

North Yorkshire County Council**Communications Overview and Scrutiny Committee
5th February 2010****Parish Charter****1 Purpose of Report**

- 1.1 To set out an approach for developing a County Council parish charter in conjunction with district councils.

2 Background

- 2.1 At its meeting of 18th September 2009 the Committee received a report on initiatives aimed at improving communications with parish and town councils. One such initiative included the development of a parish charter.
- 2.2 There are a number of national drivers encouraging closer working relationships between principal authorities and parish/town councils ('local councils'). Parish charters can help aid communications in this regard. They help to formalise relationships and minimise confusion over service decentralisation and political devolution – allowing local authorities to work out their own models of service delivery – what to devolve, where and how.
- 2.3 The Association of North Yorkshire Councils agreed last year that parish charters should include the County Council. This could involve the County Council producing a county-wide parish charter or, where they exist, producing joint parish charters with district councils.
- 2.4 County Councillor Helen Swiers, County Councillor David Jeffels, Rachel Rushforth (Scrutiny) and Jonathan Spencer (Policy and Partnerships) visited Lancashire County Council in December to discuss the approach that the County Council had adopted there.

3 A joint approach with district councils

- 3.1 Scarborough Borough Council launched its parish charter in June 2009, which has had sign up from most of the parish councils in the borough. Craven District Council has had a parish charter in place since the mid 1990s but produced a revised draft in 2006. The revised draft was not implemented because at the time the District Council did not consider it a priority until a document could be produced jointly with the County Council. Hambleton District Council produced a

draft version in 2004 but did not implement it for the same reason cited by Craven District Council. Ryedale District Council's Parish Charter has been signed up to by about half of the local councils in the district. An action plan has been developed from the parish charter and a parish council survey has been undertaken. Ryedale District Council reports that local councils would like to see the County Council included where possible in view of many of their priorities being related to county council services.

- 3.2 The County Council will need to take a view as to whether it wishes to produce a stand alone county council parish charter or produces a list of statements to be included in a joint parish charter with district councils. In those areas where the district council has no plans to introduce a parish charter the County Council will need to produce a stand alone document to ensure that we communicate with parishes in a consistent manner across the county. County Councils elsewhere in the country have adopted a county wide charter (for instance Essex and Lancashire), with the option of district councils being able to join.
- 3.3 The content of any parish charter needs careful thought if we are to avoid producing a document that offers no real opportunities for local councils to have a greater say in the running of local authority services. The content needs to be sufficiently broad to meet the different roles and aspirations of parish councils from those wishing to provide a mechanism for expressing local opinion to those with greater capacity and ambitions to take on the responsibility for delivering devolved local authority services.
- 3.4 DEFRA has produced a Model Parish Charter (see **Appendix 1**) which contains the following main sub-headings: sustainability; community strategies and local partnerships; local governance; consultation; information and complaints; delegating responsibility for service provision; and practical support. Scarborough Borough Council's Parish Charter broadly follows this model. At the inaugural parish liaison meeting in Scarborough district in December (comprising County Council, Scarborough Borough Council and parish council representation) the view from parishes was that a joint charter should follow the existing layout of the Borough Council's Charter.

4 Fact finding visit to Lancashire County Council

- 4.1 Cllr. Helen Swiers, Cllr. David Jeffels, Rachel Rushforth (Scrutiny) and Jonathan Spencer (Policy and Partnerships), undertook a fact-finding visit to Lancashire County Council in December to learn about the development of the parish charter there. Lancashire County Council chose not to distinguish between parishes with Quality status and those without in terms of providing opportunities for service delegation. The key criterion for Lancashire County Council in terms of service delegation was whether the parish council could meet the requirements set out in relevant service level agreements for delegated services.

- 4.2 A key lesson that Lancashire County Council learnt was the need to involve parishes from the start. The Authority held joint workshops with local councils and reached a consensus on actions to be taken. Following that, a work plan was developed and a core group of local council representatives and officers was formed to take the work forward.
- 4.3 Lancashire's Parish Charter contains a list of expectations applicable to both parish councils and the County Council. Lancashire County Council believes that the key to success is to set achievable targets in the Charter; have something for every parish, small and large; follow up on commitments; and have an open relationship. Local councils do not have to sign up to the Charter – they can take part if they feel they will get something out of it.
- 4.4 Lancashire County Council has created the post of County Council Member Parish Champion. The Parish Champion role is to provide a link between the County Council and local councils. The Champion has a budget of £10k to pump-prime small projects for local councils such as CCTV and speed monitoring devices. In North Yorkshire Ryedale District Council has a Member Parish Champion.
- 4.5 Lancashire County Council has also provided pump priming money for parish councils to employ a lengthsman. Parish councils have clustered together to pay for this service to continue. The lengthsman is employed by the parish council cluster and not by the County Council. The benefits are that the lengthsman scheme is more locally focussed and offers a better value service than could be provided by the County Council.
- 4.6 Protocols have been developed for delegating some streetscene services to parish/town councils. Typically these include grass-cutting, verge maintenance, sign cleaning and drainage work. Services are delegated where a parish/town council can provide best value and meets the requirements of the service level agreement.
- 4.7 Lancashire County Council has also introduced a number of support arrangements for parish/town councils which include:
- a parish website with up-to-date information and links
 - invitations to parish councils to attend County Council 'Bitesize briefings' (similar to our Member briefings)
 - an annual parish conference
 - County Council training to parish councils through its training partnership
 - assistance with procurement, printing, insurance, health & safety advice.

5 Next steps

Jonathan Spencer will be attending a number of the YLCA branch meetings to be held during February and March, to consult on whether parishes would like a parish charter, what might be included, and seek initial views on service delegation. Following this there will be a wider consultation with all parishes. Aspects such as service delegation will need to form a separate document or annex to the Parish Charter. There will be quite extensive feasibility/scoping work to do in liaison with the relevant service directorates in this regard.

6 Recommendation

6.1 To note the report and the work being undertaken.

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Background Documents:
DEFRA Parish and Town Council Charter – Model for individual charters for principal local authorities following consultation and discussion with their parish councils



[Homepage](#) > [Rural Affairs](#) > [Quality Parishes](#) > [Guidance](#) > **Appendix 2**

Appendix 2 - Model Charter

Parish and Town Council Charter – Model for individual charters for principal local authorities following consultation and discussion with their parish councils.

Definition: The Principal Authority of an area can be either a District Council or a County Council for that area or both.

Introduction

1. The [*parish council(s) of ...*] and the [*principal authority*] have agreed to publish a charter which sets out how they aim to work together for the benefit of local people. This Charter is the result of discussions locally to establish a new way of working and to confirm existing good practice.
2. The [*principal authority*] acknowledges that parish and town councils are the grass-roots level of local government. By working with them and the [*name of any Local Area Committees/Partnership groups*], the [*principal authority*] aims to act in partnership with local communities, while balancing the needs of the wider community.
3. In their role as democratically accountable bodies, parish and town councils offer a means of shaping the decisions that affect their communities. They offer a means of decentralising the provision of certain services and of revitalising local communities. In turn, [*the parish or town council(s)*] recognise the strategic role of the [*principal authority*] and the equitable distribution of services which it has to achieve.
4. This Charter reflects the increasing importance attached by Central Government to partnership working and the development of *Quality* status for parish and town councils. The first part of this Charter (Part 1) applies to all parish and town councils in the area. The second part (Part 2) applies to *Quality* parish councils only. It may be formally reviewed after [*four*] years in operation by the [*principal authority*] and the [*parish council(s)*].

Part 1 All Parish and Town Councils

SUSTAINABILITY

5. The [*principal authority*] will work in partnership with all parish and town councils in its area to promote sustainable social, economic and environmental development for the benefit of local communities.

COMMUNITY STRATEGIES AND LOCAL STRATEGIC PARTNERSHIPS

6. [*The principal authority*] will involve parish and town councils in the processes of preparing and implementing the community strategy to promote or improve the economic, social and environmental well-being of the area, and the role which parish and town councils should take. [*The principal authority*] will consult and involve parish and town councils accordingly about the content and direction of the community strategy as it affects the local communities they represent.

LOCAL GOVERNANCE

7. [*Paragraphs to be drafted locally on arrangements for engagement of parish and town councils in principal authority local governance arrangements and for liaison between them*].

Possible examples:

- Representatives of the [*local area parish and town council committee/association*] sit on the district council's [*name of locality*] area advisory committee.
- [*principal authority*] will hold liaison meetings with representatives of all parish and town councils that wish to take part. Charter to include details of when, how often and where such meetings are to take place.
- Parish and town councils will invite representatives (members and/or officers) of the [*principal authority*] to

meetings. Again charter to include details of when, how often and where such meetings are to take place.

8. The [*principal authority*] will help administer the holding of parish and town council elections. The respective authorities will work together to limit the costs of holding such elections.

CONSULTATION

9. The [*principal authority*] will aim to give parish and town councils the opportunity to comment before making a decision which affects the local community. In furtherance of this, the [*principal authority*] will circulate a list of its public reports to committees and sub-committees to parish clerks at the same time as they are sent to members of the [*principal authority*]. Parish and town councils can request a copy of any public report and are encouraged to comment directly to members of the [*principal authority*].

10. Only in exceptional circumstances will appropriate consultation not take place, in which case a written explanation will be given on request.

11. To help achieve the objectives laid down in this Charter, liaison and consultation (both formal and informal) will be further developed at parish and town council level through regular meetings or specific service consultative groups and, at officer level, individually or through working parties and groups.

12. The [*principal authority*] 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.

13. Parish and town councils will send copies of their agendas and papers to the [*principal authority*] and to councillors for their area upon request. Officers and councillors of the [*principal authority*] will be given an opportunity to speak at parish and town council meetings on matters of mutual interest.

INFORMATION AND COMPLAINTS

14. When the [*principal authority*] consults parish councils, it will provide them with sufficient information to enable them to reach an informed view on the matter, and give them adequate time to respond in accordance with the statutory requirements where applicable.

15. The [*principal authority*] will communicate with parish and town councils and others in the community by publishing [*name of principal authority newsletter if applicable*] regularly and making it available to the local community. It will also keep parish and town councils informed by sending them copies of [*other relevant newsletters/local promotional material*].

16. The [*principal authority*] and parish and town councils will acknowledge letters sent by the other party, and both will provide substantive answers to letters which need a reply [*in accordance with the provisions of its Customer Charter*]. A full substantive reply or an acknowledgement will be sent by the [*principal authority/parish council*] within [*seven*] days. If an acknowledgement is sent, the full substantive reply will be sent within [*28*] days. [*Or within a time frame agreed by both parties.*]

17. If a parish or town council is dissatisfied with the [*principal authority's*] actions, the response to a request for information, or a failure to consult, the parish or town council may make a formal complaint.

STANDARDS COMMITTEE

18. Both the [*principal authority*] and the parish and town councils have adopted codes of conduct, based on the national model code of conduct. The parish councils will work with the [*principal authority's*] Standards Committee to promote and maintain high standards of conduct. The [*principal authority*] has consulted and agreed the following arrangements with the parish and town councils for the appointment of representative(s) to the Standards Committee (and sub-committees, if any) [*locally drafted arrangements*].

DELEGATING RESPONSIBILITY FOR SERVICE PROVISION

19. If a parish or town council (or group of local councils) wishes to discharge functions on behalf of a principal authority, the [*principal authority*] 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 [*principal authority*] will, in consultation with the parish or town council, explore alternative solutions to encourage more local-level input into service delivery.

FINANCIAL ARRANGEMENTS

20. The [*principal authority*] has set out its financial arrangements for parish and town councils at Appendix 1 in accordance with the principles and good practice guidance [*financial principles as set out in the accompanying document 'Guidance on Financial Arrangements with Parish and Town Councils'*].

21. Where a parish or town council takes on the provision of certain services, the level of funding will be agreed by the [*principal authority*] and the parish council. (A list of possible functions which may be considered for discharge by the parish by mutual consent is given in Chapter 6 of this guidance.)

LOCAL COMMUNITY LIFE

22. The [*principal authority*] will promote local community life through [*list of possible schemes available: e.g. capital grants and loan schemes to village halls, community centres, and other similar organisations.*].

PRACTICAL SUPPORT

23. The [*principal authority*] 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. In particular, assistance will be offered in identifying and helping to meet the training needs of parish and town councils (for example, through County Training Partnerships).

Part 2 Quality Parish and Town Councils

24. In addition to the above, the [*principal authority*] has agreed to work in the following ways with those parish and town councils which are recognised as having attained *Quality* status.

Possible Examples include:

COMMUNITY STRATEGIES

25. Where a *Quality* council (or group of *Quality* councils) has prepared a parish or town plan the [*principal authority*] will take account of its proposals and priorities in developing and implementing the community strategy as it affects the local areas concerned. The [*principal authority*] will strengthen links between [*the parish council(s)*] and the Local Strategic Partnership in order to improve delivery of local priorities. [*further details depending on local arrangements for Local Strategic Partnerships and community strategy preparation*]

INFORMATION AND ACCESS POINTS

26. If a *Quality* parish council (or group of *Quality* parish councils) wishes to become a local information and/or access point for the [*principal authority*] services the [*principal authority*] will help it to do so. In particular it will:

- ▶ issue to the parish council (and up-date as necessary) relevant written information on and application forms for its services
- ▶ give electronic access to similar information and forms (where it provides these electronically) provided the parish council has appropriate technology
- ▶ provide suitable briefing, training and support to staff of the parish or town council

[*information on local arrangements – eg availability of principal authority staff to run regular surgeries in local council offices*]

LAND USE AND DEVELOPMENT PLANNING:

27. Where a *Quality* parish council (or group of *Quality* parish councils) has prepared (in consultation with the [*principal authority*]) a parish or town plan which includes proposals concerning land use and development planning issues (eg a village design statement) the [*principal authority*] may adopt this as Supplementary Planning Guidance (provided it meets the requirements set out in national planning guidance).

28. Where the parish or town plan proposals imply some changes to the current development plan or the future local development framework for their area, the [*principal authority*] will consider and discuss the proposals with the parish council (or councils) as part of its next review of that plan.

[*information on local arrangements*]

Delegation of Functions and Service Provision:

29. The **[principal authority]** has agreed to offer **[Quality parish council (or group of Quality councils) or names of parishes]** the opportunity to take on one or more of the functions listed below in Appendix 2.

30. As part of its Best Value arrangements, the **[principal authority]** will give Quality councils (or groups of Quality councils), who wish to, the opportunity to put forward proposals to take on aspects of the delivery, management and monitoring of services provided by the **[principal authority]**.

[information on local arrangements – details should include detailed description of the function, how long the arrangement is to last, which parish council(s) will be undertaking the function.]

Appendix 1

[Local financial arrangements for parish and town councils in accordance with paragraph 21 above]

Appendix 2

[Locally drafted arrangements for delegation of functions and service provision to Quality parish and town councils in accordance with paragraph 30 above]

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