



**Government Response to the House of Commons
Communities and Local Government Select Committee Report:
Councillors on the frontline**

Presented to Parliament
by the Secretary of State for Communities and Local Government
by Command of Her Majesty

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**Government response to the Communities and Local
Government Select Committee Report:
Councillors on the frontline**

Introduction

1. The Communities and Local Government Select Committee announced on 27 March 2012 that it was to conduct an inquiry into the role councillors play in their communities. Following the submission of written evidence and a number of evidence sessions, the Committee published its report on 10 January 2013

Committee conclusions and recommendations

2. Set out below are the Committee's specific recommendations in the report and the Government's response to each.

Councillors Commission

CLG Select Committee recommendation 1: The Councillors Commission set out some important principles about the role and recruitment of councillors, and shone a light on a number of important issues, some of which we have considered in this inquiry. (Paragraph 5)

3. The Councillors Commission, chaired by Dame Jane Roberts, was established by the former Government in 2007. It addressed a wide range of issues that affect people's desire to be a councillor, their ability to stand for election, and if successful take on the role. It produced a report with 61 recommendations in December 2007.
4. In the Government's view, the core principles of being a councillor are those of community service and volunteering. The aim and motivation of every councillor should be to make things better for the people they represent, and the Government's reforms to establish localism are designed to give those wishing to serve their communities the best possible opportunities for improving their local areas. The Government is quite clear that councillors are and should fundamentally be volunteers, and does not wish to see any move towards professionalising the role through councillors becoming full time salaried staff. In this Government's view, the primary recommendation of the Councillors Commission that local authorities should be charged with a duty to facilitate local democratic engagement would have been an unnecessary bureaucratic burden on councils, doing nothing to further and strengthen local democracy. It was for this reason that in the Localism Act we have repealed the provisions of the Local Democracy Economic Development and Construction Act 2009 which, had they been commenced, would have imposed this duty on councils across England.

Councillors in the community

CLG Select Committee recommendation 2: We have heard different descriptions of the role councillors should be playing in their community. Some witnesses have referred to “community leadership”. Others have said that councillors should be “facilitators” or “civic entrepreneurs”. It does not really matter how this role is described: individual councillors will adapt their approaches to what works locally. What matters more is that the Government does not accidentally undermine the authority of councillors, and that councillors are, in turn, visible in their communities, getting out and about, meeting their constituents and giving them the help and support they need. In doing so, they should be encouraging communities to make the most of all the opportunities available to them, including those offered by the Localism Act 2011. By being visible and active, councillors can also become role models for others in the community and encourage a wider range of people to take an interest in local government. (Paragraph 15)

5. The Government is committed to localism, and through the Localism Act 2011 has created a raft of powers for councils and communities, giving local people new rights and responsibilities including neighbourhood planning, the right to build, the community right to challenge and the community right to bid.
6. All this is about passing power not only to councils but also beyond them to communities. These new opportunities are opening up possibilities for councillors and the communities they represent to improve their local area and the lives of those who live there. Specifically, the new community rights are tools communities can use to make it easier for them to shape their neighbourhoods and services in the best way for them, and Government has put in place over £30m of support to help people use these new opportunities.
7. There are thus today new and re - invigorated roles for councillors both as leaders within their communities, and as facilitators, engaging with their citizens and on behalf of their areas with their councils, and other organisations delivering services to those they represent.
8. No longer should the Town hall be the focus for councillors, but rather their wards and the communities that live in them. The Government believes that this in itself will help foster those who are community spirited to come forward and seek to serve as elected local councillors.

CLG Select Committee recommendation 3: In supporting their communities, councillors should be working closely with external organisations and providers of public services. By forging close relationships with GPs, schools, neighbourhood policing teams, voluntary organisations and local businesses, councillors can broaden their understanding of the key issues facing their community. They also

**have a role in bringing organisations together to share intelligence and provide a co-ordinated and effective response to local needs.
(Paragraph 17)**

9. Localism creates the circumstances and opportunities where most of what councillors do will be centred on working in their communities and forging relationships with the many providers of local services in their area. How this should be done will depend on what is most appropriate for each area, and the issues which communities seek to address. It will be for councillors themselves to determine how and with which individuals or organisations they should best build these relationships.
10. In addition, and in their community leadership role, councillors are well placed to promote the requirements of the Public Services (Social Value) Act 2012 - the consideration of the economic environmental and social benefits of any procurement being undertaken - and liaise between the community and those undertaking such procurement to ensure the most effective engagement when the council commissions services.

**CLG Select Committee recommendation 4: We urge all councils to consider how best to provide support to their councillors and assist them to ensure they have an active role in their communities. Wherever possible, councils should be seeking to devolve power and resources to councillors at the local level, to enable them to fulfil this role. This devolution could take a number of forms: enabling councillors to become “mini mayors” at the ward or community level; delegating budgets; or establishing area committees with decision-making responsibilities. We have seen good examples of what can be achieved: the levers are in place, so councils should get on with the job of devolving power. The approaches they take will depend upon the characteristics of the area and the type of authority, but it is important that examples of good practice are collected and publicised. Councils and the Local Government Association should work together to ensure that good practice is shared and that authorities learn from each other.
(Paragraph 22)**

11. The new rights and opportunities create a climate where the approach to be adopted will differ by area according to its needs and priorities and it is for the councils and councillors themselves to determine what is appropriate in their particular circumstances and how they can work with their communities.
12. Nonetheless, the Government recognises the crucial role for councils in supporting and empowering their councillors, providing them with freedoms, tools and, as appropriate, budgets, enabling them to work more effectively in the new environment. Moreover, there is also a responsibility for Councillors proactively to advocate in their communities for the level of appropriate delegation of responsibilities for their communities' ambitions and priorities.

13. Councils will want to share best practice between them and through the LGA. In particular where neighbouring councils may be considering how they bring together some aspects of service delivery with the sharing of services across a wider area, they will want to look carefully at the role that individual councillors can and must play in developing those services. Councillors should have a central role in shaping services for the communities and people that they represent, and in ensuring that service deliverers are held to account by the people they serve, just as councillors themselves are held to account by their electorate.
14. The Government wants to see ambitious councillors step up and work with their communities to develop exciting new neighbourhood approaches to service design and delivery. And over time we want to see more and more councillors learn from these pioneers and use these opportunities to work with their areas to achieve more.

CLG Select Committee recommendation 5: Increasingly, council services are being delivered by external providers. In these cases, it is important that the role of the councillor is not reduced. Councillors have to be able to influence the way services are delivered, and should not be prevented from doing so because their authority is locked into a long-term contract where there is no access for local politicians to intervene in relation to service quality. Councils should take care when drawing up contracts to ensure that the contracts allow councillors to shape service delivery and have regular contact with frontline staff. (Paragraph 24)

15. It is important that, irrespective of how services are being delivered or by whom, councils and councillors are able to influence the provision of these services so that they might better reflect the needs and priorities of local people. Achieving this may involve recognition of councillors' roles in the contracts that local authorities enter into for the delivery of local services.
16. In part this will be an operational matter and down to councils and councillors as appropriate to develop working relationships with service providers to ensure that day to day issues can be identified, where these arise, be resolved easily and quickly where possible, and without the need for perpetual resort to contractual terms and conditions.

“Guided” and “muscular” localism

CLG Select Committee recommendation 6: We remain concerned about the Government’s mixed messages on localism. The Secretary of State’s use of terms such as “guided localism” and now “muscular localism” suggests an inability to let go of the reins and embrace the concept fully. This can be frustrating and confusing for councillors and councils wishing to make the most of localism. We once again urge the Government to rein in its interventionist instincts, and to commit to giving councils real freedom to make important decisions about issues

affecting their areas. Centrally directed localism is a contradiction in terms. (Paragraph 25)

17. There is no question of any mixed messages around localism. Localism is just that, the passing of powers and functions from the centre through local government and beyond to communities and people as appropriate, enabling local people materially to shape their own day to day lives, whether that be through exercise of the General Power of Competence, the introduction of neighbourhood planning, the right to build, the community right to challenge, the community right to bid and other measures enacted through the Localism Act.

18. That said, whilst local government is freer of central control, this does not mean Ministers, as nationally elected politicians should be denied the right to express their opinion on matters which affect public life, including decisions made by local authorities. This is a sign of healthy democracy - in which all participants, including local government, have a voice.

Structures and elections

CLG Select Committee recommendation 7: We support the development of parish and town councils in areas that are currently “unparished” where communities wish to see them created, and welcome the Government’s commitment to make it easier for communities to establish local councils. (Paragraph 29)

19. The Government believes that as the tier of local government closest to their communities, parish and town councils have a key role to play in our vision for localism and for vibrant, successful neighbourhoods. Parish councils provide communities with a democratically accountable voice and a structure for taking community action.

20. The Government has consulted on options for making it easier to set up these councils where they do not currently exist. The consultation closed on 9 January and the Government aims to publish its response in the spring.

CLG Select Committee recommendation 8: We recommend that councils from time-to-time give formal consideration to their electoral arrangements, ward composition, and, in collaboration with other authorities in their areas, their structures. If, following such consideration they are minded to make a change, they may wish to request that the Secretary of State or the Local Government Boundary Commission for England initiate a review or, if within their powers, make the changes to the arrangements themselves. (Paragraph 35)

21. The Local Government Boundary Commission for England (LGBCE) has the statutory responsibility for the upkeep of electoral and administrative boundaries of local government in England. Councils may request that the LGBCE undertake a review of the number of councillors and their warding

arrangements. They may also seek reviews of their administrative boundaries, provided they can demonstrate there would be support for such a review from all affected councils.

22. Only the Secretary of State can request reviews of the structure of local government, and this Government has made quite clear that it will not impose such changes. Ministers believe the priority should be on greater joint working across boundaries and the sharing of back office and front line delivery, and are keen to ensure that councils work collaboratively. If all affected councils together truly believed that structural change would be of benefit, the Government would not stand in the way, but any such local proposals would need to provide clear evidence of public support, represent value for money and result in better services for local people.

Representation and diversity

CLG Select Committee recommendation 9: We consider it a matter of concern that the composition of many councils does not reflect that of the communities they serve. Clearly, we should not be looking for absolute “reflectiveness” (which would be impossible to achieve). We also accept that councillors do not necessarily have to come from a particular section of society to represent that section effectively. Nevertheless, healthy democracy depends upon different sections of society feeling a connection to those who represent them. It is, therefore, important to increase, for example, the numbers of women, younger people and black and minority ethnic people serving on local authorities, so that the membership of councils is better aligned to the make-up of the local populations they serve. Evidence presented to us suggested that there are areas where it can be difficult to find any candidates at all, and in these places the scale of the challenge will be all the greater. (Paragraph 39)

23. The Government recognises, in particular with the new emerging roles of councillors, there is a need to ensure that there is a good mix of people with appropriate skills and interests ready to offer their services as councillors. As the report points out, this does not necessarily mean that they should directly reflect the make up of their areas - there could be dangers in requiring that. The key point is having a good mix of people willing to serve and that can understand the needs of the whole council as well as those of their own areas.
24. That said, this is not a matter for central prescription through selection lists or targets. National and local politicians have an important role in explaining and presenting the importance of the role of the councillor and engaging people on the myriad of issues in which councillors are involved and on which they too may wish to make a difference for their communities. Councils too have a role in encouraging people to come forward and there are those that have put in place programmes to achieve just that. Political parties are also important working locally with the communities they represent. Councillors themselves can also do much,

acting as role models, encouraging the participation of people in their communities either through involvement in specific issues in which they have demonstrated a keen interest and desire to make a difference, possibly working with councillors in taking forward local matters under the new powers open to them under the Localism Act, or more broadly through putting themselves forward as councillors in their own right.

25. Councils are working on promoting the role of councillors, including eg engaging youth groups and others in the community. There is also sector support through the LGA 'be a councillor' campaign which recognises the importance of the role of the councillor and the need to find new talent, and provides a toolkit/materials to support Councils. The Government believes that it is right that this should be sector led and driven from within local government - the approach taken will depend on the characteristics of each area and it is not for the centre to impose any kind of process or try to drive this through the imposition of, for example, quotas

Recruitment of candidates

CLG Select Committee recommendation 10: Political parties form the backbone of our democratic system. If we are to see a significant increase in the proportion of councillors from currently underrepresented groups, the three main parties together have an important (and probably the most important) role to play. We were pleased to see that the national parties were taking action to increase the number of candidates from under-represented groups and to encourage a broader pool of people to put themselves forward. We were also encouraged to hear that the parties had in place steps to address concerns raised with us about excessive caution and a lack of transparency in selection processes. However, while there are doubtless many examples of good practice, we did not see convincing evidence that party policies were being universally applied by local parties “on the ground”. The political parties must ensure that there are mechanisms in place to monitor the implementation of their national policies in all parts of the country, and that results are achieved. (Paragraph 46)

26. As discussed above, the Government agrees that there is a significant role for the political parties working locally to engage with and attract a wider range of people to stand as candidates and in so doing, ensure that good practice is shared.

CLG Select Committee recommendation 11: Being a councillor is not for everyone and some people will choose to serve their communities in other ways. Nevertheless, the values and skills involved in working in the voluntary sector or running a business will often reflect many of those required for service as a councillor. The political parties should initiate discussions with organisations representing the voluntary sector and business community to explore how they can work together to promote opportunities to stand for election. In addition, the parties

should take steps to make themselves more open, for instance by creating a more welcoming atmosphere at meetings, so that people are not deterred by negative and possibly inaccurate perceptions of what being a party member entails. (Paragraph 50)

27. The Government agrees that there are shared skill sets that can be mutually beneficial across the councillor pool and the business and voluntary sectors.
28. The report notes the shared values that are to be found in the voluntary and community sector and local government, and also notes the observation that running a council had many similarities to running a business. However, engaging locally across these organisations to explore the benefits that may be enjoyed is not just for political parties, but councils and councillors themselves who will want to make the case as part of their local engagement. That may involve discussion between councillors or potential councillors and employees about the roles and responsibilities of councillors and the mutual benefits.
29. However, this must be for local agreement. The ability of different organisations to accommodate serving councillors will of course vary, and the Government is clear that these would be decisions for those organisations themselves; there can be no requirement placed upon them.

CLG Select Committee recommendation 12: There are a number of approaches the political parties could take to increasing the diversity of the candidates they select. We are not advocating particular approaches but rather that parties should actively consider the options available. These options could include the use of open primaries, and the introduction of positive action policies. (Paragraph 55)

30. Because of the importance of the role of parties as noted above, they will of course want to consider all the options for increasing the diversity of the candidates they select. However they will want to consider the practicalities of using open primaries and the degree to which the use of positive action or quotas may in practice place constraints on those coming forward.

Promoting local democracy

CLG Select Committee recommendation 13: Local authorities should be actively promoting democratic engagement and explaining to the public what the role of councillor entails. The repeal of the Duty to Promote Democracy should be a spur to show that councils can develop and implement their own approaches to the promotion of local democracy, without the need for central government direction. We understand that local government is currently facing significant budgetary constraints. Nevertheless, we encourage all councils to put in place strategies for democratic engagement, in accordance with their local circumstances. These strategies should include a focus on engagement with under-represented and hard-to-reach groups. In particular, councils should be

**taking steps to promote the active involvement of young people.
(Paragraph 61)**

31. Whilst as explained above, there is no need for bureaucratic prescription; councils can play an important role in promoting local democracy in their area. Many are working hard to promote the role of councillors, engage youth groups etc, and there is also sector support through the LGA 'be a councillor' campaign which recognises the importance of the role of the councillor and the need to find new talent and provides a toolkit/materials to support councils.
32. As also explained above, being a councillor and hence playing a central role in local democracy, is essentially a voluntary activity. Those involved in local democracy should not need tax payer funding to promote the very matter for which they have volunteered.

CLG Select Committee recommendation 14: The Local Government Association (LGA) deserves credit for its work on the Be a Councillor programme, which is playing an important role in encouraging a wider group of people to stand at local elections. We welcome the political parties' engagement in the programme. We note the suggestion for the creation of a Local Democracy Advocacy Organisation that could take over and expand the programme. While there is merit in this idea, we are wary of recommending the setting up of a new organisation, which could be expensive and time consuming. We would, however, encourage the LGA to expand the Be a Councillor programme, under its established branding, to enable it to play a wider role in the promotion of local democracy. The expanded Be a Councillor programme could take steps to share good practice from councils' approaches to promoting democratic engagement. Steps to popularise the idea of becoming a councillor should be actively considered. (Paragraph 64)

33. As noted above, the Government is quite clear that the promotion of democratic engagement and encouraging and nurturing a more broadly drawn pool of candidates and councillors should be sector led, and recognises the importance and value of the work of the LGA through its 'Be a Councillor' programme.

Time commitment and the attitude of employers

CLG Select Committee recommendation 15: Councils should consider assigning to each councillor an officer who can assist them in managing their casework. In smaller authorities, this officer may be shared between a number of councillors. (Paragraph 70)

34. The report notes the increased time commitment for councillors as a potential barrier to attracting or retaining councillors. There are many ways in which councils may chose to support their councillors, but the decision on the approach to be taken is one for them.

CLG Select Committee recommendation 16: The Ministry of Defence is giving serious consideration to the ways in which employers can be encouraged to support military reservists. The Department for Communities and Local Government should conduct a similar review. We recommend that the Government consult on how employers can be encouraged to provide support to their staff who serve as councillors. Options that might be considered include a Kitemark-style recognition scheme and the introduction of a financial incentive scheme. (Paragraph 75)

35. The report considers the extent to which the time commitment required of councillors impacts on employers and may be a barrier to the employment of councillors in some cases. The report suggests there are parallels to be drawn between the way in which employers may be encouraged to support military reservists and the employment of councillors.
36. However, these are very different situations and the Government believes the relationship between councillors and their employers is a matter better resolved locally than by any direction from central Government.

Remuneration

CLG Select Committee recommendation 17: We recommend that the Government give councils the ability to transfer responsibility for setting allowances to independent local bodies. Unlike the current panels, which can only make recommendations, these bodies would make decisions about levels of allowances that councils would be required to accept. It would be inconsistent for Parliament to deny councils the option it has chosen for the determination of its own pay and conditions. (Paragraph 81)

37. The Government has made very clear that decisions about the level of allowances are properly for councils and councillors to determine in light of their own particular circumstances. This is not a central one size fits all function. Neither is it a decision that should be taken out of the hands of local authorities who are accountable for their decision to their local electorate.

CLG Select Committee recommendation 18: We recommend that the Government give councils (or, if the recommendation above is accepted, local allowance bodies) the power to include a capped element to compensate for loss of earnings as part of a councillor's allowance. This would address our concern about the current situation, where a large proportion of councillors are retired and do not have the same need as employed councillors to increase allowances. Allowances therefore remain low and act as a deterrent for those considering whether to stand for election in future. The current arrangements become self-perpetuating. (Paragraph 82)

38. The Government was asked to consider the option for providing loss of earnings compensation. In response it made clear the position that being a councillor is a voluntary public service and not a salaried job.
39. In principle, councillors are already compensated for loss of earnings as allowances are intended to ensure in general councillors are not out of pocket as a result of their public duties. The basic allowance, which all councillors receive, is intended to recognise their time commitment, including such inevitable calls on their time as meetings with officers and constituents and attendance at political group meetings.

CLG Select Committee recommendation 19: We are concerned at the inconsistency in the Minister’s position on allowances. On the one hand, he insisted that the setting of allowances was a matter for local determination. On the other hand, he was prepared to question a decision on allowances that a local authority had quite legitimately taken. This inconsistency illustrates our concerns about “guided localism”. Councils should be free to exercise their decision-making power without facing criticism whenever Ministers disagree with the decisions they make. (Paragraph 84)

40. There is no inconsistency. These are fundamentally local decisions to be taken by councils themselves. However, as already explained, this does not mean Ministers, as nationally elected politicians should be denied the right to express their opinion on matters which affect public life, including decisions made by local authorities.

Councillor Performance

CLG Select Committee recommendation 20: We were pleased to hear about the steps political parties were taking to put in place councillor contracts. As we have already observed, it is important that the commitments made by political parties at a national level are translated into action on the ground. We urge the parties to ensure arrangements are in place for the active monitoring of contracts. Moreover, before deciding to reselect a councillor, local parties should give thorough consideration to the councillor’s performance over the previous term. (Paragraph 88)

41. The arrangements that the political parties wish to make are a matter for them to decide and to fund.

CLG Select Committee recommendation 21: We encourage local authorities to put in place light touch arrangements for reporting councillor performance. As part of this, councillors could be asked to complete a brief annual self-assessment to be made public in an accessible format. This should cover not only attendance at formal meetings, but also details of the work councillors have carried out within their communities. (Paragraph 89)

42. Councils would need to take a view on whether this would be appropriate in their circumstances. This is not for Government to decide. However, Government is clear that there can be no substitute for transparency and accountability through the ballot box

Training

CLG Select Committee recommendation 22: We encourage political parties, local authorities and other bodies to review the training they offer to ensure it meets the needs of councillors. In particular, training should reflect the changing roles of councillors, and ensure that councillors understand the implications of the Localism Act 2011 and other new legislation. However, councillors themselves must ultimately be responsible for ensuring they have the skills they need to carry out their duties. We suggest that, as part of the performance reporting process we propose above, councillors make public details of any training they have completed in the course of the preceding year. Training should be seen as a benefit, not a cost, to local taxpayers. (Paragraph 95)

43. The training available to councillors is important and should reflect changing roles. This should be a matter for the local government sector, councils, and political parties. Councillors need to consider what additional skills they require and how best to go about obtaining them, whether through formal training, support programmes and material available from their councils or from elsewhere in the sector.

CLG Select Committee recommendation 23: On the one hand, we are encouraged that a number of councils have chosen to ring fence their member development budgets; on the other hand, we are concerned by reports that the staffing to support this member development is being reduced in a number of authorities. While we recognise the budgetary pressures councils are under, we consider it essential that they ensure that there are sufficient resources to meet their members' development needs. Without training and development, councillors' effectiveness and job satisfaction will suffer. (Paragraph 97)

44. Councils will be fully aware of the importance of skilled and motivated councillors working with the communities they serve to most effectively meet their needs in delivering services at a time of increasing demand and pressure. It is for councils themselves, in setting their budgets, to determine how they balance competing priorities including any need to support their councillors.

CLG Select Committee recommendation 24: At a time when councillors are being called on to make increasingly difficult decisions about service reductions and budget priorities, this is not the moment to reduce their ability to undertake these vital tasks. Councillors have more need than ever for the support and resources to enable them to fulfil their decision-making and scrutiny roles. (Paragraph 98)

45. As discussed above, councils will want to consider how best they can provide that support whilst reflecting their own circumstances and priorities.

CLG Select Committee recommendation 25: Training should be provided to potential candidates before they stand for election, to give them some knowledge of what they can expect from being a councillor. We encourage councils and political parties to work together to organise “taster courses” and briefing sessions for those considering standing for election. (Paragraph 100)

46. The Government would see this as part of the wider process of engagement with local people on the issues that concern them, encouraging them to become involved in making their places better, and encouraging to become involved either on specific issues or more widely as candidates for and ultimately councillors working for their areas and the good of the wider council.

Councillors on the frontline

CLG Select Committee recommendation 26: We pay tribute to the councillors across the country who are working hard for their communities, speaking up for them, addressing their problems and concerns, helping them get projects off the ground, and working with other organisations to ensure people get the representation they need. (Paragraph 101)

47. In his initial evidence to the committee, the Secretary of State similarly paid tribute to the councillors – of all political parties and none – who are taking on responsibility, making a difference, helping their local residents, every day of the week in councils right across the country.

CLG Select Committee recommendation 27: Councillors should be at the centre of community life, well known and respected by those they represent, and empowered to effect change within their local areas. We believe that, in future, all councillors should be on the frontline: central government, political parties, local authorities and, above all, councillors themselves have to play their part in achieving this ambition. Democracy at all levels depends on the health of its councillor base. (Paragraph 105)

48. With localism it is unquestionable that councillors should be at the centre of their communities, and those who are councillors will so often be those who are the most community spirited and the most ready to volunteer and take up the challenges of really making a difference in their localities and for those who live and work in them



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