



Partnership Working: BCC and Parish/Town Councils



A report from Overview & Scrutiny





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Partnership Working: BCC and Parish/Town Councils

Preface

By Cllr Mohammed Aikhlaq Chair, Corporate Resources and Governance O&S Committee



An inquiry group made up of members from the Corporate Resources and Governance Overview and Scrutiny Committee began this work in the summer to look at the lessons the City Council could learn from working with the two parish/town councils which already exist within Birmingham.

We were keen to explore how the relationships with the existing local councils have developed and how these need to be improved. The evidence we received was instructive. Firstly, I was impressed with the passion and commitment shown by the parish/town councils in working to improve their local areas for residents. However, what became apparent during our work was that a lack of a more formalised structure and an effective working relationship with Birmingham City Council meant that they were encountering delays on a regular basis in getting projects off the ground and in getting problems resolved. New Frankley in Birmingham Parish Council and Royal Sutton Coldfield Town Council have been in existence for 17 years and 20 months respectively; it is more than time that these issues were addressed.

The key here is to ensure we have an effective partnership with our local councils, one that facilitates all partners working to make services more joined up and responsive at the local level. Parish and town councils are the tier of government closest to local people, and they have a democratic mandate. Furthermore, blockages and delays in improving local areas or implementing projects will feed cynicism not just about the ability of parish/town councils to achieve their goals, but also on the City Council and its willingness to engage at a local level.

The recommendations set out the formal processes needed to make this happen: a cross-party policy; a charter setting out the day to day working relationship with parish/town councils; and a set of local "devo deals" individually agreed to match the differing needs and ambitions. Underpinning this should be senior and political ownership of the relationship. And given the time elapsed, the councils should work together on short term actions to unlock stalled projects to yield some "quick wins" ahead of the formal process.

But I stress again that this is really about relationships and close working with local communities. The processes should support and facilitate successful partnership working between the City Council, parish/town councils and local residents. It is also clear that the City Council has some work to do before it considers setting up any further parish/town councils. If we are serious about encouraging new models of governance, we have to ensure the infrastructure is in place to support and assist from day one.

I would like to thank my fellow councillors on the review group who helped to make this report possible and to the members and officers who took the time to meet with us in both New Frankley in Birmingham Parish Council and Royal Sutton Coldfield Town Council. The Committee will monitor the progress and implementation of these recommendations and will also be involved in the development of the council's future policy for developing models of neighbourhood and community governance.



Summary of Recommendations

	Recommendation	Responsibility	Completion Date
R01	<p>That a council policy on parish/town councils and other local governance structures (including the points set out in paragraph 3.2.5) is developed and adopted:</p> <ul style="list-style-type: none"> a) The policy should be substantially developed well ahead of the May elections seeking early cross-party agreement on the broad policy principles b) Formal adoption of the policy by the City Council should take place after the May elections c) A Cross Party Community Governance Working Group should be established to shape and take forward this policy. <p>A lead Cabinet Member and senior officer should be identified.</p>	Leader with the Assistant Leaders	<ul style="list-style-type: none"> a) February 2018 b) July 2018 c) February 2018
R02	<p>That a charter or framework agreement is agreed, working with the parish/town councils, building on the heads of terms already submitted by both NFIBPC and RSCTC (having regard to the principles set out in paragraph 3.3.11).</p> <p>A lead Cabinet Member and senior officer should be identified.</p>	Leader with the Assistant Leaders	February 2018
R03	<p>That the lead Cabinet Member, Assistant Leaders and senior officers engage further with NFIBPC and RSCTC to assist in developing the specific policy framework around "devo deals". This should be guided by the four levels in 3.3.9 and should be considered as part of the overall policy. As part of this process, some early potential deals should be identified.</p>	Leader with the Assistant Leaders	July 2018
R04	<p>That a Cabinet lead and named officer are nominated to work with RSCTC and NFIBPC to put in place some "quick wins" for the parish/town councils; perhaps via a trial in one service area.</p>	Leader with the Assistant Leaders	February 2018
R05	<p>Progress towards achievement of these recommendations should be reported to the Corporate Resources and Governance Overview and Scrutiny Committee no later than March 2018. Subsequent progress reports will be scheduled by the Committee thereafter, until all recommendations are implemented.</p>	Leader of the Council	March 2018



1 Introduction

1.1 Purpose

- 1.1.1 This inquiry set out to explore the relationship between the Birmingham City Council (BCC) and the two parish/town councils within its borders. There were two general lines of enquiry:
- How is the relationship between the BCC and the parish/town councils working currently? What needs to be done next to enhance constructive and effective relationships?
 - What have we learned from the experiences of setting up Birmingham's parish councils that will assist both BCC and communities in the development of any future parish councils or other localised or devolved governance models?

Our Approach

- 1.1.2 Committee members were aware of ambitions to explore new ideas on local governance and community leadership, including possible expansion of the number and coverage of parish/town councils in the city. Specifically, the Assistant Leaders' Policy Review of local leadership and community governance included consideration of "the development of new governance models such as town and parish councils and the agreement of devolution to those bodies".¹
- 1.1.3 Members therefore agreed to support this work by taking a step back and looking to learn the lessons from our current and past experiences with parish/town councils. The many positive reasons to encourage the growth of parish councils in the city were recognised, including getting better citizen engagement through a democratic process and/or access to alternative funding streams to supplement services; they are also seen as the closest tier of government to local people.
- 1.1.4 However, if the city is to encourage more such governance models in the city, then members, officers and communities need to understand what is working and what is not with the parish/town councils already in existence.

1.2 Birmingham's Parish and Town Councils

- 1.2.1 There are two parish and town councils in Birmingham: New Frankley in Birmingham Parish Council and Royal Sutton Coldfield Town Council.

¹ Establishment of Cabinet Committee Local Leadership report to Cabinet, June 2016



New Frankley in Birmingham Parish Council (NFIBPC)

- 1.2.2 New Frankley in Birmingham Parish Council (NFIBPC) was established in May 2000 and consists of 12 members. The Council is elected every four years, with the next election scheduled for 2018. NFIBPC is in the south-west of the city, within the Longbridge constituency and ward. It covers around 5,500 electors and over 3,500 households; and has a budget of £86,500 per year, with a precept of £34.73 for a Band D property. The last election for the Parish Council was 2012 and was an uncontested election.
- 1.2.3 The Council meets 12 times a year. The Council has appointed 4 standing Committees. These Committees are appointed annually: Planning, Environmental, Highways and Public Transport Committee (7 Members); Staffing Committee (3 Members); Appeals Committee (3 Members) and Audit Committee (4 Members).
- 1.2.4 The budget supports a range of different activities across the parish including the funding of a library play scheme, multi-use games area, events at the local children's centre to support local families and the Frankley Carnival.
- 1.2.5 The Parish Council employs two part time members of staff. It also has an office within a converted shop in the local shopping centre (rented from Birmingham Property Services), to enable local residents to drop in and report matters in person and to obtain information regarding the Parish Council. The office is open between 0900 hours and 1300 hours Monday to Friday, and one evening a month to enable the local City Councillors to hold surgeries. A bi-monthly newsletter is produced and delivered to over 3,500 households.
- 1.2.6 Under their section 137 expenditure powers (which enables parish and town councils to spend a limited amount of money for purposes for which they have no other specific statutory power), they set up the Environmental Warden project, a separate 'Community Champions' enterprise funded by the Parish Council. The project received a grant to pay for a truck and the work of clearing litter and fly-tipped waste is carried out by volunteers. The Community Champions project has an agreement with the City Council that allows it to deposit household waste for free at the Lifford Lane HRC site. A small grants scheme distributes funds to community organisations within the parish boundary.

Royal Sutton Coldfield Town Council (RSCTC)

- 1.2.7 Royal Sutton Coldfield Town Council (RSCTC), covering the Sutton Coldfield constituency, was set up following a postal consultative ballot held in the summer of 2015. The Sutton Coldfield Interim Parish Council was formally created on 1st March 2016; elections were held on the 5th May 2016 and 24 Councillors were elected to represent four wards and 75,431 electors. The political make-up is 19 Conservative members, 3 Independents for Sutton Party members and 2 Labour members. Turnout for the election was 34.3%.
- 1.2.8 The Town Council's precept is £1,832,982, which equates to a council tax charge of approximately £49.96 on a Band D property for the financial year 2017-18.



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- 1.2.9 RSCTC has a Finance and General Purposes Committee; Planning and Highways Committee; and Amenities, Leisure and Community Services Committee. The full council meets monthly.
- 1.2.10 The Royal Sutton Coldfield Town Council Community Fund is open to local community groups, charities and voluntary organisations to bid for grants to improve the local area. £100,000 is available in the current financial year, £25,000 for allocation to groups in each of the four wards.
- 1.2.11 RSCTC has published a strategy, setting out its priorities as well as direction of travel for the formative years of the Town Council and a comprehensive framework to guide future activities.²

By comparison ...

- 1.2.12 At the NALC Conference in October 2017, it was reported that there are 10,000 local councils in England. Over 16 million people live in communities served by local councils, around 25% of the population. There are 100,000 councillors who serve these councils, making a difference in their communities. £3 billion is invested in these communities every year.³
- 1.2.13 The Local Government Chronicle (LGC) undertook a survey of parishes in 2017, supported by the National Association of Local Councils (NALC). This drew 634 responses, of which 63% were from parish clerks and deputies and 37% from elected members.
- 1.2.14 The results showed that almost 40% of respondent local councils had a precept of less than £20,000 per year, but that there was a wide variety of levels of precept among parish and town councils; 2.5% of respondents said their total precept was greater than £1m.
- 1.2.15 The report noted that whilst the size of the precept is roughly in line with the size of the population or number of services delivered, it does not always match up neatly as some very small councils deliver many extra services.
- 1.2.16 More than a third of those responding to the survey worked for a council serving a population of fewer than 1,000, while a similar proportion worked for a council with a population of between 1,000 and 5,000. The population served by the remaining third of respondents varied widely, with just over 1% having populations of between 25,000 and 30,000, and 3% serving more than 30,000 people.
- 1.2.17 With regards to levels of engagement, 18% of respondents said the last election to take place for their council was uncontested (one respondent said no seat on their council had been contested since 1987) and several said that seats on their councils were frequently vacant because too few candidates put themselves forward. However, a third of respondents said that turnout for their last town or parish council election was between 30% and 39.9%. Where elections were contested the mean turnout was 33%.⁴

² http://www.suttoncoldfieldtowncouncil.gov.uk/_UserFiles/Files/SCTC_StrategicPlan2017%20FINAL.compressed.pdf

³ Notes taken by Committee members at NALC conference

⁴ Where Next for Localism? LGC Special Report, July 2017; <http://www.nalc.gov.uk/library/publications/2497-lgc-nalc-2017/file>



2 What We Learned

2.1 Working Together

- 2.1.1 Members explored the working relationship both NFIBPC and RSCTC currently have with the City Council and found a mixed picture.
- 2.1.2 There are areas where the parish/town councils and the City Council work well; examples included:
- By building a good relationship with the staff at Lifford Lane Household Recycling Centre, NFIBPC has installed a number of litter bins across the area; these are emptied by a team of volunteers.
 - RSCTC received invaluable support from City Council finance officers in the early days, particularly around treasury management and the sharing of the Council Tax database in good time;
 - The Landscape Practice Group worked with RSCTC to improve play areas;
 - The Events Team assisted RSCTC in putting on events over the summer (e.g. the CBSO at Sutton Park);
 - Environmental Services were very supportive in particular during the Great British Clean Up.
- 2.1.3 We also heard that parish/town councillors and officers could contact senior officers in the City Council to get issues resolved. However, each of the examples above were negotiated individually, and depended on good relationships between individuals.
- 2.1.4 Both RSCTC and NFIBPC noted the **lack of a single point of contact** within the City Council to help them “unblock” activity they have to take in conjunction with the City Council. Both organisations shared a frustration in not having contact details for relevant officers in the directorates and have compiled their own list of different telephone numbers to contact various departments across the council, which they have to keep updating. Or they have to use the generic Contact Centre number to log problems.
- 2.1.5 Where requests have been made, or problems occur, and the right route into the City Council is found, the parish/town councils have said they would like to see a more creative, **problem-solving approach** to the matters raised. Examples of this include:
- Requests to invest in highway infrastructure (such as the installation and maintenance of mobile driver feedback signs, new street furniture and signage, or wifi boxes to boost internet access), even where RSCTC are able and willing to pay for these, are met with refusal or long delays. They were disappointed to get a response that stated that once the signs had been in



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place for six months they would revert to City Council control and could be used anywhere in the city.

- Offers to clear overgrown areas of land by volunteers in Frankley willing to do the work, are met with refusal as the volunteers are not permitted to use power tools because of liability issues (and the council does not have the resources to clear it). Similarly, RSCTC is struggling to put in place a ranger job across the town council area as the job holder would need various permissions to cut grass, remove vegetation and clean street signs for example.

- 2.1.6 Both NFIBPC and RSCTC aim to provide services additional to those provided by the City Council. In Frankley's case, the "additionality" of their services is clear and they have had no issue with **"double taxation"**.⁵ However this was raised as an issue in Sutton Coldfield in terms of a lack of information on the baseline level for some services. For example, if RSCTC wanted to pay for additional cleaning in car parks, they would need to understand what the City Council provides as standard but that information has not been shared. Such information is also necessary to avoid accusations of "double taxation".
- 2.1.7 Having said that, there is one very good example of how this can work, which is the work on Sutton Coldfield library. The City Council initially proposed that the library should close, mostly on the basis of disproportionate costs. With the Town Council, officers were able to have dialogue – formal and informal – to work towards a solution; opportunities that would not have been there without the Town Council. The ultimate solution was possible as the base costs from the City Council were clear (i.e. what was Sutton Coldfield's "fair share") and the Town Council was able to supplement whilst clearly avoiding double taxation.
- 2.1.8 Discussing budget matters also raised the issue of **residents' understanding** of what parish/town councils can do and how they can spend precept money. A number of residents believe the funds could be used to improve existing services provided by Birmingham. It is clear that many residents do not understand what the parish/town councils are for, and some think that it can replicate the powers of the principal authority.

2.2 Starting Out

- 2.2.1 The inquiry also looked at some of the lessons to be learned from the recent experience of setting up RSCTC. Officers noted that the speed of setting up the new parish council (see Appendix 2) did mean that a number of decisions had to be left out of the formal Re-organisation Order, for further consideration after the parish council was set up. However progress has not been made with this,

⁵ "In this context double taxation is where residents in certain local council areas are paying twice over for particular public services. It can happen because many local services are "concurrent functions" that is, they can be managed and delivered either by local parish and town councils or by principal local authorities (district, borough, unitary or county councils)". *Managing Double Taxation A guide for local (parish and town) councils and principal local authorities*, National Association of Local Councils (NALC), January 2011; <http://www.nalc.gov.uk/library/our-work/create-a-council-resources/1363-managing-double-taxation/file>



resulting in a current lack of clarity on the powers sought by the parish council and its aspirations for transfer of assets from the City Council.

- 2.2.2 This also meant that when the Parish Council started, there was a largely clean sheet: no constitution in place, and the governance documents are having to be worked up one by one. The standing orders, financial regulations and code of conduct mirror those of the City Council. However, parish councils are subject to, and have powers derived from, a wide range of legislation and so there are a number of procedures to be adopted, which RSCTC is working through now.
- 2.2.3 In addition, many of the town councillors elected were new to local government and politics, so were not accustomed to some of the ways of working, but all shared a common goal in wanting to improve the local area. Having three City Councillors around the table acting as 'twin-hatted' Councillors has been valuable in RSCTC, but there still needs to be a better understanding of both roles.

2.3 Summary

- 2.3.1 Members heard that both parish/town councils were doing lots of good work, sometimes supported by City Council colleagues but without the backing of a day-to-day working relationship. Both the parish/town council felt the lack of a formal structure through which to raise ideas, concerns and opportunities with the City Council. In the absence of senior and political ownership of the relationship, they were sometimes "passed from pillar to post". RSCTC told us "the present working relationship between us has developed in an ad-hoc way and, from the Town Council's perspective, is ineffective". The inability to make progress "does not reflect well on either authority".
- 2.3.2 These issues do need addressing: NFIBPC have been able to mobilise their local community in a way the City Council could not; and RSCTC was set up following grassroots demand for local governance. The momentum started by the Community Governance Review has stalled following the loss of key officers and increased pressure on time and budgets.
- 2.3.3 Both parish/town councils see their role as to be the voice of the resident, with close links to community and neighbourhood groups. Continual frustration with efforts to improve the area or implement projects is likely to be feeding a cynicism both about the ability of the parish/town councils to achieve anything and about local groups' ability to achieve anything with the City Council. This is exacerbated when residents do their own research on what other parish/town councils are doing and ask why the same cannot be done within their own parish/town council.
- 2.3.4 Finally, it was noticeable that a number of the issues raised echoed those raised by City Councillors and officers in other parts of the City with regards to devolution and local influence on local facilities and services within the City Council. Any learning from our work with parish/town councils will also be applicable to wider localisation work at ward level and any moves to devolve services in the future.



3 Next Steps

3.1 Our Recommendations

- 3.1.1 The majority of the issues raised by the town and parish councils focused on operational issues: not having appropriate contacts within the council, difficulty in navigating City Council processes, and not understanding why certain things were permitted and others not.
- 3.1.2 However, the many positive examples showed that these matters are far from insurmountable. Indeed the problem may well come down to a lack of clarity amongst officers as to how to work with parish councils. There were good examples of joint working, and evidence of a personal commitment to make things work, but no framework to advise or guide officers in responding to requests and applications from the town and parish councils. It has been left to individuals in departments to respond, rather than there being a clear organisational steer. This lack of organisational steer in turn stems from a lack of clear political steer on what the City Council's relationship with our parish/town councils should be.
- 3.1.3 Our recommendations therefore focus on building the governance apparatus needed to facilitate successful relationships and co-working between the City Council and parish/town councils. Our suggested approach comes in three parts:
- A statement of policy from the City Council that will not only provide the bedrock for the relationships with parish/town councils, giving clarity on the parameters of that relationship and facilitate working together with a clear political mandate, but also set the direction for future policy ambitions for parish/town councils or other local governance structures in Birmingham;
 - A framework or charter that would set out the day to day working relationship with each parish/town council. As each parish/town council is different, this would be individually negotiated though there will be many common themes;
 - A set of local "devo deals" negotiated with each parish/town council, again individually agreed to match the differing needs and ambitions. These will be about service delegation, asset transfer and devolution – changes in how services are delivered in those localities.
- 3.1.4 It is important to note that each of these can be developed concurrently – and given the time that has elapsed since both Birmingham's parish/town councils came into existence, some pace is required. Also critical to success is to recognise that processes and structures are the means to an end – co-operative, supportive relationships delivering real benefit to communities – not the end in themselves.



3.1.5 Our thinking is informed by the many models adopted elsewhere, and summarised in the 2013 LGA document *Modelling devolution: Working together to deliver local services*. The five broad models are:

1. **The charter approach:** An agreed local charter or more formal contract which lays down the principles of how principal and local councils should work together.
2. **Community asset transfer:** Where the principal council transfers assets to a local council.
3. **Clustering:** Co-operative working across local councils to take on services.
4. **Service delegation:** Top-down or bottom-up initiatives to transfer service delivery to the local council with the service funded locally from the parish precept, volunteers or some other local resource.
5. **Joint service provision:** The local council enhancing or 'topping up' an existing service provided by the principal council, through funding or provision of volunteers, or principal councils supporting local councils to improve their capability to provide services.⁶

3.1.6 It should be noted that these are not mutually exclusive, and a "pick and mix" approach could be taken by different parish/town councils.

3.2 A Statement of Policy

3.2.1 Our first recommendation is therefore that a policy statement is developed with cross-party city councillors and parish/town councillors. This should then be agreed by the full City Council.

3.2.2 In the interests of both developing and maintaining **a co-operative relationship, based on mutual respect and a mutual understanding** of needs and ambitions of all parties, there should be representatives of parish/town councils involved in the development of the policy.

3.2.3 It should also be developed with **cross-party support**; we would therefore suggest adopting a cross-party working group approach (similar to the Community Governance group set up to consider the proposal for a Sutton Coldfield Parish Council).

3.2.4 To fully ensure **political ownership** of the policy, we therefore suggest that the final detail and full scale implementation of the policy is not formally agreed by the City Council until after the May 2018 "all-out" elections. Nonetheless, given the fact that RSCTC has been in existence for 18 months now, the policy should be prepared ahead of May 2018, with the intention that the broad principles are agreed on a cross-party basis as soon as possible. The recommendation is therefore in two parts – firstly to get this work on shared agreement on the broad overarching principles underway quickly, and secondly to get formal City Council approval of full scale implementation and delivery after the May elections.

⁶ LGA: Modelling devolution: Working together to deliver local services, January 2013



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3.2.5 A key element of the policy should be a clear statement of what is permissible in law, and negotiable between local councils and the City Council, and what is not. Questions to be answered by the policy include:

- What is the City Council's policy on new governance models including parish/town councils (or other devolved structures): will the City Council pro-actively encourage areas of the city to come forward with proposals for local governance structures, or wait to be approached? If the former, should the idea be promoted everywhere, or should the focus be on areas where there is known interest? There is a spectrum of options here that need to be fully explored and understood, particularly in terms of available resources and support;
- Underpinning this is an understanding of what parish/town councils would add to the civic and democratic life of the city – is it about access to more funding streams, alternative models of service delivery, or improved engagement with citizens for instance? Depending on the answer, the models of governance chosen would vary.
- What is the City Council's "offer" to parish/town councils and other devolved structures: which areas/services is the City Council prepared to negotiate on with regards to local governance (this might include environmental matters or parks) and where are the red lines (which might include social care, for example). What sort of working relationship can parish/town councils and other devolved structures expect to receive?
- How this will fit into the City Council's wider Localisation Policy.

3.2.6 Finally, the City Council may want to consider taking wider soundings on this: the Welsh Government has set up an independent review into its community and town councils, exploring potential roles and models, and as part of this is asking for public views.⁷

	Recommendation	Responsibility	Completion Date
R01	<p>That a council policy on parish/town councils and other local governance structures (including the points set out in paragraph 3.2.5) is developed and adopted:</p> <p>a) The policy should be substantially developed well ahead of the May elections seeking early cross-party agreement on the broad policy principles</p> <p>b) Formal adoption of the policy by the City Council should take place after the May elections</p> <p>c) A Cross Party Community Governance Working Group should be established to shape and take forward this policy.</p> <p>A lead Cabinet Member and senior officer should be identified.</p>	Leader with the Assistant Leaders	<p>d) February 2018</p> <p>e) July 2018</p> <p>f) February 2018</p>

⁷ <http://gov.wales/topics/localgovernment/communitytowncouncils/review-of-community-town-council-sector/?lang=en>



3.3 A Framework for the Relationship – the Charter Approach

- 3.3.1 In tandem with the development of the policy, a framework or charter approach should be developed with the existing parish/town councils; designed with a view to future uptake by other Town, Parish or Community Councils that may be formed across Birmingham in the coming years.
- 3.3.2 This is necessary, because whilst the policy would be the bedrock of a new relationship between the City Council and parish/town councils, and would set out a direction with regards to future local governance arrangements, from a practical point of view, the details of the working relationship and how that would work still need hammering out.
- 3.3.3 Both RSCTC and NFIBPC identified the need for a formal structure around the relationship with the City Council. They told members that it is clear that there is not a history of working with parish/town councils in Birmingham (as there is in many authorities across the country) and therefore a framework agreement is needed to set out some ground rules on how the two will work positively together. This should clearly set up the responsibilities and powers of each, so that this is widely understood. It should be flexible and adaptable, underpinned by working protocols setting out pathways for resolving issues and gaining approvals for new projects (assuming the project is within the parameters of the agreement). There needs to be a clear time-frame as to when frameworks will be put in place from the principal authority when any future parish/town councils are set up, with the option to review on an annual (or other time frame) basis.
- 3.3.4 It is for both sides to set out their needs, ambitions and constraints; and how they will deliver their mandates from residents. Both NFIBPC and RSCTC have made the first step towards this by putting forward proposals as to what might be included in any agreement or charter.
- 3.3.5 A partnership protocol is suggested, with a skeleton structure to encompass shared goals, established procedures for working in partnership and maintaining high ethical standards, agreed parameters for communication and consultation, arrangements for providing additional services whilst avoiding double taxation, and establishing key contacts. Key asks include that "the City Council gives the necessary political and senior management commitment to prepare and underpin the Protocol with effective local service delivery mechanisms that should include:
- A nominated senior Member /officer to "own" the relationship;
 - A single point of contact type arrangement focussed on facilitating and removing blockages to delivery;
 - Allocation of appropriate resources to manage the interface between City and Town Council services in order to ensure actions are co-ordinated and things happen on the ground in the most effective way."⁸

⁸ Royal Sutton Coldfield Town Council – Devolution Proposal to Birmingham City Council, Sent to the Chair of Corporate Resources and Governance O&S Committee, October 2017



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3.3.6 RSCTC also suggest the setting up of a Joint Forum, comprising a small number of senior political / officer representatives from both authorities. This would discuss strategic matters of mutual interest and oversee the monitoring and review of the new working arrangements. Whilst not a formal decision-making body it should have the ability to ensure progress is made on agreed actions. This approach echoes that of other principal/parish/town council arrangements elsewhere in the country (see Appendix 3).

3.3.7 Both these submissions can be the start of a new working relationship between the City Council and parish/town councils and we will forward both on to the Cabinet Member and officers responsible for taking forward this work.

3.3.8 It is critical that these agreements are meaningful agreements, not just documents to be signed, and are developed co-operatively. As the LGA guide states:

For the charter approach to be meaningful the process by which it is developed is important. This will in itself help improve and strengthen relationships through clear dialogue and discussion.⁹

3.3.9 To set in some context, Appendix 3 sets out a summary of just some of the charters already in existence across the country. One example where this approach seems to be working well is in Milton Keynes, which was the showcase presentation at the 2017 NALC Annual Conference. The relationship established between Milton Keynes (which is a designated Cooperative Council) and its Town and Parish Councils is set out in a practical four-tier framework, where localities can select their preferred level of working:

- **Level 1:** Influence local service delivery, for example request changes to existing contract service delivery within existing resources, help set input or output standards, help monitor and chase up service standards such as street cleansing, graffiti, highways maintenance, flytipping;
- **Level 2:** Joint delivery / service enhancement, funding work that exceeds base service level (using external community funds or community council precept), purchase extra contract volume with main contractor, run resident parking schemes etc; this can be done through a separate contract or by extending an existing one;
- **Level 3:** Take on delivery of a delegated service, through agency or management agreements, where the City Council would sort out basic standards and conditions for delivery of specific services with existing level resources but then controlled locally, such as street scene, issue Fixed Penalty Notices locally, adapted managing of verge cutting;
- **Level 4:** Transfer service and / or asset whereby a neighbourhood or community group, community or parish / town council would take on full responsibility for delivery of non-statutory or statutory services on behalf of the City Council; such as parks, allotments, public

⁹ LGA: Modelling devolution: Working together to deliver local services, January 2013



open space, markets, social care services, youth services, social housing, and municipal premises.

3.3.10 Learning from, perhaps by visiting, some of these other local authority areas as to how these agreements work in practice would be very useful, and is perhaps an area where Scrutiny can further assist.

3.3.11 Reflecting on the evidence from our officers, parish/town councils and the examples from elsewhere, the committee proposes some key principles that should underpin any future agreement:

- *Adaptable and flexible*: capable of reflecting the needs and aspirations of different communities, given the difference in size, maturity and ambition of our current parish/town councils. There should also be flexibility to respond to changes in the availability of resources;
- *Sustainable, realistic and deliverable*: as we have seen, the pressure to save money can lead to problems with capacity and loss of corporate knowledge within the City Council. Any agreements should acknowledge tensions around resourcing and liabilities, as well as ensuring opportunities can be exploited, and be properly resourced.
- *Relationships built on trust and an understanding of each other's position*: the charter/agreement document is the start, for it to be successful, trust and mutual respect are critical. There must also be a mutual understanding of the City Council's constraints and obligations; and of the parish/town councils' ambitions and capabilities. As the LGA document states:

"The charter approach is only a starting point setting out a commitment to work together and a statement of the principles by which all partners will approach their work together. The document itself should be able to adapt, evolve and be a living entity given at its heart is an ongoing relationship between the people in the organisations, rather than something that is signed and sits on a shelf merely to collect dust.¹⁰

- *"Evolution not revolution"¹¹*: the agreements may take some time to put in place, and should perhaps initially focus on one area or directorate, learning as each element develops.
- *Simplicity¹¹*: the processes agreed should be clear and not overly bureaucratic. The agreement should also be based on good, clear data – particularly to assist in avoiding accusations of double taxation.
- *Political and senior officer ownership*: a political and senior officer lead should be identified to drive this work forward.

¹⁰ Ibid. page 8

¹¹ Ibid. page 39



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- *Integration with wider Localisation Policy:* the agreement should sit alongside and be consistent with the emerging citywide Localisation Policy being developed by the Assistant Leaders.

3.3.12 The Framework is the overarching “offer” document. Each parish / town council then negotiates its own specific agreement drawing down on the generic framework. Again, it is critical that the development of these agreements is not seen as ends in themselves, but a guide for a supportive and mutually respectful relationship.

	Recommendation	Responsibility	Completion Date
R02	<p>That a charter or framework agreement is agreed, working with the parish/town councils, building on the heads of terms already submitted by both NFIBPC and RSCTC (having regard to the principles set out in paragraph 3.3.11).</p> <p>A lead Cabinet Member and senior officer should be identified.</p>	Leader with the Assistant Leaders	February 2018

3.4 “Local Devo Deals”

3.4.1 The third piece of the jigsaw is to address the opportunities for developing alternative models of delivery and supporting the ambitions of some parish/town councils, including community asset transfer, service delegation and joint service provision.

3.4.2 RSCTC told us “as the level of local government which is closest to the people it represents, the Town Council is ideally placed to work with [the City Council] in developing an alternative, more joined up model of local service delivery”. Looking at what other parish councils do, there is considerable scope here. The survey conducted by the LGC asked about parish councils’ current provision:

“94% of this year’s respondents said they were delivering public realm services, 47% delivered some form of housing and planning, 43% undertook property management and 28% community safety. However, a significant minority were involved in delivering economic growth and regeneration (14%) and 10% delivered health, wellbeing and social care. These latter two groups of services “are huge growth areas”.”¹²

¹² Where Next for Localism? LGC Special Report, July 2017; <http://www.nalc.gov.uk/library/publications/2497-lgc-nalc-2017/file>



- 3.4.3 Our proposal is that, just as government is and has agreed “devo deals” with combined authority areas, the City Council and the current and potential future parish/town councils enter into constructive dialogue to negotiate local “devo-deals”. These would sit within the framework of the policy developed under Recommendation 01, but would be individually negotiated. Some early potential deals should be identified and work started on these, to pilot the process.
- 3.4.4 These deals would of course be for the relevant city council departments, Cabinet Members and parish/town councils to negotiate. However, to demonstrate intent and to provide clarity, a process needs to be designed and agreed. And, as with the above, these should have cross-party support, political and senior officer ownership. For these deals, there should also be clear public support for the changes proposed. It should also be noted that, in the future, these “devo-deals” need not be exclusive to parish/town councils – hence the need for a clearly agreed process.
- 3.4.5 NALC has published a toolkit, Devo+¹³, which should be used to support this process.

	Recommendation	Responsibility	Completion Date
R03	That the lead Cabinet Member, Assistant Leaders and senior officers engage further with NFIBPC and RSCTC to assist in developing the specific policy framework around “devo deals”. This should be guided by the four levels in 3.3.9 and should be considered as part of the overall policy. As part of this process, some early potential deals should be identified.	Leader with the Assistant Leaders	July 2018

3.5 In the Meantime...

- 3.5.1 Whilst it is right that the City Council works out a sustainable policy approach over a period of time, the immediate issues faced by the parish/town councils remain. We must recognise the time that has elapsed since RSCTC first held its elections, (not to mention NFIBPC) and put in place some interim arrangements to facilitate improved day to day working.
- 3.5.2 In recognition of this, RSCTC suggested, in its heads of terms, that:
- “the City and Town councils to agree as a matter of urgency a series of short term actions to unlock projects which are presently stalled as a pre-cursor to the new arrangements coming into place.”
- 3.5.3 There should be a nominated Cabinet Member lead and officer (or team) tasked with working with parish/town councils to put in place some of these “quick wins” to benefit local communities.

¹³ <http://www.nalc.gov.uk/library/our-work/devolution-1/2328-devo-plus-toolkit-december-2016/file>



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Perhaps one way of approaching this is to identify one area or Directorate where new approaches can be trialled.

	Recommendation	Responsibility	Completion Date
R04	That a Cabinet lead and named officer are nominated to work with RSCTC and NFIBPC to put in place some "quick wins" for the parish/town councils; perhaps via a trial in one service area.	Leader with the Assistant Leaders	February 2018

3.6 And for the Future...

3.6.1 As stated at the start, there is some ambition to extend local governance models to other areas of the city – or at least open up the option to those who may want it. The clear policy and framework will of course assist with this but in the course of the evidence gathering, the following points were raised which should be considered in any future local governance approaches:

- If considering a new parish council, it was noted that the use of the postal ballot consultation is not a requirement and may not be necessary every time; however it can increase interest and give a clear mandate to change (as in the case of Sutton Coldfield). However, little attention was given to what would happen if the result was close. If this tool is used again, the minimum expectation of support should be clearly set out ahead of the vote.
- The size of any new local organisation should be thought through, including the size of the precept set by the shadow parish council. There are advantages to larger parish councils in having greater spending power but these also create much greater expectations and have a less local focus. Alternative options might be to not have a single larger council, but smaller neighbourhood parishes which then form a federation.
- The capacity and expertise of the City Council to deliver on any policy or agreements is critical. The work involved in the Sutton Coldfield Re-organisation Order was possibly underestimated, but nonetheless pushed through by knowledgeable officers. Consideration should be given therefore both to the capacity of those charged with delivering the policy/agreements and the how the right level of expertise is obtained.
- Consideration should also be given to potential candidates. NFIBPC did not have contested elections at the last election. However, the parish councillors there do not represent political parties, which can be an advantage in engaging the community in their work. Right from the start, information and education on the role and powers of the newly created body should be available and party and community groups encouraged to share with potential candidates, so there is a better understanding of what can be done, the time commitment and the extent of the parish/town council's powers.



- Similarly with residents, it is the responsibility of all councils to ensure there is an understanding of what the council is for. Work on this should start well before any parish council is set up. There should also be close working with city councillors, as there will be confusion about which councillor does what and so there is a need to agree a joined up approach. Similarly when a shadow parish council is set up ahead of the establishment of a new parish council, the role and powers of this should be widely understood.
- One of the challenges facing NFIBPC is involving more young people in its work. How young people will be involved in any new local governance should form part of the consideration.
- Where there are no existing structures in place, the City Council should consider a “starter pack” for new parish councils, including help on budget, IT, contacts, setting up an office etc.

3.6.2 Finally, consideration could be given to a Consultative Conference on Town, Community and Parish Councils in the coming year with potentially interested neighbourhoods and communities, assisted by NALC, to highlight the opportunities presented by this level of local government within the wider context of the City Council’s emerging Localisation Policy.

3.7 Progress against Implementation and Motion

3.7.1 The Corporate Resources and Governance O&S Committee will retain a key interest in the on-going development of this policy and associated work. Members will work with Cabinet Members and officers to identify opportunities for scrutiny work to support the on-going process.

3.7.2 To keep the Committee informed of progress in implementing the recommendations within this report, the Executive is recommended to report back on progress periodically.

	Recommendation	Responsibility	Completion Date
R05	Progress towards achievement of these recommendations should be reported to the Corporate Resources and Governance Overview and Scrutiny Committee no later than March 2018. Subsequent progress reports will be scheduled by the Committee thereafter, until all recommendations are implemented.	Leader of the Council	March 2018

Motion

That the recommendations R01 to R05 be approved, and that the Executive be requested to pursue their implementation.



Appendix 1: Contributors

Cllr Ian Bruckshaw, Chairman of the Parish Council

Roger Griffiths, Parish Clerk

Cllr Simon Ward, Leader of Royal Sutton Coldfield Town Council

Olive O'Sullivan, Town clerk

Andrew Tucker, Advisor to RSCTC

Appendix 2: Timeline – RSCTC

Action	Dates
Full Council considers the recommendation of the Community Governance Review	15 September 2015
Publication and consultation on the decision of Full Council and the recommendations of the Community Governance Review	19 September 2015 to 31 October 2015
Steering Group established to take forward implementation of the parish council	September/October 2015 to May 2016
CBM considers draft reorganisation order including the precept, electoral arrangements and transitional arrangements. Publication of reorganisation order following decision of Council Business Management Committee	17 November 2015
Approval of reorganisation order by Council Business Management Committee	15 December 2015
Reorganisation order comes into effect creating the interim Sutton Coldfield Parish Council	1 March 2016
Interim Parish Council in place until elections to the new parish council	1 March to May 2016
Elections to Sutton Coldfield Parish Council	5 May 2016
First meeting of the newly elected Sutton Coldfield Parish Council (to take place within 14 days of the declaration of the results).	17 May 2016
<i>Source: Community Governance Review - Taking Forward the Proposal for a Sutton Coldfield Parish Council Report to City Council, 15 September 2015</i>	



Appendix 3: Summary of Charters / Frameworks

Introduction

A number of existing Parish and Town councils have developed charters/frameworks to support the day to day running of business with their respective principal authorities. Charters can provide clear structures and guidelines for partnership working; though more detailed arrangements and agreements may also have to be produced to sit alongside these documents.

Below is a summary of some of the frameworks used by councils (Unitary, County & Districts) across the country. This is in no way a definitive list but provides an overview of the different types of agreements that have been negotiated between principal authorities and local councils.¹⁴

The format and structure of the charters vary across the country with some listing what they see as “principles” for engagement whilst others are more specific about the roles and responsibilities of both parties.

Some of the common features of the frameworks include sections on:

- Communication and Community Engagement;
- Annual Reporting;
- Code of Conduct and Standards;
- Practical support/day to day running.

All the frameworks are reviewed on either an annual basis or longer term to ensure they remain relevant and fit for purpose.

1. Milton Keynes Council

Statement of Intent “To continue to foster our partnership that delivers outstanding services to the people of Milton Keynes”.

Milton Keynes Borough Council has been fully parished since 2001 and is made up of 45 parishes, both rural and urban, e.g CMK Town Council is the parish council for residents of central Milton Keynes and has a population of approximately 3000. A charter has been in place since 2004 following extensive consultation with the local Councils via a working group made up of members from both the principal authority and the parish councils and it is reviewed every 4 years.

Milton Keynes also has a “Parishes Forum” made up of representatives from both the principal and local councils which meets four times a year in public to discuss matters of interest.

¹⁴ The term Local council refers to Town/Parish Councils



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Milton Keynes Council is currently engaged in a piece of work looking at the relationship between the two tiers of government and is consulting with local councils on enhancing working relationships based on 5 key areas:

- Influencing and monitoring Service Delivery
- Joint Delivery / Service Enhancement
- Delegation of Service Delivery
- Transferring services
- In scope / out of scope

This main objectives of the new framework will be:

- Maintain community access to services that might otherwise be at risk
- Increase satisfaction with services
- Provide greater local influences over services
- Where possible maintain and/ or enhance services
- Enhance the role of local councils in their communities
- Generate greater community pride in local areas
- Promote engagement of local communities in local government
- Achieve 'value for money'

This could be an area of work this committee may want to explore in further detail.

2. Cardiff City Council

There are 6 community councils within Cardiff and the City Council has produced a draft charter in consultation with its community councils. It lists responsibilities from the perspective of both the principal authority and the community councils. For example:

- The Council will provide community council clerks with access to the Council's Member Enquiry telephone line, initially on a 6 month trial basis, to be extended by mutual agreement.
- The Community Council will utilise the agreed contact systems and respond in the most appropriate and timely method.

As a side note, the Welsh government has recently announced a review into town and community councils with an aim to explore the role of community councils in greater detail. The review will:

- explore the potential role of local government below Local Authority councils, drawing on best practice;
- define the most appropriate model(s)/structure(s) to deliver this role;



- consider how these models and structures should be applied across Wales. This will include consideration of any situations in which they would not be necessary or appropriate.

The review is expected to take up to 12 months and it will consult widely with both communities and local councils across Wales.

3. Newcastle City Council

Newcastle has 6 parish councils and it has produced a detailed framework in consultation with the parishes covering most aspects of the day to day running of business between the 2 tiers of government.

In terms of structures, the charter states quite clearly that Ward Committees are the key link between the principal and parish councils and representatives attend these meetings to raise concerns. Parish council representatives will have the right to request to address the City Council or its committees on any matters of local concern.

For “delegating responsibilities” the charter states:

- If a parish council (or group of parish councils) wishes to discharge functions on behalf of the City Council, the City Council will consider this where it provides best value (taking account of cost, quality, local preferences and practicability). Where it is not good value or practicable the City Council will, in consultation with the parish council, explore alternative solutions to encourage more local-level input into service delivery.

For practical support, the Parish Councils have the opportunity to use council services for an agreed fee. This includes services such as

- Legal matters • Committee and procedural arrangements • Arboricultural services • Property management, acquisition and disposal • Catering services • Servicing equipment • Printing and purchasing • Human resources • Information technology and telecommunications, including systems development and PC support • Advice leaflets on consumer matters • Administration of members’ allowance where these are taxable • Procurement

The Parish Council also has access to the Council’s procurement process.

4. Sheffield City Council

Sheffield consists of three Parish councils with Bradfield considered one of the larger civil parishes as it serves a population of just under 15,000. There appears to be no formal charter between the City Council and its Parishes but Bradfield has listed a series of different policies it has adopted including a framework for the parish council working with local community groups, a local winter management policy, data protection policy along with a Health and safety policy.

5. Shropshire Council

There are more than 150 parish councils across Shropshire, and their charter lists the individual responsibilities of both the Principal Authority and the Parish/Town council along with a set of shared responsibilities. These are set out below.



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Practical Support

Shropshire Council will, where practical and affordable, offer parish and town councils access to their corporate services (for example HR Functions, ICT, Finance etc). Initial enquiries should be free; thereafter such support for some services may need to incur a charge, or may be offered through an agreed service contract.

Liaison

Shropshire Council will host two liaison meetings with ALC Executive members, relevant Portfolio holders and senior Shropshire Council officers every year.

Delegation or Devolution of Services

Local Councils will work with Shropshire Council and consider any delegated responsibility in detail, taking into consideration the cost, quality, local preferences and practicability at all times.

Where a request for delegation or devolution is made local councils will produce a costed business case in support of the request and should demonstrate they can achieve Quality Status Standards.

6. Cornwall "Common issues-Shared Solutions"

This Framework varies from the others included as it not only sets out how Cornwall Council will work with town/parish councils but also includes community groups as part of its framework. The Council worked in partnership with these bodies to develop a "menu of involvement" which includes 6 different levels of involvement and allows the organisations to choose how they engage with the council from areas such as service monitoring and influencing contracts through to taking on and delivering local services and assets.

It also specifically states that the council will support organisations in taking on responsibilities outlined within the charter.

The six levels included are:

Option 1. Influencing and monitoring local service delivery

Community group and local councils may want to influence and request changes to existing contracts or input into new contracts but any financial effect should be cost neutral unless agreed by the Principal authority.

Option 2. Joint delivery / service enhancement

Town and Parish Councils and Community Groups may choose to enhance an existing service provided by Cornwall Council by funding work that exceeds the base level provided. They may also deliver additional services not provided by Cornwall Council. This could be through a separate contract or by extending an existing one. E.g. one of the parish councils purchases additional parking enforcement from the principal authority.



Option 3. Agency Agreements, Management Agreements, Licenses and Sponsorship

Agency Agreements

Cornwall Council currently offers agency agreements to Town and Parish Councils for three services. The agreement sets out basic standards and conditions (e.g. Health and Safety) and includes a lump sum based on the minimum level of service Cornwall Council would undertake. The Town and Parish Council may then choose to enhance this service locally. The service areas include grass cutting e.g. the council offer is based on four cuts per year but many local councils choose to pay an additional cost for 15 cuts per year, and the Council has over 40 agency agreements for grass cutting in place.

Option 4. Delegation of service delivery

A Town and Parish council or local community group may wish to take on full responsibility for the delivery of a local service on behalf of Cornwall Council. Many of these services are non-statutory services. E.g. Beach Tidy ups are usually carried out by local residents and volunteers using equipment supplied by Cornwall Council.

Option 5. Transfer of a service

If Cornwall Council proposes to reduce or no longer provide a service, Town and Parish councils and local Community Groups will be consulted and offered the opportunity to take on delivery of them. In exploring the available options the transfer of any related assets may be part of the discussions e.g. a number of the Tourism Information Centres are now being managed locally.

Option 6. Services not generally available

Some services are not considered for transfer, as in many cases, statute will prevent the transfer of the service. Despite this, town and parish councils may be able to influence and monitor the delivery of these services as outlined previously, e.g. refuse collection, street lighting, event licences.

7. Leeds City Council

There are 32 Town and Parish Councils within Leeds and the Charter was first put together in 2006 and is reviewed annually by the Council. It sets out clear guidelines on what support Local Councils can expect from the City Council.

The key sections within the charter are:

- Shared Goals: i.e. commitment to improve local democracy;
- Practical Support: Councils can expect a response to emails within 10 days. Democratic Services will provide a nominated parish and town liaison officer who will coordinate city wide liaison with other Council departments on any parish queries; Leeds revenue services will send out council tax bills and collect council tax;
- Working in Partnership: The city council will include parish and town councils within the consultation arrangements for all relevant key decisions. Community Committees (ward committees) will establish arrangements to engage with their local councils and local councils



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will be consulted on the drafting of the committees annual plan. Council departments will establish service standards and contact details within key service areas;

- **Maintaining High Ethical Standards:** Both the City and local councils have adopted codes of conduct and the standards and conduct committee will also consider any complaints made against Councillors;
- **Allocating Responsibilities:** The first step towards devolution of a service currently provided by Leeds City Council to a local council is for the Clerk of that local council to write to the Chief Executive of the City Council with a copy to the Chief Officer Democratic & Central Services. The Chief Executive will then ensure that the local council is able to have discussions with a service manager of appropriate seniority to consider the feasibility of devolution of a service;
- **Managing the relationship:** The local councils will monitor the effectiveness of the Charter. The local council will decide whether or not, on balance, the Charter has been upheld by Leeds City Council and will, as they consider appropriate, submit views for consideration by the Parish and Town Council Forum as part of the annual review.

8. North Somerset Council

North Somerset has 39 parishes, four town councils based in Clevedon, Nailsea, Portishead and Weston-Super-Mare and a further 35 parish councils representing the many rural villages and small towns that make up the rest of the region. A total of 61 district or ward councillors represent the area making decisions, developing and reviewing council policy and scrutinising decisions taken.

North Somerset Council set up a "Charter Working Group" to draw up a detailed framework document and it consulted with all local councils as well as members of the public whilst drawing up the document.

It begins with a statement of intent:

The aim of our new Town and Parish Charter is:

"To create a framework for North Somerset Council and town and parish councils to work in partnership to improve the economic, social and environmental well-being of the area."

One example of successful service delivery was the transfer of Weston-Super-Mare Museum from North Somerset Council to the town council.

The Charter does not cover every single area of work between the two levels of governance but it sets out a minimum standard of co-operation between the principal authority and the local councils.

In terms of key areas of focus, the charter includes sections on the following:

- Communication;
- Development Management and planning applications;
- Resources ;



- Procurement;
- Equality and Diversity.

The charter also sets out the specific responsibilities for Parish Liaison Officers who provide support to every town and parish across the district. The role of the Parish Liaison Officer is to:

- Foster co-operation between North Somerset Council and their respective local council;
- Act as a lead officer, representing North Somerset Council at their respective local council meeting;
- Be a focus for issues raised by the local council that relate to North Somerset Council – i.e. to be a point of contact.

The framework also includes the responsibilities of the area officer role, an officer that would work with a cluster of local councils to be the single point of contact for a number of different areas including:

- Highways, highway verges, footpaths, footways and cycle ways
- Street lighting
- Car parks
- Public open spaces
- Refuse, street cleansing and public conveniences
- Fly-tipping
- Abandoned vehicles
- Street furniture
- Drainage on the highway and public open spaces

9. North Yorkshire County Council:

There are 731 parishes in North Yorkshire. Not all parishes have a parish council as some have grouped councils and others only have parish meetings.¹⁵

The Council consulted with all local councils and residents on the content of the charter.

This charter is very much written from the point of view of what the principal authority can do to support parishes and contains a series of practical solutions to the day to day running of a parish council e.g.

“We will attend twice-yearly parish liaison meetings in those districts where there is a joint commitment with the district council to implement such arrangements. An Executive Member and senior officer will normally attend”

¹⁵ The Local Government Act 1972 requires a parish meeting to take place in all parishes. A parish meeting is a distinct legal entity from a parish council. It must hold two meetings per year, one of which must take place between 1 March and 1 June.5-Parish and Town Councils recent issues-Sandford



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"We ask you to wherever possible use our website at www.northyorks.gov.uk to find information about our services and news updates including road, footpath closures, temporary traffic lights and diversions. The website contains a number of online forms which can be used to request a service or obtain more information. If you cannot find the information you need or wish to speak to someone you can telephone 01609 xxxxxx"

The charter is divided up into a number of sections:

- Partnership working
- Consultation
- Local Governance
- Information and complaints
- Delegating responsibility for service provision
- Practical Support

"Our Economic Partnership Unit can act as a point of contact for grant funding opportunities for community-based projects. Our Emergency Planning Unit can provide you with advice and guidance to develop a Community Resilience Scheme. This will enable you to increase your local community's resilience in the first few hours of an incident such as flooding, before the emergency services reach you."

10. County Durham County Council

There are 104 local councils in County Durham. There are 13 town councils and 91 parish councils. In addition there are 22 parish meetings where no formal local council exists.

The Charter lists main expectations on the part of both the County Council and the Parish and Town councils. Clear document listing the responsibilities of both bodies e.g.: prefacing each heading with "Durham will....., The town council will".

The Charter is reviewed annually by Durham County Council and the County Durham Association of Local Councils.

In terms of structure, the Charter clearly lists the responsibilities of both the Principal Authority and Town council under 10 key headings some of which are listed below:

Local Governance:

Durham County Council and the County Durham Association of Local Councils will

"Convene an annual Charter Review Meeting, each December to consider the effectiveness of the Charter and any areas for improvement. The meeting to be attended, for the County Council by the Head of Partnerships and Community Engagement, the Principal Local Councils Officer and the Portfolio Holder for Partnerships and Community Engagement (or their representatives) and for the



Local councils by the Chair and Executive Officer of CDALC (or their representatives) and one representative from the Town and Parish Councils Coordination Group. The meeting will produce a report of proposed outcomes and actions going forward to be agreed by the Council Cabinet and the CDALC Executive. The report may include recommendations for amendments to the Charter or for its fundamental review if this is felt to be appropriate...”

Practical Support:

Will, on request and where practical, and where resources permit, offer Local Councils access to their support services, to enable them to take advantage of facilities, at a mutually agreed price.

Work to develop a handbook, setting out a short guide to the Charter, key contact details for relevant service groupings and details of advice and support available to local councils through Durham County Council.

Standards and Ethics:

The County Council and local councils have adopted codes of conduct for councillors, based on the national model code of conduct. The local councils will work with Durham County Council’s Standards Committee to promote and maintain high standards of conduct. Details of Standards Committee arrangements are set out in the County Council’s Constitution and in the Appendices to the Charter.

Service Devolution:

Where arrangements are made to devolve an aspect of service delivery, management or monitoring to a local council or group of local councils, this will be subject to a separate formal agreement between Durham County Council and the local council(s) involved.

11. Lancashire Parish and Town Council Charter

Lancashire consists of three tiers of local government: County Council, District Council and Town/Parish councils and is made up of 206 parish and town councils covering both rural and urban areas.

Their charter focuses largely on the relationship between the County and Town/parish council but Districts played a role in the development of the charter.

The charter was created through consultation with the Principal Authority, District councils and Local councils and residents via community workshops and a working group made up of representatives from the local councils and officers from the County council.

This charter sets out how Lancashire County Council can work with local parish and town councils to provide high-quality services for the people of Lancashire. It aims to improve our working relationship by focusing on:

- improving communication (including consultation activity);
- the ways in which parish and town councils can influence county council services; and



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- the support in place to help parish and town councils.

The charter is made up of 9 sections with clear responsibilities laid out for the County and Parish councils e.g.:

Communication and information:

Lancashire County Council will:

- provide access to services and named officers through a centrally managed Customer Service Centre or email;
- provide a district partnership officer in each of the districts to help parish and town councils with more complex issues that cannot be dealt with through the Customer Service Centre;
- continue to hold a Parish and Town Council Conference each year.

Parish and Town councils will:

- use the Customer Service Centre to contact the county council about day-to-day issues;

Consultation:

Lancashire County Council will:

- Make its Directorates aware of the need to consult parish and town councils on issues that affect their communities.
- give parish and town councils at least six weeks to respond to any formal consultations which affect them, unless this is impractical or specified differently by law;

Parish and town councils will:

- do all they can to give the county council their views in a practical way that represents the views of as many people as possible

12. North East Lincolnshire Borough Council:

There are 52 Parish councils within North East Lincolnshire and their charter is reviewed every three years.

The Council has constituted a "Town and Parish Council Liaison Committee" where representatives from the parish councils meet on a monthly basis with officers from the principal authority to discuss issues concerning the parishes.

Some examples from the charter are listed below.

Community Strategies and Local Support

Town/Parish and Village councils will be invited to develop and manage ward plans that impact on their area and will be expected to use their role within the community to shape the plan, raise awareness of it and seek ownership of the plan and encourage communities to be involved in delivering the agreed priorities / actions outlined within the plan.



Practical support

North East Lincolnshire Borough Council will, where practicable, enable Town/Parish and Village Councils access to their own support services, and enable them to take advantage of facilities such as printing and purchasing, at a mutually agreed price.

North East Lincolnshire Borough Council will appoint a named liaison officer as a first point of contact.

Delegating Responsibility for Service Provision

Opportunities will be explored for Town/Parish and Village Councils to discharge functions on behalf of North East Lincolnshire Borough Council, who will consider this where it provides best value (taking account of cost, quality, local preferences and practicability) and provide the name of a nominated officer to liaise with the Town/Parish Council.

13. *Staffordshire County Council Local Charter*

Staffordshire is made up of 32 local Councils, which are represented by The Staffordshire Association of Local Councils which supports and advises local councils within the Staffordshire area. The Charter is a short document comprising six key headings; some examples are included below:

Service Provision

If a local council (or group of councils) wishes to take on delegated responsibility for service delivery, the County Council will encourage this, where it is cost-effective and practicable.

Where a local council takes over service provision, the level of funding will be agreed by the County Council and the local council.

- Local councils have signed agreements to undertake routine highway maintenance (including grass cutting, sign cleaning etc) on behalf of the County Council (e.g. Betley Parish Council);
- Under the Community Paths Initiative, local councils look after public footpaths and rights of way in their area;
- Local councils are to be invited to help monitor mineral extraction and waste management sites for the County Council.

Local Community Life

The County Council will promote local community life through capital grants to village halls and community centres, and through the community discount scheme for the disposal of surplus property.

Practical Support

The County Council will offer local councils access to its own support services, to enable councils to take advantage of facilities such as training, printing and purchasing.

- County Council staff have led training courses for local councils (e.g. on Health and Safety);



Partnership Working: BCC and Parish/Town Councils

- Local councils have purchased IT equipment at competitive prices through the County Council's Information Systems Service;
- Local councils have used the County Council's Central Print and Design Unit for their publications, leaflets, etc.

Local Governance

The County Council will continue to maintain its close working relationship with the Staffordshire Parish Councils' Association through the annual meetings between senior Members and the SPCA Executive and its Area Committees.

14. Kirklees Metropolitan Council

The Kirklees Charter sets out how the Metropolitan Council will work with the 5 Parish Councils within the Kirklees area. The key areas highlighted within the charter are set out below.

Sustainability and Local Community Life

Kirklees MC will involve parish and town councils in the processes of preparing and implementing the Kirklees Community Strategy to promote or improve the economic, social and environmental well-being of the area.

Local Governance

Parish and town councillors are invited to attend respective Kirklees Area Committees. At the beginning of each municipal year, arrangements regarding Parish/Town Councillor membership on area committees are agreed, including any voting rights on concurrent functions. These formal arrangements are set out in Kirklees MC's Constitution.

Information and Communication

Parish and Town Councils may be invited to attend sub committees and working groups that are set up by their Local Area Committee. Kirklees MC will attend meetings with the parish and town councils (or groups of such councils) at a mutually agreed time to discuss matters of common interest.

Delegating Responsibility for Service Provision

When a parish or town council achieves quality status and they wish to discharge functions on behalf of a principal authority, Kirklees MC will consider this where it provides best value (taking account of cost, quality, local preferences and practicability). Where it is not good value or practicable, Kirklees MC, in consultation with the parish or town council, may seek alternative ways to influence service delivery at a local level. Where services are devolved, the relevant finance needs to follow the function.

Practical Support

Kirklees MC will, where practical, offer parish and town councils access to their own support services, to enable them to take advantage of facilities such as printing and purchasing, at a mutually agreed price. All



Parish and Town Councillors and Parish and Town Clerks can access KMC's internal training courses at the same cost as to its own services.

Parish and Town Councillors who are representatives on Area Committees can access training, development, advice and support through the Local Area Structures Team in the same way as other Area Committee members. Area Committees can extend this training to other Parish and Town Councillors, if this is resourced locally.

There are also further headings detailing arrangements for Financial Arrangements, Delegating Responsibility for service provision, Complaints and Standard Committee.