

LOCAL GOVERNMENT

**A Handbook for
Students, Local Government Workers,
and the Man in the Street**

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FOREWORD

OUR system of local government is the oldest of all British institutions. Its roots lie in the far-off days before any central authority existed in England or our national consciousness had dawned. It is the seed from which the principle of self-government has sprung, and its flower is our belief in the virtue of independence and freedom.

Through many hundreds of years it grew side by side with the institution of Parliament, sharing with it the responsibility for the just administration of the country and the improvement of the welfare of the people. Today, though its sphere of action may be more restricted than that of Parliament, its importance is as great, and it looms large in the life of the individual citizen, for it touches his interests in a multitude of ways.

As the quotation at the head of the first chapter of this handbook claims, the citizen's hope of health, happiness and progress depends for its realisation upon local government. Today, as ever, we need men and women willing to give their time, enthusiasm and loyalty in order to provide the vigour and wisdom which this often unexciting, but always essential, work demands. The successful performance of this work carries with it an urgent duty that every citizen should cast his or her vote at every election, and that they should take sufficient interest in the problems before them to enable them to do so wisely.

Realising the vital place which local government occupies among our national institutions, the Conservative Central Education Committee has decided to publish this introduction to the subject—which it has had specially written by a well-known authority—in order to enable the citizen better to understand its value and importance. The Committee hopes that in this way he, or she, may be

encouraged and equipped to take an active part in this field of public service, and in doing so to assist in promoting the security and happiness of the mass of our fellow citizens in Britain today.

R. A. BUTLER.

Chairman:

Conservative Central Education Committee.

April, 1938.

CHAPTER I

The Growth and Importance of Local Government

For the average English citizen the possibility of health, of happiness, of progress towards the old Greek ideal of "beautiful goodness", depends on his local government more than on any other factor in his environment.

—GRAHAM WALLAS.

LOCAL government is local management of local affairs, as opposed to central (or parliamentary) management of national affairs.

The work performed by local councils to-day has become part of the very fabric of our everyday life. It affects the very young, the schoolchild, the adult and the very old; and its influence is apparent literally "from the cradle to the grave". In that admirable novel *South Riding*, the late Winifred Holtby aptly describes local government as "the first-line defence thrown up by the community against our common enemies—poverty, sickness, ignorance, isolation and social maladjustment".

Through their many-sided activities local authorities safeguard the health of the people who live in their areas, provide police and fire brigades to protect them from the hazards of life, build and equip schools and hospitals and public swimming-baths, repair and clean and light our streets, and construct new arterial roads, superintend vast public utility services which supply us with water, gas, electricity, and which run buses and trams and trolley-buses, demolish slum properties, build great housing estates for working-class families, and by enforcing building and town-planning regulations, control the future development of our towns and countryside. In addition they care for particular sections of the community, such as

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tramps or vagrants, those who are in need of public assistance, the blind and the mentally deficient. Local councils are really running multiple businesses on a vast scale. They do not, however, run them for profit—but for the common good. They collect and dispose of our house refuse—an unromantic task, perhaps, but a very necessary one; they employ food inspectors and inspectors of weights and measures to protect the public from fraud; they maintain parks and children's playing-grounds and open-air swimming-pools; they provide lending and reference libraries and supervise maternity and child welfare centres where mothers can obtain free expert advice on the care of their children. As Sir Kingsley Wood recently said, "Local government touches the daily lives of men and women more frequently and its benefits or failures are felt more acutely than the slower and sometimes more remote influences of Parliament."

The catalogue of duties and services performed by local authorities could be extended indefinitely. But it will have served its purpose if it has made the reader realise the enormous scope and variety of modern local government. Local government is, in fact, a most inappropriate term, and I wish that it could be replaced by something more truly descriptive of the beneficial services performed for the community. It is the idea of regimentation and bureaucracy which is responsible for the attitude of indifference, apathy or positive dislike which many people adopt towards their local councils. How much wiser it would be for them to look upon their local representatives as persons who voluntarily devote themselves to promoting the health and happiness of the community, and upon the Mayor or Chairman of the Council as Public Benefactor No. 1!

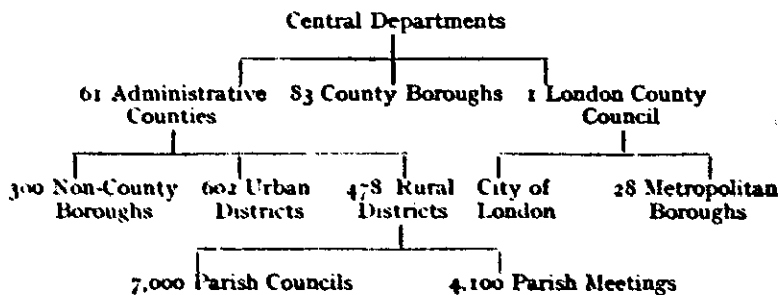
The root of the trouble is that everyone today tends to take as a matter of course the complex organisation of our public services which make all the difference between savagery and civilisation. We accept all that is done for us without for a moment inquiring into the pains and thought and the expenditure behind the contributions for our well-being. When we switch on the electric light, turn our bath-taps, or light our gas fires, we do not think of the planning, the organisation and the constant supervision which are necessary to make these simple operations provide light or water or heat for our convenience. The

imaginative mind would see the boilers and turbines, the coal-handling plant and water-cooling towers of a great electricity generating station, the furnaces and retorts of a gas plant, the reservoirs and dams and filterbeds of a water-supply undertaking. It would envisage, too, the vast network of pipes, cables, and conduits tucked away beneath the ground, without which all these "modern conveniences" of which our house-agents speak so glibly would be meaningless and impossible.

It is even more astonishing to reflect that nearly all these services have grown up within the last century—many of them during the last fifty years, a few even since the Great War. For example, the Health and Towns Commission reported in 1844 that of the fifty large towns of England there was scarcely one in which the drainage was good and only one in which the water supply was good. In 1850 large towns like Leeds and Sheffield were without public libraries of any kind. It was not until after the Great War that the public conscience became really awakened to the evils of slums, and not until 1935 that local authorities were empowered to deal with the kindred evil of overcrowding. Again, although the first town-planning legislation was passed in 1909, it was not until 1932 that planning powers were extended to built-up areas or to the countryside. Before that they were confined to land which was "in the course of development" or which appeared likely to be used for building purposes.

To-day the local authorities of England and Wales are 62 County Councils, 83 County Boroughs, 289 non-County Boroughs, about 614 Urban District Councils, about 478 Rural District Councils, about 7,000 Parish Councils and about 4,100 Parish Meetings. In addition, there are 28 Metropolitan Boroughs and the City of London Corporation.

In this table you can see them at a glance :



Nearly all these different kinds of local authority are comparatively modern creations. The borough councils date from the Municipal Corporations Act of 1835; most of the Urban and Rural District Councils were not created until 1872, and then under the name of "sanitary district". It is impossible to understand the present structure of our local government system without some reference to its history.

Some cynic once said that the main principle of English local government was its lack of principle. Local authorities differ tremendously in their sizes and in their powers, nor have they all anything like the same powers. Again, in the same district or area, one authority may be responsible for carrying out certain functions, and another for others. It is anything but a tidy system.

Its untidiness is largely due to its haphazard growth throughout English history. Central administration dates from the twelfth century, and is the work of French officials. Local administration is at least five hundred years older. Treasury, King's Bench and Parliament came down to us from Angevin and Plantagenet Kings. But Township, and Hundred, and Shire carry us back to the days before Alfred. Hence central government, when it came, had to reckon with local government as an established fact, and has had to do so ever since.

Although the Parish Councils were only created as recently as 1894, they are based on the parish, which was an ecclesiastical unit of great antiquity. Again, County Councils were created in 1888, but they take as their areas the counties which were feudal and possibly pre-feudal areas. Dr. Robson has pointed out that these traditional units have borne a rough relation to the physical capacities of man, the parish being the territory which could be covered in a day on foot, without excess fatigue, the county possibly taking its size from the distance a man could travel on horseback from sunrise to sunset.

The county or shire was the unit of administration of the Anglo-Saxon kingdom. It was governed by an earldorman with the help of the bishop, and the King's representative—the Shire-reeve or Sheriff. County administration was carried on through the county court, which was not primarily a judicial body but an assembly of the men of the county. Among the functions it performed were the maintenance of bridges and fortifications

and the provision of men for the army. In the twelfth century the Sheriff presided in the county court, executed the King's writs and controlled the primitive police system.

It was largely with a view to curbing the power of the Sheriffs that in 1360 Gentlemen in each shire were placed on "the commission of the peace" and vested with power "to restrain the offenders . . . and duly punish according to the law and custom of the realm". The functions of the Justices were increased under "stacks of statutes", and they eventually gained complete control of the administration and jurisdiction of the county. Their work included the building and repairing of bridges and shire-halls, the fixing of wages and the maintenance of gaols. If, for example, a bridge fell into disrepair, the Justices would summon before their Bench the inhabitants of the parish in which the bridge was situated and order them to pay for its repair. The Justices were the representatives in the county of the central government, which appointed them to control the smaller administrative areas—the parishes and the Hundreds.

By the Poor Law Act of 1601, the responsibility of looking after the poor was fixed on the parish where they lived, so that they were no longer dependent on the church or on private charity, and provision was made for the appointment by the Justices of "Overseers of the Poor", who were charged with the duty of raising funds by the taxation of every inhabitant of the parish. The Elizabethan Statute is the foundation of our modern system of rating. It gave to the poor man a legal claim to be supported, and, on the other hand, directed that he should be made to work for his living.

In the course of the next two centuries, local authorities became interested, not only in the removal of the conditions caused by poverty, but in the relief of destitute persons, the amount of such relief being graded with reference to the number of children, the wages paid him by his employer and the price of bread.

Meanwhile, unpaid officers, compelled to serve their turn as Parish Constables, Overseers, and Churchwardens, carried out the various duties for which they were responsible. For example, the work of repairing the parochial highways had to be performed under the directions of the surveyor by the inhabitants themselves. Such a system, while it might work with reasonable efficiency in an

agricultural community, proved quite unworkable with the gradual growth of towns. It was not until 1782 that civil parishes were grouped into "Unions" for poor law purposes and Guardians of the Poor were appointed by the Justices.

Before the Municipal Corporations Act of 1835, it was only by means of a royal charter that individual towns obtained their incorporation and power to govern themselves by their mayor and corporation. In the eighteenth century scores of these corporations were held as "pocket boroughs" by the Crown, the Ministers of State and the great lords, who used them to dictate their representation in Parliament. The Reform Act of 1832 reconstructed the boroughs for the purpose of parliamentary franchise, and deprived "rotten" or "pocket" boroughs of their seats in the House of Commons. It was soon followed by the Municipal Reform Act of 1835, which, following the lines of the parliamentary franchise of 1832, gave local government franchise to all property-owners and all occupiers of rented property which was rated as worth £10 per year. It overhauled the administration of the municipal "Rotten Boroughs", which were similar bodies in the field of local government to the parliamentary "Rotten Boroughs", and whose main functions had previously been the entertainment of their members and the election of members to Parliament. The 1835 Act, upon which is founded our present system of representative local government; reformed the government of 178 existing boroughs and provided an intelligible system under which 125 more English and Welsh towns have come into the enjoyment of corporate privileges. Their functions included the administration of justice in local criminal and civil courts, the appointment and supervision of police, the levy of rates and the maintenance of public properties, the enactment of by-laws, the appointment and dismissal of public servants, paving, lighting, supplying water, and the maintenance and improvement of streets and sewers. In short, authority was now vested—so far as the boroughs were concerned—in a council which was made directly representative of a body of ratepayers. In the words of G. M. Trevelyan, "The spirit of Jeremy Bentham was abroad in the land, though the old man himself was on his death-bed. His test question—'What is the use of it?'—was being applied to one venerable absurdity after another. The age of Royal Commissions and their Reports had begun with the Whig Reform

Ministry. The Municipal Corporations Act was among its first fruits." The 1835 Act, with its amending Acts, was codified by the Municipal Corporations Act of 1882.

The Local Government Act, 1888, established popularly elected bodies known as County Councils for each county or part of a county with a separate Court of Quarter Sessions (other than Quarter Sessions Boroughs), to which were transferred all the administrative functions of the Justices and Quarter Sessions assembled, except the control of the Police. The Act also enlarged the existing machinery of urban democracy by turning all towns of over 50,000 inhabitants into County Boroughs, and by establishing the elected London County Council to govern all London except the old City area. The two new types of local authorities—County Councils and County Borough Councils—created by the Local Government Act, 1888, were not *ad hoc* authorities (i.e., authorities appointed for one specific purpose), but general authorities exercising a group of functions with no necessary connection other than that they were administered for a particular local area.

In the nineteenth century, attempts had been made to remedy defects in the existing machinery of local government by creating *ad hoc* authorities such as Improvement Commissioners, charged with the duties of preserving the watch, lighting and street cleaning; Turnpike Trustees, who were charged with maintaining existing main roads for stage coaches, or with the building of new ones; and other bodies, set up expressly to conduct one service alone within a particular area.

During the last century, the main factors concerning the development of our local government system have been the immense growth of population, the requirements of the expanding industries of the Victorian era, and above all a social conscience which demanded that certain comforts and conveniences of living should be provided by government. The last hundred years have shewn an almost unparalleled change of outlook, not only towards the Poor Law but towards the Public Health Administration, Housing, Education, Highways, Maternity and Child Welfare, Public Utilities and Transport Services, and the constitution and areas of the local authorities themselves. These are the matters which dominate modern local government. The maintenance of law and order among the local inhabitants, the policing of the city and the repair of its highways are

no longer the principal concerns of local administration. The expansion of local government services has also been due in no small measure to the movement of large numbers of the population from the countryside into towns following the development of industry.

In the eighteenth century Public Health, Education and Highways were virtually unknown in local administration, at any rate in so far as a uniform system of administration was concerned. In the nineteenth century a long series of statutes imposed new public duties and created new bodies for the purpose of discharging them.

The history of local government in this country may be regarded to some extent as a conflict between the ideas of *ad hoc* bodies and *omnibus* authorities. At first the trend was towards the *ad hoc* body ; later it veered over in favour of having one authority for the discharge of all functions ; and of recent years, with the creation of such bodies as the London Passenger Transport Board, the Railway Assessment Authority, and the new Unemployment Assistance Board, the *ad hoc* authority appears to be coming once more into favour.

Poor Law

The commencement of the modern system of local government in this country dates from the Poor Law Amendment Act, 1834, which superseded the Act of Elizabeth.

The report of the Royal Commission on Poor Law, published in 1834, which was largely inspired by Edwin Chadwick, is one of the most famous of our State documents. Prior to the passing of the Poor Law Amendment Act the lax administration of the unpaid overseers led to unprecedented figures. The Poor Law Amendment Act, 1834, was not inspired so much by philanthropy as by economy. Its chief aim was to abolish outdoor relief entirely. It did, in effect, inflict great misery on the poorest people, but at the same time it brought to an end the reckless distribution of outdoor relief which had grown up in the previous 40 years.

The Act was the foundation stone of future local government reforms since it began the practice of government by locally elected authorities ; it established, by the appointment of Poor Law Commissioners, the system of close central control, and continued the practice of having separate *ad*

hoc authorities for the major functions of local government. In 1847 the Poor Law Commissioners were succeeded by a Poor Law Board which was responsible to Parliament, but in other respects the position was unchanged, and remained unchanged, at least fundamentally, until, by the Local Government Act, 1929, the functions of Boards of Guardians were transferred to the County Councils and County Borough Councils comprising the Poor Law areas for which the Boards had acted.

The Unemployment Act, 1934, was the outstanding measure passed in the 1934 session of Parliament. The Act set up an independent central authority known as the Unemployment Assistance Board which assumed responsibility for the public assistance functions relating to the able-bodied unemployed which since 1930 had been vested in County Councils and County Borough Councils. Speaking generally, it may be said that since 1929 there has been team work between the three great social services—Health, Education, Maintenance in unified local administration—backed by central government grants and guidance. By the Unemployment Act, 1934, maintenance of able-bodied unemployed was separated from other maintenance, education and health. The Act, which is quite a revolutionary measure, took the control and administration of unemployment relief out of the hands of the local authorities altogether and placed it out of everyday politics, so far, at least, as that is possible.

Highways

A year after the passing of the Poor Law Amendment Act another great reform was accomplished in respect of the administration of highways by the Highway Act, 1835. At common law highways had been repairable by the "inhabitants at large". This meant that the surveyor of highways would call upon the inhabitants of the parish to provide tools and labour for an annual compulsory four days' service. The Highway Act, 1835, abolished these services and enabled the cost of repairs to be met out of a highways rate and also enabled each parish to form a Highways Board and to appoint a paid surveyor. Later legislation created the highways district, and these districts were finally merged into sanitary districts which were later created for public health purposes.

The Highway Act, 1862, gave the Justices and Quarter

Sessions power compulsorily to combine parishes into highway districts governed by highway authorities, but owing to the different ideas of each set of Justices as to appropriate areas, there were many anomalies in highway administration at this period. Some of these anomalies were removed by the Highways and Locomotives Act, 1878, which provided that future highway districts should coincide with the rural sanitary districts and which empowered the Justices to dissolve the existing highway authorities. It was not, however, until the Local Government Act, 1894, that all highway districts and highway authorities were abolished and these functions transferred to the urban and rural district councils which were constituted by that Act.

At this period many of the important roads were under and governed by "Turnpike Trustees". From 1862 a policy of "dis-turnpiking" was pursued by Parliament, and by the Local Government Act, 1888, the functions of Turnpike Trustees were handed over to the County Councils, who also received powers to take over their roads as "main roads".

The Local Government Act, 1894, renamed the urban sanitary authorities and gave them their present name of "Urban District Councils". In rural districts the highway boards were abolished and Rural District Councils became the highway authorities. And so, by the end of the nineteenth century, the powers and duties of surveyors of highways under the Highway Act, 1835, were uniformly vested in the *omnibus* local authorities, and *ad hoc* bodies had disappeared. "Main" or "county" roads were under the supervision of county and county borough councils, and "district" roads were maintained by urban and rural district councils.

With the great increase in the use of roads which resulted from the development of motor transport, the problem of the maintenance and improvement of roads became more difficult. In 1909 a central department called the Road Board was created. The new Board was empowered both to make roads and to give grants from a "Road Fund", formed from the taxes paid by motorists, for improving existing roads and for building new ones. In 1919 the Ministry of Transport was created and the functions of the Road Board were transferred to it. Roads were classified so that grants in varying proportions could be given towards their maintenance.

The general policy of the Local Government Act, 1929, was to transfer the duties as regards the maintenance and repair of highways from the lesser authorities to the councils of counties and county boroughs. Non-county boroughs and urban districts with a population of over 20,000 may claim to maintain and repair roads in their own districts, and both rural and urban districts may apply to the County Council to have the maintenance and repair of certain roads delegated to them.

Another drastic change was effected by the Trunk Roads Act of 1936, under which 4500 miles of the principal roads in the country were transferred to the Minister of Transport, as the highway authority.

In fact the present policy of the central government seems now to be towards controlling as closely as possible functions which formerly were left largely to the discretion of local authorities.

Public Health

The foundation of our general sanitary legislation was laid by the Public Health Act, 1848. The old authorities, as Dr. Ivor Jennings has well written, knew little and cared less about the necessity of good drainage systems, water supply, lighting, cleansing, the control of house building, and so on, but Chadwick's Survey roused the nation to consider the state of the sanitation of the country, and drove home the realization that sickness and ill-health were the fundamental causes of pauperism. The Act of 1848 was the first compulsory measure in relation to Public Health. The general Board of Health was established with powers to appoint officers and inspectors and in some cases to take proceedings. In respect of boroughs the Act was adoptive. Elsewhere the general Board of Health could establish an elected local Board of Health, either on the application of one-tenth of the inhabitants of the district, or without such application in any place where the death rate was over 23 per 1000. The sanitary authority so constituted had mandatory powers, which included sewerage, drainage, water supply, street management, provision of burial grounds and the regulation of offensive trades.

These functions were again transferred by the Local Government Board Act, 1871, to the Local Government Board, a new body, and the Public Health Act, 1872, vested

public health powers in urban areas in Local Boards, Boroughs, and Town Improvement Commissioners, and, in rural areas, in the Boards of Guardians.

The Public Health Act, 1875, which was a consolidating Act, wholly or partially repealing 19 Acts, was to a large extent a codification of previous legislation. By the Ministry of Health Act, 1919, the powers of the old Local Government Board were transferred to the Ministry of Health, and the Minister of Health was appointed for the purposes of promoting the health of the people throughout England and Wales. The Minister has a chief duty, in the exercise of the powers and duties transferred by the Act, to take steps to secure the preparation, execution, and co-ordination of measures conducive to the health of the people, including measures for the prevention and cure of disease, the treatment of physical and mental defects, the treatment and care of the blind, the initiation and termination of research, the dissemination of statistics, and the training of persons for health services. The Minister has further powers of holding local inquiries; he has consultative and guiding functions, for example, by the issue of modern by-laws dealing with the principal branches of local administration; he exercises direct control over the borrowing powers of local authorities and over the expenditure of most authorities by means of the Audit of Accounts, and he may settle differences between local authorities and determine their grievances. The Minister may also exercise certain default powers in respect of local authorities who have failed to perform certain of their duties in a satisfactory manner.

Public Health legislation has now been codified by the Public Health Act, 1936.

Police

At the beginning of the nineteenth century it was computed that in England and Wales there was one criminal to every twenty-two of the population. There were, at this period, many types of police officers, but they were controlled by entirely unconnected local authorities and no attempt was made to co-ordinate their work. For example, there were the parish constable, the constable and the headborough appointed annually by the Court Leet, the constable appointed by the justices, and so forth. Such was the state of affairs when, in 1829, Sir Robert Peel

established the Metropolitan Police Force by Act of Parliament, and laid the foundation of that organisation on which is based the existing metropolitan police system. The Act resulted in a hasty exodus of criminals from London to the provinces.

By the Municipal Corporations Act, 1835, a duty was imposed on the council of every corporate town to appoint a Watch Committee which was bound to establish and maintain a police force adequate for the town. The criminal classes then fled into the country where there were still no organised police authorities. The County Police Acts of 1839 and 1840 allowed the justices in Quarter Sessions to establish a paid police force for their county. These Acts were permissive, not obligatory, and some counties failed to avail themselves of this power. The contrast between the condition of those counties which had adopted the Acts and those which had not, led to the passing of the County and Borough Police Act, 1856, which directed that in every county in which a police force had not been established for the whole of the county, the justices in Quarter Sessions should establish a sufficient police force for the whole county. The Act also provided for the appointment of Crown Inspectors of Constabulary who were to report on the efficiency of county and borough forces to the Home Secretary, and directed that one quarter of the cost of the pay and clothing of every police force certified to be efficient should be borne by the State. (This contribution was subsequently increased to one half.) By the Local Government Act, 1888, the powers, duties and liabilities of Quarter Sessions with respect to the county police were transferred to a Standing Joint Committee, consisting of equal numbers of justices appointed at Quarter Sessions and of members of the county council. It also provided that for the future all boroughs of less than 10,000 population, according to the 1881 census, should for police purposes be part of the administrative county.

The provisions of the Municipal Corporations Act, 1835, with respect to borough police, were substantially re-enacted in the Municipal Corporations Act, 1882, and are now incorporated in the Local Government Act, 1933.

In 1919 a Departmental Committee, presided over by Lord Desborough, made a searching inquiry into the conditions of police service, and, as a result of its recommendations, the pay and conditions of service of the police were

standardised by the provisions of the Police Act, 1919, the Police Regulations 1920 and the Police Pensions Act, 1921.

The position today is that in each administrative county there is a police force under a Chief Constable, who is appointed by the Standing Joint Committee. In municipal boroughs the police authority is the Watch Committee, which is under no obligation to report to the council. For the Metropolitan Police District the police authority is the Secretary of State for the Home Department, and subject to his control the force is commanded by a Commissioner, assisted by a Deputy Commissioner and three Assistant Commissioners.

Public Utilities

The last century has witnessed the complete growth of local government activity in the provision of public utilities such as gas, water, electricity and transport services. It was obviously necessary for undertakings to be given special powers, e.g. to break up streets, for the purpose of providing these services. The earliest of such powers were conferred in 1845 and 1847, when Acts were passed containing powers as to acquisition of land, laying pipes and cables and other matters. Examples of such Acts are the Land Clauses Act, the Gasworks Clauses Act, and the Waterworks Clauses Act. These Acts were adoptive, and were passed (as the word "Clauses" would imply) so that they could be embodied as clauses in a local Act or Order. Both private persons and local authorities took advantage of the provisions of these Acts, especially in the North and Midlands, and as time went on local authorities assumed more and more powers, by means both of local Acts and of Public General Acts such as the Gas and Waterworks Facilities Act, 1871, until at the present time they constitute the majority of undertakers in the country.

Local authorities embarked upon the supply of electricity somewhat later in the last century, the first Act relating thereto being the Electric Lighting Act, 1882. This public utility service has grown so rapidly, however, that to-day the policy of government is to regionalise the country, and to create larger areas of supply. Until lately, so many authorities had been so active in the provision of public utilities that there has been a danger that output has become uneconomical owing to the smallness of area provided by each undertaking. Because

of this, there has of late years been a movement in favour of joint and central authorities.

The Electricity Commissioners have been set up under the Electricity (Supply) Act, 1919, and, subject to the confirmation of the Minister of Transport, are empowered to determine districts and approve schemes for the supply of electricity and for the formation of Joint Electricity Authorities or Advisory Boards. The Central Electricity Board was created by the Electricity (Supply) Act, 1926, to construct main transmission lines ("the Grid") and to supply electricity in bulk for distribution by authorised undertaking.

Housing

Another important series of Acts are those relating to the housing of the working classes and town planning. The Housing of the Working Classes Act, 1890, is often regarded as the first real attempt to deal with the slum question, but even at that date the question of housing had been continually before the public for some forty years. The Common Lodging Classes Act and the Labouring Classes Act, both of which were passed in 1851, largely owing to the efforts of the Earl of Shaftesbury, were really the starting point in the attempt to provide proper housing accommodation for the working classes. Again in 1868 there was passed into law Mr. Torrens' Act, the Artisans' and Labourers' Dwellings Act, which was subsequently amended in 1908. To these three Acts may be traced many of the provisions as to insanitary buildings now contained in Part I of the Housing Act, 1925, and Part II of the Housing Act, 1930. Two Acts, the Artisans' and Labourers' Dwellings Acts, and Richard Cross's Acts, were passed in 1875 and 1879, and these two have also influenced subsequent legislation on housing matters. The law relating to housing was consolidated and extended by the Housing of the Working Classes Act, 1890, which enabled local authorities to make schemes for the clearing of insanitary areas and the carrying out of rehousing, gave them powers to deal with insanitary houses and to enforce the repair, closing or demolition of houses, and empowered them to buy land and erect thereon buildings suitable for lodging houses for the working classes.

The Small Dwellings Acquisition Act, 1899, empowered local authorities to make advances to residents on any houses

within their areas for the purpose of enabling them to acquire the ownership of the houses. Other Housing Acts in 1900 and 1903 preceded the Housing, Town Planning, etc., Act, 1909, which amended the earlier Housing Acts and was the first Act on the English Statute Book to deal specifically with town planning in England and Wales. In the year after the War there were passed two further Acts relating to Housing—Housing, Town Planning, etc., Act, 1919, and the Housing (Additional Powers) Act, 1919. The formation of these Acts imposed on local authorities the duty immediately to prepare schemes to meet the housing needs of their areas, extended their compulsory powers of acquisition of land, and provided that contributions be made from the National Exchequer towards the expenses of local authorities and public utility societies in respect of housing matters. Further provisions as to subsidies were contained in the Housing Act, 1923, and the Housing (Financial Provisions) Act, 1924. The Housing Act, 1925, consolidated all the previous enacted legislation then in force relating to housing. The Housing Act, 1930, made various amendments to the Housing Act, 1925, particularly with respect to slum clearance and to the repair and demolition of insanitary dwellings. The main object of the Housing Act, 1935, was the abatement and prevention of overcrowding. As in the case of Public Health, the law relating to housing has now been codified by the Housing Act, 1936.

Town Planning

The movement in favour of English town planning legislation may be said to have commenced with the establishment of the garden villages of Saltaire, Bournville and Port Sunlight, by Salt, Cadbury and Leverhulme respectively. These villages were begun during the 'eighties and 'nineties, and were the outcome of the desire to improve the appalling conditions under which the working-class had to live, owing to the thoughtless growth of towns during the prosperous years from, roughly, the beginning of the last century.

As we have seen, the first town planning legislation in this country was contained in the Housing, Town Planning, etc., Act, 1909. By the amending Act of 1919 many new provisions were added to the original Act. The Town Planning Act, 1925, while introducing no new features

of outstanding importance, consolidated the provisions of the Acts of 1909 and 1919, and co-ordinated the law with regard to town planning. By the Town and Country Planning Act, 1932, the orientation of planning has been completely altered. In the early Acts, owing to the fact that the scope of planning was limited to land which was in the course of development or which appeared likely to be used for planning purposes, it was impossible for a town planning scheme to reach the real countryside and to prevent the disfigurement of its scenery by sporadic development; it was quite impossible to use the machinery of town planning legislation for the purpose of replanning built-up areas. Future planning schemes may extend to any land, urban or rural, if the Minister of Health is satisfied that valid reasons exist for its inclusion in a scheme.

Education

The Education Act, 1870, introduced by William Edward Forster, set up local school boards for elementary education and for the first time made education compulsory in England. Where there was no school, a school was set up subject to an elected school board, the only religious teaching permitted being undenominational. On the other hand, in areas where schools already existed, those "voluntarily supported" schools were preserved by a largely increased grant from the Treasury, and the Church character that most of them possessed remained intact. Thus new *ad hoc* authorities were created for education on a democratic basis. It was not until the Education Act, 1902, that the functions of school boards were vested in the county and urban local authorities. The Education Act, 1921, consolidated the existing Education Acts, and is one of the finest examples of parliamentary draftsmanship upon the Statute Book. The Board of Education, which was established in 1899, has continued as the central authority charged with the superintending of matters relating to education in England and Wales, and local administration is left in the hands of the local education authorities.

Recent Process of Rationalization in Local Government

The principal reforms during the post-war period related to the extension of the franchise, to the reorganisa-

tion of the machinery of rating, and in a very considerable degree to a reorganisation of the powers and duties of local authorities, especially in the sphere of social service. Both the electorate and the qualifications for election have been broadened by the Representation of the People Act, 1918, and its amending Acts (1919/26), the Representation of the People (Equal Franchise) Act, 1928, the Sex Disqualification (Removal) Act, 1919, and other Acts, the general effect of which, broadly speaking, was the placing of men and women on equality both in the matter of voting and of qualification for the exercise of any public function.

The post-war years have afforded a striking example of efforts made to rationalize the local government system and to promote uniformity in administration. The Rating and Valuation Act, 1925, was largely concerned with effecting changes in the administrative machinery of the existing law relating to the making and levying of rates and the valuation of property for rating purposes.

The office of Overseers of the Poor, which dated from the sixteenth century, was abolished, the parish ceased to be the statutory unit for rating, and the long association of assessment work with the poor law was terminated. The parish was replaced by a statutory rating unit, with power to levy in urban areas a consolidated rate termed "the general rate" and in the case of each rural rating area, in lieu of a poor rate, for each parish to levy a general rate for the whole district. The whole country was divided up into rural rating areas and urban rating areas which corresponded with the areas of rural districts and county and non-county boroughs and urban districts respectively. The operating authorities were reduced in rural areas from 12,882 to 688, and in urban areas from 2664 to 1119. Further amendments to the law were effected by the Rating and Valuation Act, 1925, and the Rating and Valuation (Apportionment) Act, 1928, the latter paving the way for the derating provisions introduced by the Local Government Act, 1929.

In the Local Government Act, 1929, are embodied many of the recommendations of the Royal Commission on Local Government which was established under the Chairmanship of the Earl of Onslow in 1923. The main objects of the Act were to provide a wider area of administration for numerous local government services and to spread the burden of local expenditure in respect of such services.

This was effected by a number of provisions for the future administration of highways and the relative positions of County, Borough, Urban District, and Rural District Councils, in that connection, by the rearrangement of county districts and by a revolutionary alteration in the system of grants from central sources towards the local services, commonly known as the "Block Grant" system. Other drastic alterations in local government law effected by that Act were the abolition of the Boards of Guardians, whose functions, as previously mentioned, were transferred to County and County Borough Councils, and the transfer to County and County Borough Councils of duties with respect to registration of births, deaths and marriages.

A further step in the process of rationalization was reached by the Local Government Act, 1933, by which most of the provisions of the 1929 Act were regraded and re-enacted. This Act introduced new provisions and prescribed uniform codes for different types of local authorities, removed a number of existing anomalies and provided the framework of general powers, which are available for local authorities in the exercise of any existing or future functions.

From the chaos of areas which existed in the middle of the last century some kind of order is gradually emerging. But local government administration can never be static—it must continually be reorientating itself to meet ever-changing social needs and fresh conditions.

CHAPTER II

Relations Between Local Authorities and the State

Central control is no formality; it is a real living force in local government.

—E. L. HASLUCK.

LOCAL authorities have been rather contemptuously referred to as “the office boys of central government”. That is a bad misdescription. In reality, they are the partners—and the very active partners—of the central government. Most of the large and important schemes for social betterment which have been introduced during the last fifty years, although they have, of course, originated in Parliament, have been entrusted to local authorities to carry out. Certain services such as the Labour Exchanges, National Health Insurance and Old Age Pensions are, of course, administered locally by the central government department and are no concern of local authorities. But the great services like housing, town planning, public assistance, public protection through the Police and Fire Brigades, child welfare service and education, not to mention a host of less spectacular but equally important duties like the cleansing of streets, the collection and disposal of town and street refuse, the inspection of food and of weights and measures, are carried out by local authorities. A recent duty which the Government has imposed upon local authorities is the preparation of Air Raid Precaution schemes for their districts.

An Act is passed by Parliament—but it is often left to local authorities to discover all the “snags” and practical difficulties which are involved in its administration. That does not mean, however, that local authorities are left entirely to their own devices and without any supervisory control by the central government. Far otherwise.

The means by which control is exercised over the activities of local authorities may be divided into three main categories :

1. Legislative control ;
2. Judicial control ;
3. Administrative and Financial control.

Legislative Control

Whereas in many European countries local authorities may do anything which they consider to be for the good of the community, provided that it is not expressly forbidden by law, in England all power of such authorities is derived from Parliament, and consequently no local authority may do anything for which it is not possible to show that the duty or the power to take such action has been expressly conferred by Statute.

Hence Parliament, as the sovereign law-making body, naturally exercises control over the functions and powers of local authorities. Parliament decides that every local authority of a certain type either shall or may perform certain duties. For example, the Housing Act, 1936, provides, among other things, that it shall be the *duty* of every local authority to consider the housing conditions in their district and the needs of the district with respect to the provision of further accommodation for the working-classes. On the other hand, public baths *may* be provided by certain types of local authority if they pass a resolution to adopt the Baths and Wash-houses Acts. In the one case there is a definite obligation cast on to the local authority by Parliament ; in the other, there is a power which the authority may exercise or not, as it pleases. In both cases the legislative framework is created by Parliament, but Parliament is unable itself to supervise the way in which the detailed administration is carried out by local councils.

It is obvious that some degree of central control over local government is essential in order to ensure a national standard of efficiency in the local government services, and also to keep the actions of local councils within bounds and prevent them from embarking on too extravagant schemes.

Judicial Control

The Courts of Law may control local authorities either in a positive or a negative manner. On the one hand, their aid may be invoked to compel a local body to perform

some duty which it has either omitted to do altogether or has carried out in an unsatisfactory or inadequate way ; on the other hand, the Courts can restrain councils from exceeding the powers conferred on them by Parliament.

If a local council refuses to provide its district with a sewerage scheme or has made default in the maintenance of existing sewers, or refuses to carry out its duties, say under the Housing Acts, the High Court may issue a writ called a mandamus, i.e. "We command", by which the defaulting authority is commanded to carry out its statutory duties. If, after the issue of this writ, a local council still refuses to perform those duties, its members may be committed to prison. Needless to say, such extreme measures very rarely have to be taken ; but as recently as 1926 the Poplar Guardians were committed to prison for disobeying a mandamus relating to their financial administration.

The power of the Courts to restrain local councils from exceeding their powers is bound up with what is known as the doctrine of *ultra vires*, i.e. beyond their powers.

Mr. E. L. Hasluck has tersely and graphically summed up this doctrine.

"The powers of local government in England", he writes,* "are very strictly limited. With the ordinary citizen, it may be presumed that the law allows him to do anything he likes except what it specifically forbids him to do. . . . But the reverse idea applies to local government in this country, namely, that a local government authority may not do anything at all except what it is specifically permitted by the law. . . . From the sphere of commercial enterprise the principle of statutory limitation of activities was soon introduced into the sphere of local government. And it was not long before a host of things were declared to be *ultra vires*—beyond the powers—of local authorities. . . . Under certain circumstances, local authorities may supply water, gas and electricity. They may organise entertainments such as theatrical shows and concerts, always with considerable restrictions. They may construct tennis courts and bowling greens and swimming-baths and charge for the use of them. They may sell milk to poor families for the use of children, but may not make profit out of milk sales."

* *Local Government in England.*

The desirability of such restrictions on the complete autonomy of local councils need not be emphasised. But it should be noted that the judicial control of local authorities is by no means satisfactory, because it can only be exercised if some private individual is prepared to enter into litigation with a local council, which has almost unlimited financial resources.

Administrative and Financial Control

It is by means of their administrative and financial control that the central government comes most frequently and directly into touch with the local governing bodies. The central government departments, besides having a general tutelary power over many services such as public health, housing, town planning, the police and education through their statutory responsibility for the efficiency of such services, make countless Rules, Orders and Regulations, the enforcement of which is carried out by the local authorities; approve local by-laws and various administrative schemes made by local councils; sanction all loans incurred by such councils—except where loan powers have been obtained by means of Private Acts direct from Parliament; hold local inquiries in connection with many of their proposed activities such as the making of a town planning scheme or a scheme for the compulsory purchase of land; audit each year the accounts of all County Councils, Urban and Rural District and Parish Councils, and have power to make surcharges in respect of unlawful expenditure; hear appeals, in certain cases, upon decisions made by local authorities; employ a staff of Inspectors who by personal visits to the districts ascertain and report on the way many of the duties of local councils are being performed; and maintain special advisory organisations, which may be consulted by local authorities on the problems and difficulties which they encounter in carrying out their many duties. Moreover, a method of control which, while comparatively new, has assumed the greatest importance in recent years, is the method of conditional grants; that is to say, money is made available for local services from the central exchequer, provided that the appropriate government department is satisfied with the way in which the money is spent and with the efficiency of the service upon which it is spent.

Ministry of Health

Several central government departments are concerned in the work of supervising local government activities. The Ministry of Health has the most to do in this respect. This Ministry, which succeeded the old Local Government Board in 1919, is concerned with the supervision of the activities of local authorities in connection with water supply and drainage, cleansing and general sanitation, housing and town planning, the prevention of pollution of rivers, smoke abatement, the purity of food and drugs and the provision of baths and wash-houses. The following public health services are also under this Ministry's supervision: The control of and the provision of Isolation Hospitals, Maternity and Infant Welfare Work; the prevention and treatment of tuberculosis and venereal diseases, and vaccination. The Ministry of Health also exercises a very close supervision over the administration of the Poor Law or Public Assistance, as it is now called.

Section 1 of the Poor Law Act, 1930, provides that: "The Minister of Health is, subject to the provisions of this Act, charged with the direction and control of all matters relating to the administration of relief to the poor throughout England and Wales, according to the law in force for the time being. Provided that nothing in this Act shall be construed as enabling the Minister to interfere in any individual cases for the purpose of ordering relief." Thus, the actual administration and the exercise of discretion, within narrow limits, in connection with public assistance are left to local authorities. But the general lines of administration and the method of exercising discretion are determined by the Minister of Health—who may give general orders, advise what should be done in individual cases and reprove a local authority which has departed from the Minister's general directions.

Other methods by which the Ministry of Health exercises control over local authorities are the granting of loan sanctions, the control over the grants-in-aid which are given from national funds towards the expenditure of local authorities on certain services, the confirmation of by-laws and the audit. Moreover the Ministry has a host of quasi-judicial functions, that is to say, it acts as a kind of Court of Appeal between a local authority and any individual who may feel himself aggrieved by any action of that authority. For example, if a local authority has decided to

make a clearance order under the Housing Act in respect of houses which are unfit for human habitation, the owner-occupier or lessee of any house included in such an order may object to it, and if he does, a public local inquiry is held by an inspector of the Minister. Again, if a local authority has decided to "take over" a road which was formerly a private road, it may do so and recover from the frontagers an apportioned part of the expense of so doing, after which the road becomes a "highway repairable by the inhabitants at large" and must be repaired in the future at the expense of the local authority. If any individual frontager objects to the apportionment made on him or, in fact, if he is aggrieved "by the decision of the authority in any case in which it is empowered to recover in a similar manner any expense incurred by it" he may again appeal to the Minister.

Moreover, the Minister of Health has, if he likes to use it, a "big stick" with which to threaten to beat any authority which is not satisfactorily carrying out its duties. The technical name for this "big stick" is the power to act in default. This means that if, for example, an authority fails to provide sufficient sewers or an adequate water supply, or is in default in respect of the provision of houses for the working classes or in discharging any function relating to public health, the Minister again, after holding a local inquiry, may, if he is satisfied about the default of the authority, transfer these functions to the County Council.

Attached to the Ministry of Health is the General Registry Office, which is responsible for supervising that part of the work of local councils which deals with the registration of births, deaths and marriages, and for compiling the national statistics relating to them.

Ministry of Transport

The Ministry of Transport is another Government Department which is brought closely into touch with local authorities. It was established by the Ministry of Transport Act, 1919, under which all the powers and duties which were formerly exercised by other Government Departments relating to railways, light railways, and tramways, waterworks and inland navigation, harbours, docks and piers, and to land of all roads, bridges, and ferry and "vehicles and traffic thereon" were transferred to the new

Ministry. Under the Roads Act, 1920, the administration of the scheme of taxation of mechanically propelled road vehicles imposed by the Finance Act, 1920, was placed under the control of the Minister of Transport. This scheme, which came into force on the 1st January, 1921, involved a complete system of registering and licensing these vehicles, and the duty of levying the taxes is imposed on County Councils and County Borough Councils.

Under the Road Traffic Act, 1930, the Minister of Transport is empowered to issue the Highway Code and also to make out of the Road Fund advances towards any expense incurred by a police authority in the provision and maintenance of vehicles for the use by the police force in connection with the enforcement of the Act. The licensing of motor omnibuses and motor coaches and of their directors and companies and the control of road passenger service is vested in Area Traffic Commissioners.

Local authorities are most frequently brought into touch with the Ministry of Transport when they wish to construct a new road or to widen an existing one. The authority makes an application to the Ministry for a grant towards the cost of such work, and the Ministry usually contributes a substantial percentage of the cost of the structural widening of a road, which is classified for maintenance by Government Department subsidies.

Board of Education

The Board of Education exercises a close supervision over the educational activities of local authorities. It prescribes what it considers to be a satisfactory standard for all schools which are subsidised from the funds of the central government, and it has naturally had a very important influence on the application of a national system of education.

When the Education Act of 1918 commanded local authorities to give children "advanced and practical instruction", the Board began to work out schemes of re-organisation on the lines recommended in the report of the Hadow Committee in 1928. The control of the Board is principally exercised by a system of inspection.

The country is now divided into nine divisions, over each of which there is a divisional inspector who is responsible to the Board for co-ordinating the work of the Inspectorate in his division. Within these areas are a number of

districts, and in the districts are inspectors responsible for a special type of school—elementary, secondary or technological. The work of the inspectorate is to report with regard to a minimum standard of efficiency which would warrant the payment by the Board of a grant-in-aid; to encourage local education authorities and teachers to improve education by accepting best contemporary educational theory and practice, to make competitive service of the teaching of subjects in schools, and to act generally as a go-between “between the Board of Education and the local education authorities”. Elementary schools are reported upon fully only once in three years, but visits are made to each school about once a year when no report is made. Secondary schools have a full inspection once every 8 to 10 years, while the technological schools are visited about once a year.

The Board of Education is also the loan-sanctioning authority to which local authorities must apply when they wish to borrow money for the erection and equipment of new schools, or for the enlarging and improvement of existing ones.

The Home Office

Another Government department which has supervisory powers over local authorities is the Home Office, which exercises control, to a certain extent, over municipal or county police forces. The Home Secretary sanctions the appointment of chief constables or any change in the membership or pay of the force. Inspectors of constabulary, who are Home Office officials, are appointed to visit and inquire into the state and efficiency of the police in every Borough and County, and if their reports are satisfactory, half of the cost of all net expenditure of police accounts is paid out of National funds. This inspection gives the Home Secretary power to supervise the organisation, equipment and discipline of the local force. The Home Office is also the supervisory government department in relation to the Air Raid Precautions work which is being carried out by local authorities.

Ministry of Agriculture and Fisheries

The Ministry of Agriculture and Fisheries also comes into contact with certain phases of the work of local authorities. It has power, for instance, to issue orders under such Acts

as the Diseases of Animals Act, the Small Holdings and Allotments Acts, the Fertilisers Acts, the Food and Drugs Acts, and the Destruction of Insects and Pests Acts.

As may be gathered from its own name and from the titles of the Acts enumerated, the subjects with which this Ministry is concerned are matters affecting agriculture, the drainage of low-lying areas, allotments and similar matters.

The Board of Trade

The Board of Trade is not so much concerned now with local government as it used to be a few years ago, as several of its duties have been transferred to other Government departments. At present it is chiefly brought into touch with local authorities in connection with the administration of the Weights and Measures Acts and in connection with gas supply. It deals with questions arising out of administration of the Weights and Measures Acts, and it has power to sanction the purchase by Urban Councils of gas company's undertakings and to grant various powers by order and special order to local authority gas undertakings. It also has power to issue orders relating to meter testing, stamping and certification.

Electricity Commissioners

The Electricity Commissioners were set up by an Act passed in 1919. They were empowered, subject to the Ministry of Transport, to determine electricity districts and to approve schemes for the supply of electricity in such districts. The duties of the Commissioners also include the promotion, regulation and supervision of the supply of electricity, the approval or veto of over-extension of plans, transmission lines and new stations, and the sanctioning or refusal of loans for all electricity expenditure. They were also empowered to approve schemes for the formation of joint electricity authorities, but as these schemes were subject to the consent of the individual electricity authorities, the Commissioners were not very successful in connection with such schemes. Many electricity undertakings were unwilling to become members of joint electricity authorities.

Central Electricity Board

The Central Electricity Board was created in 1926. Its principal duty was the supplying of electricity to authorised undertakings in Great Britain, and the principal work which the Board has carried out has been the construction of main transmission lines (commonly known as the "Grid"), the closing down of small generating stations, which were not being run on the most efficient lines or which would be superfluous when the "Grid" was properly working, and to concentrate generation in the most efficient stations (usually known as selected stations). The "Grid", which consists of about four thousand miles of main transmission lines, has been constructed under nine regional schemes covering the whole of Great Britain except the North of Scotland. The undertakers of any selected stations sell to the Board all electricity generated at their stations and the Board resells all the electricity which it has bought, to the various distributing undertakings which require it.

Another very important scheme for the regional distribution of electricity is now under consideration. This will involve the merger of a great many existing electricity authorities into regional groups covering a much wider range than those of the existing electricity authorities. It should result in a more uniform scale of charges for electricity being put into force throughout the country.

At the present time there is very great difference between the charges for electricity in different districts. In particular these charges are usually higher in country districts than urban ones.

Local Autonomy v. Central Control

The exercise of functions by local elected representatives implies of necessity a substantial measure of independent responsibility, and local councils should not be expected to become the mere agents of the central government or to subordinate themselves to any Government Department carrying out their legitimate duties. But in view of the national importance of many of the services administered by local authorities, and of the substantial financial assistance which they receive from the General Exchequer Funds, the necessity for central control cannot be disputed. To resent such control or to complain that they are unduly fettered or hampered by it is an unwise

CHAPTER III

Types of Local Authorities

How is the map of England in fact divided? There is no simple answer to the question, because no one map of England can be drawn for all local government purposes.

J. P. R. MAUD.

IN our account of the historical development of local government, the distinction has been drawn between the two types of local authority—the *ad hoc* authority, which performs only one group of related functions, such as the Port Sanitary Authorities, the London Passenger Transport Board, or the Catchment Boards created by the Land Drainage Act, 1930, to deal with land drainage and the prevention of flooding; and the *omnibus* authority, which is an elected body responsible for carrying out many different functions.

The hierarchy of *omnibus* authorities ranges from the County Borough and County Council at the top to the Parish Council or Parish Meeting at the bottom. Of intermediate rank are non-County Boroughs, Urban District Councils and Rural District Councils. The division of duties between these different authorities is one of the most puzzling features of our local government system. Briefly, the position is as follows:

1. A person living in an urban district or in a non-county borough is governed by two local authorities—the County Council and the non-County Borough Council or the Urban District Council.

2. A person living in a rural parish may be governed by three local authorities—the County Council, the Rural District Council, and the Parish Council.

3. On the other hand, a person living in a County Borough is governed solely by the council of that Borough,

which is quite self-contained and independent of any other local authority.

That summary will be clearer if it is illustrated. Let us suppose that A lives in Loughborough (which is a non-County Borough in the area of the Leicestershire County Council); that B lives at Westerham (which is a Parish Council in the Rural District of Sevenoaks, which again is in the area of the Kent County Council); and that C lives in Manchester (which is a County Borough). The public library, public parks, and swimming-bath which A can use are provided by the Loughborough Council, which also supplies him with water, gas and electricity, manages the Fire Brigade and the Market, and has built several housing estates. On the other hand, if he were to catch scarlet fever and had to go to an Infectious Diseases Hospital, or if he were in need of Public Assistance, or if his house was burgled and he had to call in the Police, it would be to the Leicestershire County Council that A would have to look for these services. (Actually, the Police are not under the control of the County Council, but of a special authority known as the Standing Joint Committee which consists of members of the County Council and of Justices of the Peace.)

Parish Councils have only very limited powers and duties—such as the regulation of village greens and open spaces, the provision of allotments, bowling greens and cricket grounds, the maintenance of public footpaths and the provision of Fire Engines and appliances. So that if B wished to take any action with regard to any of these matters, he would approach the Westerham Parish Council. For the collection of his house refuse, his water supply, for any building development for which he must obtain the consent of the town-planning authority, he would approach the Rural District Council of Sevenoaks. For the Hospitals, Public Assistance and Police Protection, B, like A, would look to the County Council, and that authority would also provide him with all the educational services and the services of the County Library. Again, the repair of the minor roads in his district is carried out by the Rural District Council, that of the main roads by the Kent County Council.

C is in a much more easily understandable position than either A or B, since, as we have seen, a County Borough does not share its local government functions with any

other local authority, C has only to bother about one local authority—the Manchester City Council. That authority is responsible for the provision of all the local government services which C requires, from Education to Public Assistance, from water supply to town planning, and from Housing to Maternity and Child Welfare.

Now, what *are* these different kinds of local authority to which reference has been made in the above illustrations? County Boroughs are large towns, such as Birmingham, Leeds, Liverpool and Manchester, which have populations of at least 75,000 and which are responsible for the whole series of local government functions in their areas. County Councils are nearly the same as the ordinary geographical counties we see marked on the map, but they do not include County Boroughs, and three geographical counties—Cambridge, Suffolk and Sussex—have each two administrative counties, while Yorkshire and Lincolnshire have three. County Councils, as we shall see, have some jurisdiction over the non-County (or municipal) Boroughs and the urban and rural districts within their areas. For some functions, such as Public Assistance, they are the sole authorities, while for others like the Maternity and Child Welfare services both a County Council and one of the minor authorities in their area may be responsible.

The non-County Borough, the urban district and the rural district are three kinds of county districts, the boroughs being towns of fairly large size, the urban districts being smaller towns (which have not obtained Charters of Incorporation) often surrounded by a ring of undeveloped countryside, and the rural districts being collections of villages often spread over wide areas of a rural character.

Lastly, Parishes were in 1894 made units of local government, with the rural district as the larger area. The larger type of parish has a Parish Council, whilst the smaller type has only a Parish Meeting, at which every person on the list of local electors is entitled to vote on the proposals submitted.

The higher an authority is in the hierarchy, the more numerous and important do its duties become. A Parish Council, as we have said, is concerned largely with such relatively unimportant matters as the maintenance of foot-paths and open spaces. A Rural District Council has much wider powers as a sanitary authority under the Public Health Act. It is responsible for such important services

as housing, water supply and sewerage, and exercises a host of public health functions such as the registration and inspection of dairies, cowsheds and milk shops, the collection and disposal of refuse, and the control of milk. An urban district has all the powers of a rural district, and in addition may indulge in municipal trading, e.g. supply gas or electricity to the residents in their areas. Again, some urban districts, provided their population exceeds the minimum prescribed by various Acts of Parliament, may have undertaken duties in respect of Education and Old Age Pensions.

When an urban district considers that the size of its population and the rateable value of its area warrants the policy, it may petition the Crown, through the Home Office, for a charter of incorporation.

There is little difference between the actual powers which may be exercised by an urban district and by a non-County Borough Council. The chief difference is that, when a Council attains Borough status, its constitution is modified by the addition of a body of aldermen, who are elected by the councillors and not by the general body of ratepayers, and that its chairman is given the title of Mayor.

County Boroughs may now only be created by private Act of Parliament promoted by a borough of at least 75,000 inhabitants. If a non-County Borough achieves the status of a County Borough, it becomes a completely autonomous local government unit. It is freed from all supervision or control by the County Council, assumes independent responsibility for performing many duties which—as a non-County Borough—it used to share with the County Council, and is invested with the entire responsibility for Education, Public Assistance, the treatment of Tuberculosis, Maternity and Child Welfare, and the maintenance of main roads in its district.

County Reviews

It is impossible, within the space of a booklet of this character, to describe the various procedures by which local authorities are promoted from a lower to a higher status. Brief mention should be made, however, of what is known as the Review of County Districts, which County Councils were directed to carry out by the Local Government Act of 1929. By that Act, with a view to providing more suitable and efficient local government areas, each County Council

was charged with the duty of making a thorough inquiry into the extent and boundaries of the county districts in its area and to consider whether it was desirable to make alterations in the boundaries of parishes, to unite one district or parish with another, or to transfer any part of one parish or district to another, to convert a rural into an urban district, or to form any new district or parish. The County Councils have now completed their first review—they may institute others after an interval of ten years—and, as a result, the number of non-County Boroughs has been increased from 256 to 289, the number of urban districts has been reduced from 784 to 614, and the number of rural districts reduced from 643 to 478. In spite of this general “overhaul”, there still remain many discrepancies in the areas, populations and rateable values of different authorities of the same type. For example, the Urban District Council of Harrow has a population of 160,000 and a rateable value of £1,654,872, while the little Urban District Council of Gunthwaite in Yorkshire has a population of 838 and a rateable value of £4,260. It requires more than an Act of Parliament, more than seven years spent in detailed inquiry by the County Councils, completely to rationalise our system of local government, which has had such an unplanned and haphazard development.

Another factor, to which brief reference might be made, is the readily understandable resentment felt by the County Councils when, either through a non-County Borough achieving the status of a County Borough, or through a County Borough extending its boundaries by means of a Private Act, a large slice of land is carved out from the county territory and a corresponding loss is sustained in the county's rateable value. Between 1888 and 1928, over 100 extensions of County Borough areas were made and 21 new County Boroughs were created, and during this period the Counties lost over 800,000 acres of land, 3,000,000 of population and nearly £15,000,000 of rateable value.

Joint Committees

It is possible for local authorities to introduce greater flexibility into the somewhat rigid framework of our local government system by the use of joint committees. Two or more local authorities may appoint certain of their members to serve on a joint committee for regulating any

matters in which they are jointly interested. For example, if a town planning scheme is being prepared, it is obviously desirable that it should extend over a wide area and that our local authority should be conversant with the ideas and proposals of its neighbouring authorities. And so, two or more planning authorities, who wish to act jointly in the preparation or adoption of a scheme, may agree to appoint a joint committee for that purpose and may delegate to it any of their town planning powers, except powers to borrow money or levy a rate. In many other spheres of local government, the appointment of joint committees is found expedient and useful, and enables services to be administered with greater efficiency.

Joint Boards

Another useful device, which most types of local authority may adopt in order to approach more closely the ideal of the most suitable and efficient areas for administration of particular services, is the establishment of a Joint Board. Joint Boards are created for the administration of "large-scale" services such as gas and water supply, sewage schemes, hospitals and similar services which can be organised better and more economically over a wide rather than a small area. Like Joint Committees, Joint Boards are composed of persons nominated by two or more authorities to deal with services in which such authorities are mutually concerned. But they differ from Joint Committees in two important ways. While Joint Committees have no financial powers of their own, and can only obtain such moneys as the authorities who appoint them are willing to give them from time to time, Joint Boards are financially independent and obtain the monies they need by issuing precepts on the authorities which appoint their members. Moreover, whereas joint committees are temporary creations dependent for their powers and their continued existence on the decisions of the appointing bodies, Joint Boards are entities distinct from the appointing authorities and their powers and duties are determined once and for all at their creation.

London

Local government in Greater London is different from provincial local government. Its vast size and large

population have made special forms of organisation necessary.

In the administrative County of London, local government powers are apportioned between the London County Council, the City Corporation and twenty-eight metropolitan boroughs. The London County Council is the sole authority for education, town planning, public assistance and main drainage. It has also wide powers in connection with housing and public health, but in respect of these and other services Metropolitan Borough Councils also have jurisdiction. Metropolitan boroughs are solely responsible for such services as maternity and child welfare, public libraries, electricity (except where this is in the hands of a company), baths and wash-houses, the provision and maintenance of traffic lights and signals, the collection and disposal of house refuse, and the maintenance, cleansing and lighting of streets. The partnership and dual control which exists in metropolitan government may be illustrated in numerous ways. The County Council owns the large parks and open spaces, while the Borough Councils own the smaller ones; the County Council owns the tuberculosis sanatoria, while the Borough Councils are responsible for the tuberculosis clinics; the County Council sanctions street names and the Borough Councils affix them; and the clearance of large unhealthy areas under the Housing Act is carried out by the County Council and of small areas by the Borough Councils. The list could be increased indefinitely, but the functions mentioned will suffice to indicate the general principle of the division of work between the London County Council and the Metropolitan Borough Councils.

The City Corporation is in a special position in its relations with the London County Council. In many respects it is more free from the control of the County Council than are the Metropolitan Borough Councils. It is the market authority for the whole of London; it has a municipal police force, distinct from the Metropolitan Police; and it is the town-planning authority for the famous "square mile" of its own boundaries.

In addition there are several special *ad hoc* bodies which have powers for particular purposes in various areas of Greater London. The Metropolitan Police Force is, in effect, a service under the direct control of the Home Office; the London Passenger Transport Board is

responsible for all transport undertakings, other than the main railway lines, in an area covering 1986 square miles ; the London and Home Counties Joint Electricity Authority is the authorised distributor of electricity for a wide area in the south-west of its area of 1851 square miles ; and the Metropolitan Water Board, which consists of 66 members, who are the nominees of the local authorities in the Board's supply area, supplies a population of approximately 7,500,000 persons. Other metropolitan authorities which exercise special jurisdiction are the Port of London Authority, which manages the docks, the Thames Conservancy Board and the Lea Conservancy Catchment Board, which are responsible for the supervision of the surface drainage of the Thames and Lea watersheds.

CHAPTER IV

The Powers and Duties of Local Authorities

For since Government is necessary to mankind, they believe that . . . Providence never intended to make the management of public affairs a mystery, to be comprehended only by a few persons of sublime genius. . . .

—JONATHAN SWIFT—“*Gulliver’s Travels.*”

SOME duties local authorities are required to perform; others they may perform if they wish. In the one case the Act of Parliament says: “A Local Authority shall . . .”; in the other it says: “A Local Authority may . . .”

Statutes prescribe that a local authority *shall* see that its area is properly drained, or that it shall periodically review housing conditions in its district in respect of the provision of further housing accommodation for the working classes, and prepare proposals for the provision of new houses. On the other hand, in addition to these compulsory powers, local authorities have the option, at their discretion, of doing other things. There is still no compulsion on a local authority to provide a library or a public swimming-bath. But certain kinds of councils *may* provide these services, and if they wish to do so they “adopt” certain Acts which will enable them to do so. These Acts, commonly called “Adoptive Acts”, relate usually to only one power. For example, if a local authority wishes to provide a public library or a museum or wash-houses and baths it adopts one particular Act giving it that power. These various Adoptive Acts enable local authorities to experiment, and to undertake the provision of services which have not yet been regarded as essential for all

authorities of the same class, and thus gain experience of the working of those services in their particular areas.

There are several adoptive provisions in the Public Health code, and these are Adoptive Acts concerned with public libraries, public swimming-baths, fire brigades and public open spaces. Local authorities, it has been said,* are not the blind, dutiful, obedient servants of their creator—Parliament. Once having been born, they develop lives, wills and minds of their own, and they have to be persuaded, cajoled, bribed, threatened and wooed, very much like individual human beings.

Another means by which some local authorities obtain special powers is the Local Act. A Local Act differs from a Public Act in that it applies only to a limited area. This may be the area of one single local authority like Manchester or Sheffield or Coventry, or on the other hand it may cover a much wider area, as in the case, e.g., of the Derwent Valley Water Scheme, or again an area in which several local authorities join together to form a joint electricity board. Nearly every local authority of any importance has obtained from Parliament, by means of Local Acts, a whole code of law peculiar to itself. The powers conferred by private Acts are really special alterations to the law in favour of the councils who promote them. Like Adoptive Acts they afford useful ground for experiment and may be described as a kind of laboratory in which certain powers are "tried out". If it is found that a certain power which Parliament granted, say, to Leicester or Birmingham, has proved useful and effective, half a dozen other County Borough Councils may ask Parliament to include in the next Private Bill, which they promote, a similar power; and if, after a few years, it is thought that such a power is so useful that it should be extended to all local authorities of a certain class, it may be introduced into a general Act and so made to apply to all authorities of a certain type.

The system of Private Bill legislation leads to great flexibility and enables progressive local authorities to experiment with novel services, e.g. there is only one local authority in the country—Birmingham—which owns a municipal bank; and there is only one—Hull—which owns its own telephone exchange. Thus we may get

* *The Town Councillor*, by C. R. Attlee and W. A. Robson.

some idea of the very great complexity of the present system of local government in this country. Not only have local authorities general powers of all kinds conferred upon them by general Acts, but individual authorities have all kinds of special powers which, on their own initiative, they have persuaded Parliament to grant to them.

In the preceding chapters, frequent references have been made to the great diversity and scope of the services which are now administered by local bodies and to the growing habit of Parliament of throwing the burden of executing the laws which it enacts upon such bodies. It is clearly impossible, in the space at our disposal, either to describe in detail the work performed by local authorities, or to give even an outline of the law relating to it.*

What may be attempted in this chapter is, first, a division of the local government services into their main categories; secondly, a schedule of the principal services, with *examples* of the type of work performed in connection with them, and a list of the principal statutes which apply to the administration of each particular service; and, lastly, a brief account of the committee system by means of which local authorities control and administer their diverse duties.

Local government services may be divided into four broad categories—those relating to Welfare, to Amenity or Convenience and to Protection. In a class by themselves are the trading undertakings, although they might be included under the headings of Welfare or of Convenience.

The principal Welfare services are Public Health, Housing, Education and Public Assistance. Town Planning and the maintenance of highways may be cited as examples of Amenity services; Police, Fire Brigades and Air Raid Precautions work as examples of Protection services; and the principal trading services are the supply of water, gas and electricity, transport services and markets.

The schedule which follows must not be regarded as a comprehensive one. It is designed, rather, to present a "bird's-eye view" of some of the more important duties performed by local authorities throughout the country.

* An excellent little book has succeeded in doing this—*Local Government*—a simple treatise by E. Bright Ashford. (2s.)

SERVICE	EXAMPLE	PRINCIPAL ACT
I. WELFARE SERVICES.		
<i>Education :</i>		
Elementary.	Provision and maintenance of elementary schools. Nursery schools, play centres, special schools for blind, deaf and defective children. School medical services.	Education Act, 1921.
Higher.	Provision and maintenance of secondary and day or evening technical schools and of training colleges for teachers, art schools and university colleges.	
Physical Training.	Providing facilities for training and recreation, e.g. playing-fields, swimming-baths, gymnasia and community centres.	Physical Training and Recreation Act, 1937.
Children's Welfare.	Making by-laws as to the hours of work done by schoolchildren and as to street trading by children. Supervision of "boarded out" and adopted children.	Children and Young Persons Act, 1933.
Public Libraries.	Providing Lending and Reference Libraries. "County Library" work in villages.	Public Libraries Acts, 1892, 1901 and 1919.
<i>Public Assistance.</i>	The giving of outdoor or institutional relief, the care of "casuals" and of the aged who are too ill or infirm to live alone on their old age pensions.	Local Government Act, 1929. Poor Law Act, 1930.

SERVICE	EXAMPLE	PRINCIPAL ACT
WELFARE SERVICES (Contd.)		
<i>Housing.</i>	Provision of housing accommodation for the working-classes ; review of housing conditions ; clearance of slum areas ; prevention of overcrowding ; re-development areas ; dealing with individual unfit houses by means of making either closing orders or demolition orders.	Housing Act, 1936.
<i>Maternity and Child Welfare.</i>	Making arrangements for the care of expectant and nursing mothers, and children under five years. Provision of ante-natal and post-natal clinics, lying-in homes, home helps and nursing for expectant mothers, hospital treatment for children up to school age, etc.	Public Health Act, 1936.
<i>Midwives.</i>	Provision of a midwifery service.	Midwives Act, 1937.
<i>Child Protection.</i>	Appointment of child protection visitors who visit the homes of foster-children, whose nursing and maintenance is undertaken by some persons for reward.	Children and Young Persons Acts, 1908-1930.
<i>Baths and Wash-houses.</i>	Provision of public swimming-baths, bathing places and wash-houses. (From 1st October to 30th April swimming-baths may be closed and used as halls for entertainment.)	Public Health Act, 1936.

SERVICE	EXAMPLE	PRINCIPAL ACT
<i>WELFARE SERVICES</i> (Contd.)		
<i>Slaughter-houses.</i>	Provision of slaughter-houses and making by-laws with regard to their management and charges for their use.	Public Health Act, 1936.
<i>Sewerage.</i>	Provision of public sewers for the effectual draining of the district and of sewage disposal works.	Public Health Act, 1936.
<i>Collection and Disposal of Refuse.</i>	The collection and disposal of house and trade refuse.	Public Health Act, 1936.
<i>Nuisances.</i>	The abatement of nuisances, e.g. the keeping of any premises in a condition likely to be prejudicial to health.	Public Health Act, 1936.
<i>Infectious Diseases.</i>	Receiving notification of persons suffering from certain notifiable diseases, e.g. smallpox, cholera, diphtheria, scarlet fever or typhoid fever. Provision of disinfecting stations.	Public Health Act, 1936.
<i>Hospitals.</i>	Provision of hospitals, clinics, dispensaries and maternity homes.	Public Health Act, 1936.
<i>Nursing-homes.</i>	Registration.	Public Health Act, 1936.
<i>Lunacy and Mental Deficiency.</i>	Provision of mental hospitals and institutions for the care of the mentally deficient.	Mental Treatment Act, 1930.

SERVICE	EXAMPLE	PRINCIPAL ACT
<i>WELFARE SERVICES</i> (Contd.)		
<i>Veneral Diseases.</i>	Provision of voluntary treatment centres in hospitals or clinics.	
<i>Blind Persons.</i>	Making arrangements for promoting the welfare of blind persons ; certification and registration of blind persons ; domiciliary assistance of necessitous blind persons ; the accommodation of blind persons in homes and institutions ; the employment of the blind in industrial and professional occupations ; co-operation with voluntary agencies.	Blind Persons Act, 1920.
<i>Tuberculosis.</i>	The prevention and control of tuberculosis. Provision of treatment at dispensaries and sanatoria, and arrangements for home treatment and after-care of tuberculous patients.	Public Health Act, 1936.
<i>Old Age Pensions.</i>	Investigating the claims of persons, who are not insured under the National Health Insurance Act, to the Old Age Pension.	Old Age Pensions Act, 1908.
<i>Common Lodging Houses.</i>	Registration and making by-laws for the regulation of common lodging houses where the poorest people find shelter.	Public Health Act, 1936.
<i>Tents, Vans and Sheds.</i>	Making by-laws for promoting cleanliness and for preventing infectious diseases or nuisances generally.	Public Health Act, 1936.

SERVICE	EXAMPLE	PRINCIPAL ACT
<p><i>WELFARE SERVICES</i> (Contd.)</p> <p><i>Canal Boats.</i></p> <p><i>Camps.</i></p>	<p>Registration. Removing to hospital persons suffering from infectious diseases.</p> <p>The granting of licences permitting land to be used for the purpose of a camp, and imposing conditions as to the number and class of movable dwellings which may be kept on the land at the same time.</p>	<p>Public Health Act, 1936.</p> <p>Public Health Act, 1936.</p>
<p>II. <i>PROTECTIVE SERVICES.</i></p> <p><i>Police.</i></p> <p><i>Fire Brigades.</i></p> <p><i>Ambulances.</i></p> <p><i>Air Raid Precautions.</i></p> <p><i>Food and Drugs.</i></p>	<p>Public protection, "keeping the peace", street patrols, traffic control, etc.</p> <p>Provision of fire brigades, fire-fighting machinery and system of fire alarms.</p> <p>Provision of ambulances.</p> <p>Preparation of Air Raid Precautions schemes.</p> <p>Inspection of bakehouses and other workshops importing foodstuffs exposed for public sale, seizing unsound meat and other food, and prosecuting persons who sell adulterated food or drugs.</p>	<p>Police Act, 1919. Police Regulations, 1920. Police Pensions Act, 1921. Local Government Act, 1933.</p> <p>Public Health Act, 1936.</p> <p>Public Health Act, 1936.</p> <p>Air Raid Precautions Act, 1937. Food and Drugs (Adulteration) Act, 1928.</p>

SERVICE	EXAMPLE	PRINCIPAL ACT
<p><i>PROTECTIVE SERVICES.</i> (Contd.)</p> <p><i>Weights and Measures.</i></p>	<p>Inspection and testing of all weighing and measuring instruments in use, to see that they are accurate, checking weight of parcels of goods, some articles of which must be packed in definite quantities and marked in certain ways; taking legal proceedings in cases where deficiencies in weight are discovered; checking the laden weight of heavy motor vehicles.</p>	<p>Weights and Measures Acts, 1878, 1889 and 1904. Weights and Measures (Amendment) Act, 1926. Regulations made under Road Traffic Act, 1930.</p>
<p>III. <i>AMENITY OR CONVENIENCE.</i></p> <p><i>Town and Country Planning.</i></p> <p><i>Parks, Pleasure Grounds and Open Spaces.</i></p>	<p>The application of planning and design to both urban and rural districts by the making of schemes with respect to the development and planning of land; securing satisfactory traffic routes; prevention of "ribbon development"; securing proper sanitary conditions, amenity and convenience; the preservation of buildings and other objects of interest or beauty; and the protection of existing amenities.</p> <p>Purchasing, leasing and laying out lands as public works and pleasure grounds. Appropriating parts of such lands for playing-fields and children's recreation grounds, and contributing towards the expenses of music in the parks or grounds. The acquisition and maintenance of open spaces.</p>	<p>Town and Country Planning Act, 1932. Restriction of Ribbon Development Act, 1935.</p> <p>Public Health Act, 1936. Open Spaces Acts. Physical Training and Recreation Act, 1937.</p>

SERVICE	EXAMPLE	PRINCIPAL ACT
<p>AMENITY OR CON- VENIENCE (Contd.) <i>Highways and Streets.</i></p>	<p>Maintenance of streets and highways, which are "repairable by the inhabitants at large". In the case of "private streets", i.e. roads laid out on building estates which have not been "adopted" by the local authority, the original making-up of the road—the provision of sewers, metalled surface, pavements, etc.—must be paid for by the owners of property abutting on it, who are called the "frontagers". When a road has been so made up to the satisfaction of the local authority, it is taken over as a highway repairable by the inhabitants at large, i.e. the future cost of maintenance falls upon the rates.</p> <p>Other examples of the powers and duties of local authorities in relation to highways are the making of by-laws with regard to the level, width and construction of new streets, the purchase of premises for the widening and improvement of existing streets, regulating the line of buildings fronting the streets, lighting streets, naming streets and numbering houses, controlling traffic and erecting traffic signs, signals and refuges.</p> <p>NOTE.—"Classified roads" are roads which receive grants from the Road Fund towards their maintenance. "Unclassified roads" are the lesser roads in urban areas and the country lanes in rural areas which receive no such grants.</p>	<p>Local Government Act, 1933. Public Health Act, 1936. Road Traffic Acts, 1930 and 1934.</p>

SERVICE	EXAMPLE	PRINCIPAL ACT
<p><i>AMENITY OR CONVENIENCE (Contd.)</i></p> <p><i>Cemeteries, Burial Grounds and Crematoria.</i></p>	<p>The acquisition, construction and maintenance of cemeteries, burial grounds and crematoria within or outside their districts.</p>	<p>Burial Acts, 1852 to 1906. (Adoptive Acts). Cremation Act, 1902. Public Health Act, 1936.</p>
<p><i>Car Parks.</i></p>	<p>Provision of suitable parking places for vehicles within their districts.</p>	<p>Public Health Act, 1936. Restriction of Ribbon Development Act, 1935.</p>
<p><i>Advertisement Regulation.</i></p>	<p>Limited powers of control over the erection of hoardings. Powers to remove certain classes of advertisements or hoardings which seriously injure the amenity of the land.</p>	<p>Town and Country Planning Act, 1932. Advertisement Regulation Acts, 1907 and 1935.</p>
<p><i>Petrol Stations.</i></p>	<p>For preserving amenities of rural scenery, public parks, etc., powers of regulating the appearance of petrol stations, and of prohibiting their establishment in certain parts of the authority's district.</p>	<p>The Petroleum (Consolidation) Act, 1928.</p>

SERVICE	EXAMPLE	PRINCIPAL ACT
<p>IV. <i>TRADING UNDERTAKINGS.</i></p> <p><i>Water.</i></p> <p><i>Gas.</i></p> <p><i>Electricity.</i></p>	<p>Every public health authority must see that, as far as is reasonably practicable, every house and school in its district has available within a reasonable distance a sufficient supply of wholesome water for domestic purposes. With the approval of the Minister of Health, they may construct or take on loan or purchase waterworks and reservoirs. They may also obtain a bulk supply from some other water company or undertaking. They may lay and maintain water mains in highways or in, under or over any land.</p> <p>The supply of gas for public and private purposes where there is no other authority or person having statutory powers to supply gas in the district. Contracting for the supply of gas or other means of lighting the streets in the authority's district and the provision of the necessary lamps and apparatus. The purchase, by agreement, of a gas company operating in the authority's district.</p> <p>The supply of electricity to consumers in the district of the undertaking. Fixing of scale of charges. Sale of electricity fittings and apparatus.</p>	<p>Public Health Act, 1936. Waterworks Clauses Act, 1847. Local Acts.</p> <p>Gasworks Clauses Acts, 1847 to 1871. Sale of Gas Acts, 1859 to 1860. Gas Regulation Act, 1920. Gas Undertakings Acts, 1929, 1932 and 1934. Local Acts and Provisional Orders.</p> <p>Electricity (Supply) Acts, 1882 to 1933. Local Acts and Provisional Orders.</p>

SERVICE	EXAMPLE	PRINCIPAL ACT
<p><i>TRADING UNDER-TAKINGS (Contd.)</i></p> <p><i>Transport.</i></p> <p><i>Markets.</i></p> <p><i>Docks, Harbours, Piers and Ferries.</i></p>	<p>The construction, purchasing or leasing of tramways, and the management of tramway services. Power, under Local Acts, to run omnibus and trolleybus services.</p> <p>The purchase (by agreement) of market rights and properties. Collection of tolls and rents from persons trading in the market, and making rules and regulations as to the use of the market. Power to own markets and exercise market rights have been granted to some boroughs under old charters.</p> <p>Many local authorities on the coast or on rivers are authorities for docks, harbours, piers and ferries, and are responsible for their management and for the collection of tolls and fees.</p>	<p>Tramways Act, 1870. Local Acts.</p> <p>Markets and Fairs Clauses Act, 1847. Public Health Act, 1936. Local Acts and Charters.</p> <p>Fishery Harbours Act, 1915. Ministry of Transport Act, 1919. Ferries Act, 1919. Local Acts and Orders.</p>

How a Local Authority Works

How does a local authority manage to control and administer all the various services and undertakings which Parliament has entrusted to it? Obviously a council, which may consist of 30 or 50 or 120 members, according to its size and importance, cannot itself deal with the whole of its extensive and varied work. The difficulty is overcome in this way. Every council splits itself up into groups of workable size and appoints a number of different committees to deal with the various matters under its control.

The number of committees appointed only varies with the type and size of each council and the number of duties which it has to perform. Committees are of two kinds—compulsory and voluntary. For example, a County Council is obliged to appoint committees for education, public assistance, child welfare, public health and housing and agriculture, although the same committee may be made to serve more than one statutory purpose. Again, a Borough Council which is responsible for its own police must appoint a watch committee; one that is responsible for education, an education committee; and all County Boroughs must appoint committees for education, public assistance and public health. There is, however, a considerable amount of work which councils are free to allocate among different committees as they think best, and in practice there is a considerable amount of divergence in the way in which different councils organise their work. Most well-regulated councils define the particular duties which they wish to be carried out by each committee by what are called terms of reference.

Another way in which there is considerable difference in practice among different local authorities is the extent to which councils allow their committees a free hand in carrying out their duties. Local authorities may delegate, with or without restrictions, any of their functions to committees, except powers of rating and borrowing. But a committee has no power to do anything unless the council has delegated that power to it. In the absence of such delegation, the committee must bring up a report and recommendation on a scheme which it wishes to carry out, and obtain the council's approval before it can proceed with the scheme.

Clearly, one of the chief ways in which a council will wish to retain a close supervision over the activities of its

committees is in the matter of what they spend, and so there is a statutory provision, which applies to some types of authority, that no debt or liability of more than £50 shall be incurred "except of an estimate submitted to the council by its finance committee". Some authorities, to whom this statutory obligation does not apply, have themselves voluntarily assumed it by including a similar provision in their Standing Orders, which are the rules of procedure by which all their work is governed.

To return to the different kinds of committees which the councils appoint, some committees are given the duty of dealing with single services such as housing, education, water or electricity supply; others are given some particular function to perform, e.g., to consider all questions affecting the finance of the council or to deal with all matters relating to the staff, their salaries and conditions of working. To give an example of the different ways in which different councils organise their work, Authority A may appoint a separate Housing Committee, a separate Public Health Committee, and a separate Town Planning Committee; Authority B may appoint one Housing and Public Health Committee and one Town Planning Committee; Authority C may appoint one Housing and Town Planning Committee and one Public Health Committee. Each of these committees has some duties to perform which are related and which, therefore, need to be co-ordinated, e.g. the Public Health Committee is concerned with the insanitary condition of houses, the Housing Committee with the provision of new houses for the working-classes, and the Town Planning Committee with the lay-out of estates and the provision of amenities. In whatever way a council has split up its various duties, it is desirable that from time to time it should review its committee system as a whole and see that the duties performed by its various committees are being carried out in the most efficient way and that they are not overlapping.

Committees are the real workshops of local government in that the detailed work and problems of the councils are discussed and threshed out in committee and brought forward for the council's approval as cut-and-dried schemes. The majority of recommendations which committees bring to their councils are adopted without much discussion or criticism. But the council, to the extent to which it has not delegated power to act to its committee, retains the general

supervision of all the work entrusted to it. Any member of the council can ask for detailed information with regard to a scheme which is put forward by a particular committee or may challenge a recommendation made to the council by a committee.

Most councils meet monthly except during the August recess. They sit for periods varying from one hour to six hours. Occasionally, when a particularly controversial matter has to be dealt with, some large authorities like the London County Council have all-night sittings.

Committees are attended by the permanent officials of the council, who advise and make reports to the committees on the various subjects which are under their control. The Clerk or Town Clerk prepares and sends out the agendas for each committee meeting and is responsible for keeping the minutes in which are recorded the decisions reached. It is upon his shoulders that the burden rests of the smooth working of the various committees and of the council as a whole, and he should act as a liaison officer between the other chief officers and departments of his council. The Clerk or some member of his department must, therefore, attend every committee meeting, other officials only those committees with whose work they are concerned, e.g. the Electrical Engineer only attends the Electricity Committee, the Borough Treasurer the Finance Committee, the Medical Officer of Health the Public Health, the Housing and the Maternity and Child Welfare Committees.

“Local Government”, as Mr. J. P. R. Maud has aptly written, “requires a technical knowledge of law and judicial procedure, finance and banking, medicine, chemistry, engineering and many other sciences. Neither the town nor the county councillor can be relied on to know much about *ultra vires* or sinking funds, auto-digestive sludge conversion or sputum tests : he must, therefore, have experts at his elbow to supply this deficiency.”

The paid officials of the council are the technicians who are responsible for carrying into execution the various schemes which are adopted by the council. Of course, a chief officer may suggest that certain developments are necessary or desirable ; but the council decides whether in fact it is necessary and should be proceeded with. Thus the council decides on matters of policy ; the official carries that policy into execution. The expert is “on tap, but not on top”.

CHAPTER V

What Local Government Costs

The repugnance to the payment of rates has one very useful result ; it animates local interest in local administration.

—DR. HERMAN FINER.

THE total annual expenditure of local authorities in England and Wales during 1935-36 on all the services which they administer was in the neighbourhood of £550,000,000.

By no means all of this, however, is derived from local taxation. Roughly 185 millions of it comes from Government grants, 100 millions from loans, 120 millions from municipal trading enterprises and 50 millions from rents from civic properties, leaving approximately 145 millions to be borne by rates.

Local authorities prepare their annual ' budgets ', just as the Chancellor of the Exchequer prepares his better-known Budget for national expenditure. Each committee of the council prepares estimates of the cost of the services which it supervises for the ensuing twelve months, taking into account any new schemes which are projected—so much for education, so much for public health, so much for maintenance of streets and so forth. The estimates are usually prepared, in the first instance, by the departments responsible for each service—altered or approved by the appropriate Committees and sent on to the Finance Committee, which then prepares and submits to the Council the estimates for the whole of its anticipated requirements for the ensuing year, with a recommendation as to the rate in the £1 to be levied for this expenditure. (Included also in the estimates will be the amount which an authority may be required to collect and pass on to another authority termed a "precept".) If, at the end of a year, a

council finds that it has over-estimated its current expenditure, the surplus moneys must be applied (subject to a small "working balance") towards a reduction of the rates for the next year.

At five-year intervals every rating authority must prepare and revise a valuation list of all the houses, buildings, land and other "hereditaments" within its area. These rateable values are based on what an imaginary ("hypothetical") tenant taking the property from year to year would give in rent. After a gross value is estimated on the basis of the hypothetical tenant's rent, a proportion is deducted for repairs and outgoings, and the remainder is the rateable value. All such rateable values added together make up the district rateable value. The rateable value of Manchester is over 6½ million pounds, of Westminster over 10½ million pounds, whereas a small rural district council may have a rateable value of only twenty or thirty thousand pounds.

If the rateable value of a district and other rateable hereditaments is, say, £240,000, then the product of a penny rate is 240,000 pence or £1,000. So that if the amount required by the local authority for one year is £100,000, the rate levied will be 100 pence or 8s. 4d. in every pound of rateable value.

Now what does each individual ratepayer pay for the services which he enjoys? Let us suppose that a man lives in a house of which the rateable value is £25, and, to make the calculation easy, let us suppose that the rates of the local authority in whose area he lives are 10s. in the £. This means that in each year he pays in rates the total sum of £12 10s.

Look at the back of a Rate Demand Note and see how the expenses of the local authority are made up. They will vary, of course, in different authorities. The following items are taken from an actual Rate Demand Note issued by one Council. The cost of removal and disposal of house refuse in this particular district is a 6d. rate. That is to say, that 1/20th of the £12 10s. which our imaginary householder pays in rates, or 12s. 6d. a year, equal to under 3d. per week, is paid by him for the clearing of his refuse bins and the removal of his house refuse.

Again, the maintenance of streets costs a 4d. rate, that is 1/30th of your £12 10s., or 8s. 4d. a year, approximately 2d. a week.

The public libraries cost just over a 1d. rate, approximately $\frac{1}{120}$ th of your £12 10s., or $\frac{1}{2}$ d. per week. The fire brigade costs a 3d. rate. Education a 2s. rate, or $\frac{1}{5}$ th of the total yearly amount of £12 10s., which is £2 10s. a year, or under 1s. per week.

Rates are compulsory contributions levied by local authorities on the people who occupy real property—i.e., land (other than agricultural land), houses and buildings—in their area for the provision of local services.

A person is an “occupier” if he is in possession or control of property whether he owns it or not. Thus, if A is the owner of a house and lets it to B, B is what is called the “rated occupier”, and it is from him and not from the owner that the rating authority is empowered to recover the rates which are due. In some cases the owner may let the property to two or more tenants, and then he becomes liable for the payment of the rates.

The value of the property is based on the rent at which the property might reasonably be expected to be let from year to year.

But there are some kinds of property which are wholly or partially “de-rated”, that is to say, the occupants of such property are not required to pay rates at all. Agricultural land and agricultural buildings (i.e., barns but not farm-houses) are wholly exempt from rates or only pay rates on a reduced rateable value, while factories, workshops and other so-called “industrial hereditaments”, and “freight-transport hereditaments”, such as railways, canals and docks, are assessed at one-quarter of their value.

The rating authorities are the councils of county boroughs, boroughs, urban and rural districts. These Councils levy rates to meet not only their own expenditure, but also the expenditure of any other local authority which has jurisdiction over the rating area or any part of it. These other authorities issue “precepts” to the rating authorities, who thereupon must levy a rate sufficient to meet the amount of the precepts as well as for their own requirements. Precepts are issued by a County Council on the non-county boroughs and urban and rural district councils in its area, while the London County Council issues its precepts on the metropolitan borough councils.

The precepting authority asks for a certain rate poundage to be levied, the amount being based on an estimate given by the rating authority of the

amount which would be raised by a rate of one penny per pound on all rateable property. Thus a county council, being a precepting authority and not a rating authority, has to issue precepts on all the district and non-county borough councils in its area so that each levies a rate of the same amount for general county purposes.

Obviously, the first step in the levying of a rate is the valuation of the property in the rating area.

Valuation, or assessment, is determined by assessment committees, each operating for an area called an "assessment area". Every county borough is an assessment area, while in each county the county council was required by the Rating and Valuation Act, 1925, to draw up a scheme for the division of the county into assessment areas.

The first steps in valuation are taken by the rating authority. Forms are sent out to occupiers asking for answers to specific questions of fact relating to the property, and from these answers the rating authority compiles a draft valuation list, which will then be open to inspection. Any person aggrieved may object to any part of the draft list on the ground that any matter in it is incorrect or unfair or that something ought to be omitted from it, or something added to it.

Thus a dispute may arise between the occupier or other aggrieved person on the one hand and the rating authority on the other. The function of the assessment committee is to determine this dispute in a judicial manner. For this purpose it will hear the parties and any witnesses whom the parties may wish to call, and it may employ a valuer to value the property and hear him as a witness. Having heard all the objections, the assessment committee approves the draft valuation list, with or without amendments, and the list becomes the substantive valuation list in accordance with which the occupier is rated.

But the money which local authorities spend does not only come from the rates, although there is a popular illusion among ratepayers that the whole of the money for local government services comes from their purses. Actually, it comes from no less than four other sources. These are: (1) grants from the Exchequer funds, i.e. contributions which the taxpayer, as opposed to the ratepayer, makes towards the expenses of certain services; (2) loans; (3) profits from municipal trading; (4) civic property, to defray work of a permanent nature.

The system of grants in aid of local expenditure grew up gradually and was completely revised in 1930. Doubtless it was not foreseen that an important principle was involved and that grave consequences might follow. In fact, the system has altered the whole aspect of local government.

The grants were originally given on a percentage basis (e.g., the Government and the local authority each paid X% of the cost of a particular service) in order to encourage local authorities to provide for their areas the services in which the whole of the nation was interested.

Many of the services which the local authority provides are of use to the community as a whole, as well as to the people of the locality, and so the State helps by sharing the cost. If the police are efficient, there is a grant towards their upkeep, then there is a grant to help with the schools, and another to help in providing houses for persons displaced by slum clearance schemes. Besides these special grants for particular services, there is also a lump sum given to each local authority from the Exchequer. It is calculated in a very complicated way by means of a formula in which population is the principal factor, but in which population is "weighted" in order to arrive at a fair distribution of the grant in accordance with the needs of the various areas. But there is one thing we should notice. Since the State pays money to the local council, the Government officials are able to control it to a large extent. The member of the Government who is chiefly responsible for this is called the Minister of Health, and the officials under him watch the work of the local authorities very carefully.

Again, it is obviously unfair that all the expenses of the upkeep of the roads should fall on the inhabitants of a particular area when perhaps the people who use the road most, and do most damage, live elsewhere. Why, for instance, should a poor county have to keep up beautiful roads for the benefit of heavy lorries which run between two great cities? For some time, then, the State, by giving grants from the Exchequer to the local authorities, has helped to pay for the upkeep of the main roads.

Before 1930 these grants-in-aid from the central government were either earmarked for the support of particular services or given in the form of assigned revenues in respect of certain licence duties. Since the Local Government Act, 1929, came into operation on the 1st April,

1930, the assigned revenue system was discontinued and percentage grants were limited to the following services :—

- (1) Police.
- (2) Education.
- (3) Classified roads (county councils only).
- (4) Certain specific public health services such as the training of midwives and health visitors.

All other important percentage grants were abolished and replaced by what is popularly called the "Block Grant". It is not proposed to attempt to explain in detail this very complicated subject. Briefly, to replace the discontinued percentage grants and also to compensate local authorities for the losses which they sustained by de-rating, the Government provides a central fund called the "general Exchequer contribution" which is divided among local authorities by means of a "formula". This "formula" is designed to spread the incidence of the grant where it is most needed, e.g. in districts where unemployment is most rife and to secure a just apportionment of the grant between prosperous and depressed areas. In the first place, the general Exchequer contribution is distributed among county councils and county boroughs. The latter retain the whole of the grant apportioned to them, but the former only retain the balance of the county apportionment.

Borrowing Powers

When a local authority undertakes any large public work, such as the building of a school, a sewerage scheme or a water supply scheme, a greater sum is involved than can be financed from revenue. Also, the benefit of the works accrues for a generation or more, and therefore it is right to spread the cost over the life of the asset. Just as a private individual, who wishes to buy a house and cannot afford to pay for it in full, obtains a mortgage from a Building Society and pays back the amount of the loan with interest over a period of years, so the local authority, after having obtained from the appropriate Government Department the necessary loan sanction, borrows the capital sum required to carry out its scheme and repays it over a period of years with interest. Local authorities are given powers to borrow, but these powers are subject to sanction,

either direct from Parliament by local Act or through a central department, usually the Ministry of Health; and the loan sanction from the appropriate Government Department will specify the exact sum which can be borrowed, the purpose for which the money is required, the period within which repayment is to be made, and the security to be given to the lenders. The Council is then free (with certain exceptions) to raise the money by various methods, such as mortgages or the issue of stock. The authority obtains the capital sum which it wishes to spend by undertaking to pay a certain rate of interest for so many years and by pledging its revenues, including trading revenues, as security for the loan. In some instances the Minister may cause a local inquiry to be held upon the applications for loan sanction, when opportunity is taken thoroughly to investigate all details of any proposed schemes from engineering, financial and utility aspects.

Repayment is generally made by one of the following methods: (1) establishment of a sinking fund, i.e. setting apart a sum of money annually from revenue and accumulating the same at compound interest; (2) paying equal yearly or half-yearly instalments of principal, plus the interest on the amount remaining unpaid; (3) a terminal annuity system, i.e. equal annual instalments of principal and interest combined.

In this way the burden is spread more equitably between the existing ratepayers and future ratepayers who will benefit from the particular scheme. Of course, owing to the interest charges the total amount paid from the rates is very much larger, sometimes two or three times the amount which would be paid if it were possible to raise the capital from one year's revenue. There is a school of thought to-day which is advocating what is called the "Pay as you go" principle; that is to say, however large the expenditure on a particular scheme, it should be paid for outright. This would mean, of course, a much greater fluctuation in the amount of a council's rates from year to year. In a year in which a large scheme was undertaken they might go up 2s. or 3s. in the £ and go down again the following year when no scheme of a similar magnitude was embarked upon. The advocates of the "Pay as you go" principle argue that this would be justified by the saving in interest and sinking-fund charges which would result.

On the one hand, the present system of borrowing has much to be said in its favour, since, as we have seen, the ratepayers of the future, who will help to pay off the debts incurred, will be deriving benefit from the schemes which were initiated a generation or so before their time. On the other hand, a policy of raising all capital requirements by loans mortgages the revenues of the local authority for many years to come, and may finally lead to a huge debt having accumulated with an annual payment for abnormal interest charges.

Profits from Municipal Trading

The profits which accrue from municipal trading activities such as electricity, gas and water, tramways and market undertakings can, subject to the provisions of local Acts and general statutory limitations, be made available towards the cost of maintaining services provided by the local authorities. They may go "to the relief of rates". But the argument is frequently made that the profits from a particular trading undertaking should not be used in that way, but should be used to reduce the cost of the trading service to the actual consumer. For example, if a profit is made by a municipally owned gas or electricity undertaking, those profits should not, it is argued, be annexed by the local authority and so lessen the burden on the whole body of ratepayers in the district, but the charges of gas or electricity should be reduced so that the actual consumers of these commodities may benefit.

Civic Properties

Little need be said on this source of revenue to local authorities. In some of the older boroughs a very substantial revenue is derived from such properties and the amount of rates which have to be levied is proportionately reduced.

Audit

The accounts of all local authorities, except boroughs, are audited by the District Auditor, who is an official appointed by the Minister of Health. In boroughs, so much of the accounts as relate to expenditure under the Education and Rating Acts are also subject to district audit. In County Boroughs, Poor Law accounts and the

statutory police grant claims are examined, while in all boroughs the expenditure of a local authority under the Housing Acts is subject to District Audit. Other accounts in boroughs *may* be audited by Borough Auditors, two of whom are elected by the local government electors and one of whom is nominated by the Mayor; or alternatively, boroughs may now decide to have the district (or professional) auditor instead of the old system of elective auditors. District audit, when once adopted, cannot be changed for any other system of audit.

District Auditors have power to disallow every item of expenditure which has been spent "contrary to law" and to surcharge it upon those members of the Council who voted in favour of such expenditure.

The liability for payments surcharged on councillors in this way may be remitted by the Minister of Health at his discretion, and District Auditors may not surcharge or disallow expenditure which has previously been sanctioned by the Minister.

Appeals may be made against a District Auditor's decision to the High Court in respect of a surcharge of over £500, and in any other case either to the Minister of Health or to the High Court.

Value for Money

In concluding this chapter on some of the financial aspects of local government, it may be remarked that if, at times, one is staggered by the vast sums spent by local authorities—they amount to roughly one-seventh of the total national revenue—it is a good plan to try to visualise just what public social services mean. Every day millions of citizens, men and women and children, benefit in some way from these services. Children are educated, health is supervised, ill-health is treated and help is given where other forms of poverty and misfortune arise. These services exist not only to raise general standards of social welfare by careful prevention, but also to maintain a minimum social standard when private resources fail.

The late Lord Snowden once wrote :

"The best way to bring home to the taxpayer and the ratepayer the return he gets for his money would be to suspend national and local government for a month. Before the end of that time all our national industries would be at a standstill. The only people

who would be having a prosperous time would be the burglars and the doctors and the grave-diggers. Disease and death would be stalking everywhere throughout the land. The roads and streets would be impassable through the accumulation of filth and rubbish. All the public health services would be inoperative. The schools would be closed and the children running wild in the streets. There would be no old age or widows' or war pensions. The unemployment and national health insurance schemes could not be administered. The inmates of our lunatic asylums would be left to look after themselves. The police would be added to the number of unemployed and the police and law courts would be shut down.

“That is a very poor picture of the state of things which would exist if there were no money from the rates and taxes to carry on the vital public services. In a sentence, business, industry, public health, public safety and life itself are only possible because of the return we get for the money we pay in rates and taxes.”

CHAPTER VI

The Individual and Local Government

If we are preparing children for life, we must also prepare them for the life political. We must give them the basic minimum knowledge of the forces and factors of that life—of its institutions ; of the problems which have to be solved by means of those institutions—and we must furnish them betimes with the curiosities about it which will enable them to grapple with them.

—PROF. ERNEST BARKER.

If you look up in the smaller Oxford Dictionary the word "idiot" you will find that it is defined as "a person so deficient in mind as to be permanently incapable of rational conduct". But don't stop there. Look at the derivation of the word, and you will find that it comes from the Greek word "idiotes", which means simply "a private person"—a person concerned only with private interests, as opposed to the common interests of the community in which he lived. Such a person was regarded by ancient Greeks with such scorn that the word has descended to its present meaning. Nowadays, some people regard as foolish those who give up their time and energy to looking after public affairs, but if the scope and importance of the work of our local representatives were more fully realized, they would think just the reverse.

From the number and variety of the positive benefits which local government makes available to the members of the community, it might seem to be a natural assumption that the average ratepayer would take at least as much interest in the present activities and the future policy of his local council as he does in the prowess of his local football team. But what are the facts? The vast majority of people in this country only interest themselves in their

local councils at the time of the annual elections, and even then, in most places, not more than half of those who are qualified to vote do so.

“The ordinary ratepayer,” as Mr. Hasluck has written,* “spends something like half his time in the business of earning his living, and after working hours he devotes himself to social activities with his family and friends and to his amusements and hobbies. He is interested in his garden, his wireless set, attending football matches, playing various games, excursions by car or charabanc, and holidays at the seaside. . . . To both the ratepayer and his wife, local government is something which they know exists but which is far away from their own lives.”

That local government which, in fact, is an omnipresent influence on their lives—affecting as it does the house in which they live; the schools where their children are educated, the food and drink which they consume, and the roads on which they walk or ride—*seems* so remote to so many people indicates that there is some radical deficiency in our local government system. That deficiency is not to be found in the adequacy of the services provided, but in the failure to make the public aware of the immense debt which they owe to their local councils.

To some extent this is due to the fact that in the minds of many people local government is chiefly associated with two things—first, the tiresome business of paying their rates, and secondly, the regimentation of their daily lives. But from the purely passive role of telling the taxpayer and the ratepayer what he must *not* do, the twentieth century local authority should adopt the active role of discovering what the public need and of acting as “guide, philosopher and friend” to the man in the street. The public official of to-day, far from being an aloof, forbidding, bureaucratic individual, has realized that he must act as “salesman” of the goods which are provided for the public by local authorities. His function is to advise, to encourage, to inspire confidence; to invite the man in the street to come to him with his troubles and difficulties and explain to him what the local council can do to help him to overcome them.

The apathy of the average British working man has been described by Miss Jane Soames in her excellent little book on *The English Press* :

* *Local Government in England*, p. 37.

"The British working man (and he is the majority of the population) is profoundly indifferent to the conduct of public policy except in so far as it affects himself. . . . He is not responsible, and therefore not immediately and urgently interested. . . . He is ready to put up with a great deal of regimentation and control, he will allow his drinking hours to be restricted, his house to be inspected ; his children may be doctored or put into institutions as the State thinks fit, he will obey the policeman, the traffic regulations, his master—and in general submit to almost any rule that may be made for his good—but in return he does not expect to undertake any kind of public responsibility."

A local council has not satisfactorily carried out its public relations duties unless its inhabitants are as interested in the doings of their council as they are in those of their local football team, unless they are made to realise that it is infinitely more important to them that their district should be adequately town-planned, or that they should have an adequate street-lighting scheme, than that their local football team should go up in the League. Civics, it has been well said, "includes public-mindedness ; the creation of right attitudes towards public duties ; the formation of habits of helpful, constructive, participating citizenship ; and the development of activities which result in effective participation in good government". That really should be the aim of the public relations work of local authorities—to make the ratepayer understand that his interest in the proper and efficient administration of his locality does not end with the dropping of a ballot-paper into a box once a year—if, indeed, he bothers to drop one at all.

"My own active citizenship," Prof. Ernest Barker has said, "is exercised in this way ; by what I say in discussion clubs, by the letters I write to the papers . . . while trying to help in the formation of public opinion. Do not let us have too narrow or pedantic a view of citizenship. It isn't only attending political meetings, or voting at a polling-booth or getting elected to the Town Council, or even getting elected to Parliament. It is saying good and considered words 'into the middle', in any group or on any occasion when it is possible."

Nothing conduces more to an efficient system of local government than an alert, intelligent, and critical interest

on the part of the ratepayer in the affairs of the district in which he lives. We must learn to appreciate that the success of local government administration must be measured not only by the efficiency of the machinery but by the awareness of the services in question ; also, that the more widely a public service is advertised, the more imperative does it become to maintain the quality of that service. Apathy on the part of the electorate must have a disheartening effect on the elected representative as a bored and indifferent audience has on a company of actors in a theatre. The success of any scheme for social betterment is dependent on the impact which it makes on the public conscience and the reactions of the public to it.

How can this be achieved ? Generally speaking, the only contact which the elected representative has with the ratepayers who elect him is through the addresses which he issues just before an election. In them he outlines the recent activities of the council and explains his policy and attitude in respect of schemes and projects in the immediate future. It would enhance the interest of the electorate if the Councillors elected for each ward of a district could, say, three or four times a year, hold public meetings at which they could give an account of the schemes which they have on hand or of those which they contemplate—a new housing scheme, an open-air swimming-bath, an improved system of refuse collection, a day nursery, a new fire brigade station or a branch library. The help of the local Ratepayers' Association might be invoked in the organisation of such meetings. Not long ago the Chairman of the Kent County Council made an appeal to his colleagues to keep more directly in touch with the ratepayers and to tell them what was happening in the county. Of course, one difficulty in implementing such a scheme arises from the question of the cost involved in hiring the requisite hall and advertising the meetings.

Another method, which has been adopted by several of the larger local authorities, is the appointment of a salaried officer known as a Public Relations Officer, whose duty it would be to create a personal contact with the ratepayers and to stimulate their interest in municipal affairs.

Many authorities held Local Government Exhibitions during 1935—the centenary year of Local Government—illustrating their manifold activities, and these proved a

great success. It is suggested that most of the larger Authorities might aim at organising a Civic Week, including a Local Government Exhibition, at least once a year.

Somewhat belatedly, too, the admirable and varied scope which local government offers to the documentary film is being realised. Curiously enough, the pioneers in the field of local government films are not such bodies as the County Council Association or the Association of Municipal Corporations, but the Gas Light and Coke Company, which has been responsible for excellent films on Housing and Education, in addition to its well-known Nutrition film. The films and broadcasting have hitherto been two of the least-used media for spreading knowledge of the local government. But their potentialities for that purpose are almost illimitable.

But it is suggested that the most essential thing to create interest in local affairs would be for the teaching of citizenship to be made compulsory in the curricula of our schools. Although local services affect everyone every day and at every turn, very few boys or girls at present leave school with any knowledge at all of the local government system of their country. It is a truism to say that our schoolchildren are the citizens of the future. But truisms are sometimes so obvious that they tend to be overlooked. The best and the surest way of removing the apathy about local government and of replacing it by interest and enthusiasm would be for education authorities to organise courses of instruction on Civics—with special reference to their own districts—and so ensure that the younger generation grow up with a knowledge of how their local council works and an appreciation of the services which it provides for them. Such courses would not be difficult to prepare; in fact Civics, properly taught, would probably be far more popular than many subjects which now form part of the curricula of our schools. Starting with the question: "What does our local council do for us?" the teacher could explain those ordinary facts of life which children usually take for granted as phenomena of nature—the facts of the lighting, paving, cleansing of streets, the romance of electricity and of water supply, the operation of the tramways, the public health services, and the gradual improvements in our towns as well as the preservation of the countryside, which are being effected under town and country planning powers.

While it is difficult nowadays even for the intelligent adult citizen to follow all the new issues upon domestic or foreign affairs with which Parliament has to deal, it is far otherwise in the sphere of local government; and quite young children may take an intelligent interest in the management, development and improvement of their home district. Organised visits of schoolchildren may be arranged to electricity stations, waterworks and similar undertakings under the local authority's control.

We should not lose sight of the fact that the town, city or urban district is a much more effective rallying-point for the civic spirit than the rural district. But because this spirit is not so evident in country as in town districts, it should not be assumed that it does not exist. In fact, one of the most important tasks in the revitalising of rural government is the provision of a rallying-point for the "civic" consciousness of the countryside. Rural Community Councils are performing valuable work in this respect.

No man can be a good citizen unless he has a proper understanding both of the rights and of the obligations of citizenship. The foundation of citizenship rests therefore on a sound system of education. From education comes knowledge, from knowledge springs enthusiasm, and that enthusiasm will in time develop into love for one's city or district—or one's city or district of adoption—and a desire to serve it and to promote its best interests. The desire to serve—not to rule—is the only true form of local patriotism. One of the greatest advantages of our democratic system of local government is that it affords opportunities for large numbers of active-minded and public-spirited men and women to take a direct part in serving the community by their voluntary work on local councils. Here they can deal with matters within their personal experience and use their local knowledge. A dangerous crossing, a badly-lighted street, a street which needs widening—these are typical examples of some of the trivial matters which they can bring to the notice of their council. Democracy is meaningless unless it involves the serious and steady co-operation of large numbers of citizens in the actual work of government. Trivial and unexciting as some of the tasks of the local councillor may appear, they are nevertheless important for the safety, convenience and well-being of the public whom he serves.

Most important of all is the realisation that transcending
e barriers of different occupations, different upbringing
7 different creeds—there is one community, the numbers
which are inter-dependent and helpless the one without
e other. “One citizen differs from another, but the salva-
n of the community is the common business of them all.”

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