

Alternative names and styles for parish councils

Background

1. Pursuant to the Local Government Act 1972 (“the 1972 Act”), parishes with a separate council, are known as parish councils. Pursuant to s. 245 of the 1972 Act, any parish council of a parish which is not grouped with any other parish may resolve that the parish shall have the status of a town. If such resolution is passed, that council of the parish bears the name of the council of the town, the chairman and vice-chairman of the council shall be entitled to the style of town mayor and deputy town mayor, and the parish meeting shall have the style of town meeting.
2. Very few parish councils have, by the royal prerogative, the status of a city and they are entitled by such grant of the royal prerogative, to be called and styled a royal town. Please see [Legal Topic Note 12 entitled “Titles of Dignity”](#) for more information.

Changes introduced by the Local Government and Public Involvement in Health Act 2007

3. Section 75 of the Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”), which came into force on 13 February 2008, inserted a new section 12A into the 1972 Act, and also amended sections 14, 15 and 16 of the 1972 Act to offer flexibility in the name of a parish council and a further choice of alternative styles available to a parish council. These alternative styles are **community, neighbourhood and village**. Parish councils, particularly in rural areas, may wish to retain the existing style of their parish council, although other councils in perhaps more urban areas (especially newly created parish councils in London) or where there is desire to make a distinction from an ecclesiastical parish, may prefer the alternative styles introduced by the 2007 Act.

4. Pursuant to section 12 (A) of the amended 1972 Act, a parish council may resolve to have an alternative style of community, neighbourhood or village. A single resolution may provide for a parish council to cease to have an alternative style, and to have another of the alternative styles instead. As soon as practicable after passing a resolution under this section, the parish council must give notice of the change of style to all of the following–
- (a) the Secretary of State;
 - (b) the Electoral Commission;
 - (c) the Office of National Statistics;
 - (d) the Director General of the Ordnance Survey;
 - (e) any district council, county council (or London borough council) within whose area the parish lies
5. Where, as permitted by the 2007 Act, a parish council has resolved to change its **style to that of a community, neighbourhood or village** the following shall apply:-

If the parish has the style of community, the council shall be known by the name “The Community Council” with the addition of the name of the community. The chairman and vice-chairman shall (respectively) have the style “chairman of the community council” and “vice-chairman of the community council” and the councillors shall have the style of “councillors of the community council”.

If the parish has the style of neighbourhood, the council shall be known by the name “The Neighbourhood Council” with the addition of the name of the neighbourhood. The chairman and vice- chairman shall (respectively) have the style “chairman of the neighbourhood council” and “vice-chairman of the neighbourhood council” and the councillors shall have the style of “councillors of the neighbourhood council”.

If the parish has the style of village, the council shall be known by the name “The Village Council” with the addition of the name of the village. If the parish has the style of village, the chairman and vice-chairman shall (respectively) have the style of “chairman of the village council” and “vice-chairman of the village council” and the councillors shall have the style of “councillors of the village council”.

For as long as the parish has an alternative style, it will not also be able to have the status of a town and vice versa.

Community Governance Reviews

6. Pursuant to Part 4 of the 2007 Act, a district council, unitary county council or a London borough council (the principal council) may undertake a community governance review of the whole or part of the principal council's area, which could include making one of the following recommendations in relation to :

The constitution of a new parish (s.87 of the 2007 Act).

The principal council must also make recommendations as to the **name** of the new parish (s.87(5)), whether or not the new parish should have a parish council (s.87(6)) and make recommendations as to whether or not the new parish should have one of the alternative styles (s.87(7)).

Under s. 100 of the 2007 Act, the Secretary of State and the Electoral Commission issued guidance ("statutory guidance") to principal councils in respect of undertaking, and giving effect to recommendations made in community governance reviews and on making recommendations about electoral arrangements respectively. The statutory guidance is available from the Communities and Local Government's website at

<http://www.communities.gov.uk/publications/localgovernment/communitygovernancereviews>

Paragraphs 109 and 110 of the statutory guidance state: "Following a community governance review, in areas previously unparished where a new parish is being created, people living there may wish for the style of their parish council to reflect the local community in a different way and may prefer one of the alternative styles. This may well be the case for those living in urban areas. Local authorities will wish to take account of these preferences in deciding the name of the parish and the chosen style."

"Where the review relates to a new parish, it is for the principal council, in the first instance, to make recommendations as to the geographical name of the new parish, and as to whether or not it should have one of the alternative styles."

Existing parishes under review (s.88 of the 2007 Act).

This may involve recommendations by the principal council that an existing parish should not be abolished and that its area should not be altered, or that the area of the existing parish should be altered or that the existing parish should be abolished.

The review must make recommendations as to whether or not the name of the existing parish should be changed (s.88(3)).

If the parish does not have a council, the review must make recommendations as to whether or not the parish should have a council. If the parish has a council, the review must make recommendations as to whether or not the parish should continue to have a council (s.88(4)).

However the review may not make any recommendations for the parish to begin to have an alternative style (if it does not already have one or to cease to have an alternative style, or to have a different alternative style, (if it already has one) (s.88(5)).

Paragraphs 109 of the statutory guidance confirms the provisions of s.88 by saying: “So far as existing parishes under review by principal councils are concerned, the review must make recommendations as to whether the geographical name of the parish should be changed, but it may not make any recommendations for the parish about alternative style. It will be for the parish council or parish meeting to resolve whether the parish should have one of the alternative styles.”

Summary

The introduction of the 2007 Act means that a parish council may have the name and style of a parish council or a town council, or a city council (this will be uncommon) or a community council, a neighbourhood council or a village council.

Other Legal Topic Notes (LTNs) relevant to this subject:

LTN	Title	Relevance
12	Titles of Dignity	Details the origin of the few parish councils who enjoy city status.
73	Community Governance Reviews	Details the process whereby a new parish council may be created