

CTC 51

Ymgynghoriad ar rôl, llywodraethiant ac atebolwydd y sector cyngorau tref a chymuned

Consultation on the role, governance and accountability of the community and town council sector

Ymateb gan: Cyngor Cymuned Higher Kinnerton

Response from: Higher Kinnerton Community Council

LOCAL GOVERNMENT AND HOUSING COMMITTEE INQUIRY INTO ROLE, GOVERNANCE AND ACCOUNTABILITY OF THE COMMUNITY AND TOWN COUNCIL SECTOR

In accordance with the terms of reference and the five lines of inquiry the following observations and comments are submitted by Higher Kinnerton Community Council to the Housing and Local Government Committee

1) The role and value of Community and Town Councils in Wales.

Higher Kinnerton Community Council (HKCC) represents the first tier of local Government in the village of Higher Kinnerton and provides a direct link between residents and decision-makers. HKCC plays a key role in the life of the local community and fosters community spirit by encouraging participation in local initiatives, facilitating dialogue between residents and the County Council and helping to build a sense of belonging and ownership within the community. Building on this interaction HKCC is also able to support local both groups and businesses and initiatives and create opportunities for local entrepreneurs via, for example, newsletter advertising.

In addition, HKCC is well-placed to support sustainability initiatives. By promoting local environmental projects and encouraging responsible practices, HKCC can contribute to the well-being of the community and promote biodiversity at a local level. HKCC plays an active role in promoting local culture, heritage, supporting local initiatives and promoting and hosting local events.

Members of HKCC represent the views and needs of residents, ensuring that local voices are heard in broader discussions on many levels. HKCC assists with the management and delivery of local services and with the provision of a wide range of public services and amenities. HKCC actively collaborates with the County Council, other local organisations, government bodies etc amplifying the impact on community well-being. These partnerships enhance HKCC's capacity to address complex challenges and leverage additional resources. In times of crisis, such as the COVID-19 pandemic, HKCC has demonstrated its ability to respond swiftly using adaptability and local knowledge allowing it to mobilise reserves and resources to support residents.

HKCC considers all the existing Community and Town Council powers and duties should be retained. Members recognise as a sector that use of these powers and duties varies considerably across Wales and whilst there is scope to organise the sector to increase the uniformity and consistency of the sector offering to the local electorates the potential and scope to achieve this will be affected by the size, capacity and resources (financial and staffing resource) of individual town and community councils.

Whilst HKCC recognises there is considerable desire within the sector to do more and sustain locally valued services within communities which may not have been within the remit of Community and Town Councils historically this should be caveated by the fact that the scope to achieve this will be affected by the size, capacity and resources (financial and staffing resource) of individual town and community Councils as noted above and in this respect HKCC is a relatively small Community Council supported by one part-time Clerk.

In support of the above narrative regarding the role and value of Community and Town Councils in Wales, please refer to the following examples of whereby HKCC can demonstrate its positive and proactive role and value with the community.

- Facilitating the provision of a Dragon Sports summer camp for children in the village aged 4 to 11.
- Supporting village organisations and local community groups via donations and grants and facilitating village newsletter publications on behalf of the groups and organisations.
- Organizing and hosting various community engagement initiatives including a village Christmas event, hosting the annual community evening and bi-annual village day.
- Facilitating and financing the provision of Christmas lighting and Christmas trees of the village and village plant boxes to enhance the village
- Promoting and supporting activities to enhance and improve biodiversity within the community including bulb and wildflower planting
- The creation of a village Heritage Trail allowing residents (and visitors) to access the Trail with and provision of a map and information to follow the historic tour of the village. In addition, the HKCC added a Heritage Trail Quiz with key questions about features along the Trail.
- Publication of the monthly village newsletter throughout the year which is distributed via a network of volunteers whose contribution is invaluable. The newsletter provides an invaluable opportunity to share details about new projects and developments and share community news and updates along with other articles of interest including governance related articles
- Facilitating several street scene and play area related improvements including tree surgery works and play area improvements
- Engaging with the County Council regarding Street Scene matters in especially challenging times with HKCC and the Clerk spending increasing amounts of time liaising with residents and chasing the County Council regarding Street Scene matters on behalf of residents

2) Whether the sector is fit for purpose in an evolving local government landscape.

HKCC is committed to ensuring it remains relevant, effective, and responsive to the community and needs of residents and provides a crucial link between residents and higher levels of government including most notably the County Council. Members of HKCC and the Clerk are accessible and enable residents to voice concerns and influence decision-making in a meaningful way and HKCC is adept in facilitating service provision that reflects the needs of the community. From local events to maintenance of public spaces, HKCC's focus is on enhancing community well-being and fostering community engagement through various initiatives and events, strengthening the community and encouraging participation in local governance.

However, while HKCC strives to meet local needs, funding and resource constraints and lack of resource and capacity of the County Council to provide the requisite support can hinder HKCC's ability to provide services and support

service provision. Increased financial support and resource is essential to enhance the sectors capacity. As communities evolve, so do their needs. HKCC has and must adapt to address issues within the community and to meet the increasing statutory duties. This requires continuous training and financial and governance support for Councillors and the Clerk.

There has been some disconnect between Community and Town Councils and larger local government frameworks but through strengthened collaboration with county councils and other agencies the sector can help ensure that community voices are integrated into broader planning and decision-making processes. HKCC firmly believes that, with the right support and resources, HKCC can continue to be fit for purpose in an evolving local government landscape and is committed to adapting and enhancing its role to serve residents effectively.

The current system provides both the legislative framework and a proven record of delivery. It allows the most pro-active councils to make a real difference to their communities through a wide range of imaginative initiatives.

Principal councils and the Welsh Government should encourage and support all Community and Town Councils to take advantage of the opportunities open to them and should formalise relationships between Community and Town Councils and other bodies. HKCC has been a party to a charter with its respective principal councils but unfortunately whilst the aim of the charter is to define and enhance the existing relationship between HKCC and Flintshire County Council unfortunately, in practice many of the aspects of the charter are not adhered to.

In terms of ensuring Town and Community Councils remain fit for purpose and can operate effectively, HKCC would also make the following points:

- It was important that the Clerk and Members had the ability and capacity to receive and understand new information about responsibilities, powers, and service delivery. Training for Members and Clerk is key and some mandatory training may be considered necessary.
- Whilst it is important for Councils to invest in staff development, it should be noted that not all Clerk's have the capacity to undertake CILCA training without significantly adding to existing and increasing workloads.
- There was a definitely a need for more praise, support and identification and commendation of good practice from the WAG, Wales Audit Office and principal councils for the work of Community and Town Councils. It was important that Councils
- receive recognition for their achievements and good practices. Credibility was critical to ensure that Councils remain relevant, meaningful, motivated and to encourage new members and Clerks fill vacancies as they arise.
- HKCC makes important contributions to the community and the Clerk and Members are instrumental in the development of effective partnerships with County Councils and others which in turn benefits and supports residents and provides wide ranging community enhancements.

- Adverse publicity and dialogue across social media could act as a deterrent to encourage candidates to stand for election.
- Town and Community Councils inevitably vary significantly in terms of size and both staffing and financial resources. However, the requirements and duties relating to governance and audit apply irrespective of the size and resources which places an additional and extraordinary burden on smaller Council's such as HKCC and has the potential to thwart proactiveness and new initiatives within communities where the Clerk has no additional capacity to support projects etc what would otherwise be a benefit community.
- The 2018 Independent Remuneration Panel for Wales review of the town and community council sector commissioned by the Welsh Government ago clearly recognised that the sector is fit for purpose

3) Governance and scrutiny arrangements and its impact on accountability and transparency.

HKCC operates under a clear governance framework defined by local and national legislation. This includes adherence to the Local Government Act 1972, which sets out the roles and responsibilities of councillors, ensuring that decision-making processes are transparent and accountable.

HKCC recognises robust corporate governance is key to the success of the effective and effective operation of Community and Town Councils. HKCC further recognises this must be supported by adequate financial and staff resources and supported by evidence of good practice. However, the inevitable disparity in the size and resources of Town and Community Councils should be recognised and taken into consideration.

HKCC holds regular meetings and engages closely with the local community and empowers residents to become more involved with the community and with service delivery and village enhancements. HKCC also produces an annual report which is published on the HKCC website and produces a monthly newsletter distributed throughout the community.

Whilst the Finance & Governance Self-Assessment Toolkit for Community & Town Councils published by the Welsh Government has helped a large number of member councils to review their financial management, governance and accountability procedures and introduce further improvements to improve their infrastructure, completion and implementation of this important guidance document is a resource intensive which is particularly an issue for smaller sized member councils and this should be recognised in terms of variations across the sector with the progress made with completing the Toolkit and implementing and changes arising. However, HKCC recognises the Toolkit provides an effective mechanism for enabling the improvement and development of the sector as a whole. Additionally, the publication of practice development notes by One Voice Wales as well as the training provided by the organisation has further supported and assisted with HKCC's internal governance and scrutiny arrangements.

In terms of additional comments, HKCC would echo the following views expressed during the consultation regarding the Senedd Inquiry run by One Voice Wales in October 2024 which the Clerk to HKCC attended:

- The requirements for exercising the General Power of Competence can be too restrictive and not all Clerk's have the capacity to undertake and complete the Certificate in Local Council Administration qualification which is one of the pre-requisites to being able to exercise the General Power of Competence. This, in addition to the restriction relating to co-opted members is a barrier to adoption and use of the power by HKCC. A rigid external audit regime also results in Council's losing the ability to exercise the power either due to a qualified audit report or a delay by the auditor in published the audit report to confirm an unqualified audit report.
- Councils who received a qualified audit opinion should be supported to help them introduce improvements and understand the audit requirements. There was a role for SLCC in working with Clerks to understand the reasons and causes of qualified audits.
- Audits may give rise to qualified opinions as a result of administrative or clerical failings which could be dealt with more sympathetically by auditors. The time taken to complete audits is a cause of concern. Delays could impact on Councils claiming eligibility to exercise the General Power of Competence and have implications for setting budgets.
- The increased governance and financial obligations on Community and Town Councils, including HKCC, has lead to significant resource implications and increases the already challenging workload for the Clerk to HKCC. Councils have received limited support in resolving these challenges.

4) Scope of digital and new technology to improve decision-making, service provision and participation in local democratic processes.

HKCC acknowledges that digital technology presents the potential to improve efficiency and provide better services.

COVID manifested in the Community and Town councils shifting to digital remote working, and this has provided a springboard for further developments within the sector. HKCC acknowledges change needs to happen in Wales within a digital context which requires concerted action from Community and Town Councils, One Voice Wales and Welsh Government and in this respect HKCC is committed to working with One Voice Wales as part of the Digital Health of Community and Town Councils in Wales project.

The following points are pertinent in terms of HKCC's digital and technological platforms and practices:

- HKCC has a suite of policies and procedures in effective operation including the use of dedicated HKCC email addresses for members and the Clerk
- HKCC has dedicated email addresses to enable residents to contact HKCC regarding various matters.
- HKCC has its own website with full control of the website with the exception of annual maintenance updates that are undertaken by the company which designed the website.
- HKCC uses social media (Facebook) to communicate with the community. This is generally positive although also creates a number of challenges including negative or disturbing comments being posted, the time needed to monitor and update social media and concerns over privacy, fake news, misinterpretation.
- Capacity to provide their staff with the training and development they need to undertake their roles in technologically advanced times is challenging. The cost of purchasing new technology as well as updating often more expensive licenses to provide better and more digital services is also a challenge especially for smaller councils such as HKCC. Doing these things as a single organisation is costly and, in a climate, where difficult decisions are being taken daily, deciding where to focus investment and scarce resources continues to be challenge.

5) How new powers and responsibilities for this tier of government are utilised to support communities.

As the sector navigates the evolving landscape of local governance, Community and Town Councils are committed to meeting these new responsibilities and using these powers to enhance the well-being of the local resident population to foster sustainable community development. For example, the duty under the Environment (Wales) Act 2016 has allowed HKCC to promote environmentally friendly practices and undertake initiatives like bulb and wildflower planting, sustainable hedge replacement within the community and providing bat boxes for residents.

This has resulted in higher levels of resident engagement and, in addition, the ability to collaborate with the County Council and other organisations to support community initiatives.

However, it should be noted that HKCC's sole source of income, with the exception of sporadic one-off grants, is through the precept to specifically fund the activities and services provided by HKCC. The amount of the precept is determined by HKCC based on its budgetary needs and is collected by the principal council on its behalf as part of the overall council tax. Since, in reality, HKCC relies entirely on the precept, its financial capacity is directly linked to the tax base of their community and this can limit the scope of services or projects it can provide. Moreover, any increase in the precept is typically subject to local

scrutiny, as it directly affects residents' council tax bills, which can constrain the HKCC's ability to raise funds for additional services to undertake new initiatives.

Whilst HKCC plays a key role in local governance, this role tends to focus on more localized services and projects as detailed above in context of the role and value of Community and Town Councils in Wales. The precept-based funding model underpins this remit but also underscores the dependence on the support of the local community through the precept.