and £17 per hour thereafter.
- 2.1.3 Currently Heaton-with-Oxcliffe Parish Council and the Morecambe Neighbourhood Council hold their meetings in Morecambe Town Hall without charge. However, Cabinet, as part of the Budget proposals to Council, have requested a review of the existing charging policy with the intention of breaking even on bookings. Such free usage will be considered as part of that review.

- 2.1.4 Option 1 – to allow Morecambe Parish Council free use of Morecambe Town Hall for its meetings.
- 2.1.5 Option 2 – to allow Morecambe Parish Council free use of Morecambe Town Hall for its meetings for 2009/10, pending the outcome of the review of room hire charges.
- 2.1.6 Option 3 – to charge Morecambe Parish Council for the use of Morecambe Town Hall.
- 2.1.7 Officers preferred option is option 3.

2.2 Provision of Clerical Assistance

- 2.2.1 The Working Group has asked the City Council to consider the possible provision of clerical assistance to the new Parish Council, if requested and at cost, from 1st April until such time as they are able to recruit a Parish Clerk.
- 2.2.2 The City Council is required to provide support to the Working Group until the “Shadow Council” comes into force on 1st April, 2009 and it is normal practice for the principal Authority to provide support to the Shadow Council up to and including the first Annual meeting after the elections to ensure that the meeting is legally convened and newly elected Councillors understand their obligations.
- 2.2.3 Option 1 – Offer clerical support for the first three months from 1st April 2009 until after the election and the Annual Meeting at a cost to be determined by the Chief Executive to reflect the actual cost to the City Council of any work carried out in support of the Parish Council.
- 2.2.4 Option 2 - Offer clerical support until such time as the new Morecambe Parish Council is able to recruit a suitable Parish Clerk at a cost to be determined by the Chief Executive, to reflect the actual cost to the City Council of any work carried out in support of the Parish Council.
- 2.2.5 Option 3 – Offer no clerical support to the Shadow Parish Council or the new Morecambe Parish Council.
- 2.2.6 Officers’ preferred option is Option 1 although it may be possible to further assist by identifying a willing volunteer to continue in the role of temporary clerk in their own time should there be a delay in making a permanent appointment.

2.3 Precept Income

- 2.3.1 The Working Group has requested that the City Council retain the precept income until such time as the elected Parish Council can establish a bank account (which will probably be after the elections on 4th June, 2009)
- 2.3.2 The precept for the Morecambe Parish Council, under current arrangements, becomes payable on 1st April, 2009. However, it is only on that date that the “Shadow Parish Council” comes into being. Whilst the “shadow” has full powers of a parish council it is unlikely to exercise many; its main role will be to arrange for the first meeting of the new Council and the promotion of the forthcoming election. It is

unlikely that they would want to fetter the new council by establishing a bank account and the relevant signatories before the election.

2.3.3 Option 1 – With the agreement of the Shadow Morecambe Parish Council to retain the precept sum until such time as the new Parish Council has established a bank account. No interest would be payable.

2.3.4 Option 2 – Pay the precept to the Shadow Parish Council as soon as it has established a bank account.

2.3.5 The Officer preferred option is option 1.

2.4 Employment of PCSO's

2.4.1 The Working Group, comprising the Ward Councillors for the area to be included in the Parish Council, considered the potential budget for the Parish Council and the majority of members agreed that whilst setting a very basic precept would allow the Council to function in the initial twelve months it would also fetter their ability to explore all expenditure options. Furthermore it was felt that the principle of enabling the new Parish Council to look at providing 'added value' to some existing services provided by the City Council should underpin the calculation of a 'reasonable' budget.

2.4.2 A precept was therefore set which would provide a working budget of £220,500 for 2009/10. However, the Working Group was fully aware that setting a budget and precept in no way committed the new Parish Council to either expend that level of monies for the year nor the specific budget heads that made up the precept.

2.4.3 Included in the draft proposals was a sum of £44,000 for the provision of PCSOs in the Parish. This was in an endeavour to retain the four existing PCSOs that have been working in the Poulton and West End areas of Morecambe for a number of years. The loss of funding for these regeneration areas in 2009/10 would result in these four PCSOs being relocated elsewhere in the County. (Previously PCSOs were 2/3rds funded by the Home Office and 1/3rd by the City Council using Area Based Grant, which Council have currently allocated to help bridge the revenue budget funding gap).

2.4.4 Whilst no explicit request has been made to the City Council, Members are requested to consider the issue of retaining the PCSOs during the period from 1st April until 30th June to enable the Morecambe Parish Council to make a decision on their future provision following the election.

2.4.5 The retention of the four PCSOs beyond the 31st March, 2009 will, if the new Morecambe Parish Council agree to continue meeting the costs of £44,000 per annum, enable the continuance of the current funding arrangements and government financial assistance.

2.4.6 There will be a cost of approximately £11,000 to retain the PCSOs until 30th June, 2009. There is no provision to meet this cost contained in the Cabinet budget recommendations and the cost will therefore need to be met by Morecambe Parish Council.

2.4.7 Option 1 – the City Council can agree to retain the PCSOs beyond 31st March, 2009 and as soon as possible after 1st April the Shadow Morecambe Town Council be requested to make a decision as to whether they wish to fund the PCSOs to 30th

June at a cost of £11,000 (to enable the elected Parish Council to take the decision for the period after that date).

2.4.8 Option 2 – the City Council takes no action and the employment of the PCSOs terminates on 31st March 2009, leaving the Parish Council to consider any future employment in due course. Such future employment would be a new arrangement and the Parish Council would probably have to meet the full costs of such appointments.

2.4.9 Officers' preferred option is option 1.

2.5 General

2.5.1 The City Council will establish a Shadow Parish Council to make initial plans and decisions for the commencement of the new Parish Council. This will comprise the City Council Ward Councillors for the area of the new Parish Council. As stated earlier the Shadow Council will have full decision-making powers and can co-opt other members if desired. However, no decisions are binding on the new Parish Council once it has been elected, although it will be constrained by the funding level set. It would be unusual for a shadow parish council to make any financial commitments on behalf of the new parish council on services to be provided, but may make some 'small scale' decisions such as when and where to hold the first Annual Meeting after the elections.

3.0 Conclusion

The City Council is requested to consider the various options contained in the report.

CONCLUSION OF IMPACT ASSESSMENT

(including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)

The proposal for a parish for Morecambe is in accordance with Council's policy which highlights its strong commitment to Town and Parish Councils as a means of addressing the UK democratic deficit and affording local people a greater say on how their localities are shaped.

FINANCIAL IMPLICATIONS

Support to a shadow Town Council will have resource implications in Democratic, Legal and Financial Services which may affect progress with other pieces of work contained within the respective Business Plans. In particular the requirement to service the Shadow Council and steer the implementation of the new Town Council, at the same time as preparations for the combined elections, may affect progress in other areas or result in a reduced level of service in Democratic Services – such as reduced support to Overview & Scrutiny Task Groups and/or Cabinet Liaison Groups or a reduction in member development support.

The financial implications of the specific requests are set out in each section of paragraph 2 in the report:

1. Free use of Morecambe Town Hall – there may be staffing and heating/lighting costs to keeping the building open in the evenings if meetings are held when the building would otherwise have been closed. The officer preferred option seeks to include this proposal within a planned review of the usage of Morecambe Town Hall and detailed costs will be

reported at that time - see above.

2. Provision of Clerical Assistance – the officer preferred option will ensure that appropriate support and advice is provided to the new Parish Council at no cost to the City Council.
3. Retention of Precept Income – there is no cost to the City Council in respect of this request.
4. Employment of PCSOs – the officer preferred option allows the retention of the existing PCSOs until the Shadow Council and subsequently the newly elected Morecambe Town Council can make a decision on their future but at no cost to the City Council. There remains a small risk to the City Council should the Shadow Council not agree to the proposal in that the City Council would be liable for the cost from 1st April to the date of the Shadow Council meeting. In this case however the City Council would terminate the funding with immediate effect and therefore any costs would be very small.

SECTION 151 OFFICER'S COMMENTS

The S151 Officer has been consulted and has no further comments.

LEGAL IMPLICATIONS

The City Council has created a new Parish and established a Parish Council in Morecambe under Chapter 3 of the Local Government and Public Involvement in Health Act 2007.

Regulation 3 of the Local Government Finance (New Parishes) (England) Regulations 2008 provides for the City Council to set a precept on behalf of the newly established parish.

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Notes of meetings of the Morecambe Town Council Working Group – 6th, 13th and 19th January 2009

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