

Draft Parish Charter

**A Charter for Partnership Working and Understanding between
North Yorkshire Council and the parish sector in North
Yorkshire**



Contents

Table of Contents

A Charter for Partnership Working and Understanding between North Yorkshire Council and the parish sector in North Yorkshire	1
Contents	2
Foreword/Welcome	3
1.0 Context – Local Government Reorganisation	4
2.0 Introduction	5
3.0 Partnership Working	6
5.0 Consultation and Engagement.....	8
6.0 Finance.....	9
7.0 Local Services and Assets.....	9
8.0 Practical Support	10
9.0 Next Steps – Further development, Monitoring and Review	11
Appendix 1	12
North Yorkshire Parishes’ Joint Liaison Group	12
Appendix 2	14
How to Report Issues/Contact Details	14

Foreword/Welcome

DRAFT FOREWORD FROM WORKING GROUP OF REPRESENTATIVES FROM PARISHES

Wording to be agreed

DRAFT FOREWORD FROM LEADER OF NORTH YORKSHIRE COUNCIL

Wording to be agreed

1.0 Context – Local Government Reorganisation

- 1.1 The new unitary North Yorkshire Council will be formed on 1 April 2023, following Local Government Reorganisation, which will result in the abolition of North Yorkshire County Council and seven District/Borough Councils.
- 1.2 The new Council has set out its aim to work in new ways, offering:
- Improved efficiency and effectiveness of local government services
 - Reduced duplication, bringing together services and making savings
 - A local office in every district area
 - A range of local customer access points across North Yorkshire
 - A council of 90 councillors, representing 89 new divisions
 - Six local area committees
 - New community partnerships to support the needs and aspirations of towns and surrounding areas
 - New ways of working with, and empowering the parish sector
- 1.3 In working to establish the new Council, the importance of the parish sector and the need for effective partnership working to achieve its vision and aims as set out in its newly adopted Corporate Plan has been recognised from the outset.
- 1.4 The development of a Parish Charter, to define the relationship between North Yorkshire Council and the parish sector and set out how the principal authority and parish authorities will work together in partnership, was seen as a priority in the work leading up to vesting day, 1 April 2023. It is recognised that here is still much work to do to bring together the operations of all the eight councils including an ongoing programme of transformation beyond the new Council's start date in April 2023.
- 1.5 It is not possible to finalise detailed working arrangements with the parish sector at present as these will be transformed over time. It has therefore been agreed that the development of this Charter should be a staged process, with ongoing consultation with the parish sector and learning from experiences during the first months of operation of the new Council. These will then be incorporated in the Charter through a regular review, monitoring and update process.
- 1.6 It is recognised that there are a number of key areas that North Yorkshire Council and the parish sector will wish to develop more detailed working relationships. These include, but not limited to, the following:
- Parish Sector Elections and Polls
 - Financial Arrangements
 - Planning
 - Community Services – such as highways, street lighting, grass cutting, local assets
 - Resilience planning/emergency response e.g. flooding
- 1.7 It is also recognised that this document is very much a working document, therefore commencing within the first six months of its operation, and on an on-

going basis North Yorkshire Council commits to developing and reviewing these and other areas for inclusion in this Charter in more detail.

- 1.8 This document is the culmination of the first stage in this process and sets out a number of key principles by which North Yorkshire Council will work with the parish sector in their areas. It also sets out further stages in the process by which a more detailed Charter will be agreed, reviewed and updated on a continuing basis.

2.0 Introduction

- 2.1 At the time of writing of this Charter, there are currently 731 parishes in North Yorkshire. There are also a number of parish meetings without a parish council. In some areas small parishes may work together with neighbouring parishes to run a grouped, joint or common parish council. Parish councils may be created in accordance with legislation and local community demand. All parish sector authorities are parish councils but can choose to alter their style (e.g., city council) but they all have the same role. In this document the term the 'parish sector' is used to encompass these various arrangements.
- 2.2 The parish sector is the first tier of Local Government in England, with Members elected every four years. They have a range of powers and are principally funded by an annual precept.
- 2.3 The purpose of this Charter is to define the relationship between North Yorkshire Council and the parish sector. It has been designed to facilitate effective partnership working and understanding between the two tiers of local government within North Yorkshire at a time of significant change.
- 2.4 It sets out a framework for defining and developing joint principles to enable North Yorkshire Council and the parish sector to work effectively together to improve the economic, social and environmental well-being of North Yorkshire.
- 2.5 North Yorkshire Council acknowledges that the parish sector is the grassroots level of local government. The parish sector acknowledges the strategic role and responsibilities of North Yorkshire Council. The parish sector and North Yorkshire Council recognise each other as independent authorities legitimised through the democratic process and legal independence.
- 2.6 North Yorkshire Council supports and encourages the development of the parish sector as democratically accountable bodies having local governance responsibilities and local representational authority to shape the decisions that affect their communities. North Yorkshire Council recognises the potential for the devolvement of appropriate services and decision-making responsibilities and will support this devolvement by mutual agreement to the parish sector. This will be where the sector has the ability to discharge them, where it is cost neutral to North Yorkshire Council and where it is appropriate.
- 2.7 North Yorkshire Council will encourage the parish sector to adopt recognised good governance standards. These include standards set by National Association of Local Councils in their Local Council Award Scheme.

- 2.8 The parish sector will ensure that North Yorkshire Council is informed about relevant local issues of which they are aware to support its decision-making as appropriate.
- 2.9 The implementation of the Charter, and its effectiveness, will continue to be monitored by regular meetings of the North Yorkshire Parishes' Joint Liaison Group and the document will be reviewed and updated after a six month period and then annually thereafter. The terms of reference of the North Yorkshire Parishes' Joint Liaison Group are attached at appendix 1.

3.0 Partnership Working

- 3.1 Successful partnership working between North Yorkshire Council and the parish sector can only be achieved if all partners understand and respect each other's roles and work cooperatively to serve the community. It is recognised that both North Yorkshire Council and parish sector Councillors and the Chairs of parish meetings are elected to their roles for the benefit of their diverse communities. It is also acknowledged that many parishes have very limited resources. In addition, the new North Yorkshire Council is committed to delivering improved efficiency and effectiveness in services, reducing duplication, and achieving savings. Effective partnership working is key in achieving this commitment.
- 3.2 North Yorkshire Council recognises that the parish sector across North Yorkshire are:
- Bodies which draw on their local democratic accountability and expertise to take decisions and actions, and to collaborate with responsible bodies including North Yorkshire Council and other public sector bodies, to benefit their communities
 - Key providers of some local public services, as authorised by statute
 - Facilitators and supporters of action by the wider community, providing resources, encouragement and a 'stamp of approval' to community initiatives
- 3.3 The parish sector recognises the strategic role and responsibilities of North Yorkshire Council and its priorities as set out in its Council Plan.
- 3.4 North Yorkshire Council and the parish sector will work together in partnership to:
- Promote and protect social, economic and environmental well-being for the benefit of our local communities, to ensure vibrancy and future sustainability
 - Strive to eliminate all forms of discrimination and promote equality of opportunity
 - Promote an active democracy to ensure all members of every North Yorkshire community are able to have a say in our future and to help develop a shared vision, identity and sense of belonging
 - Welcome all feedback and aim to act quickly and efficiently to address issues within their power

- Respect and promote the role of both elected and co-opted councillors as representatives of their communities through positive communication, leadership and engagement, all undertaken to high ethical standards
- Give importance and recognition to issues and ideas raised at each level of local government
- Ensure efficient, effective and value for money management, supported by adequate training

4.0 Communication

4.1 Effective communication is the basis for any successful working relationship, it needs to be a two-way process utilising a variety of methods. The Yorkshire Local Councils Associations has an important role in facilitating communication and providing coordinated feedback and training.

4.2 North Yorkshire Council will:

- Use a variety of methods to communicate with the parish sector - selecting the most effective method, dependent on the issue and which parish(es) are impacted
- Make best use of the information technology available to promote quick and efficient communication
- Respond to enquiries and reported issues from the parish sector in line with the Customer Charter - the policy is to acknowledge communications within five working days of receipt, and normally provide a full response (if required) as soon as reasonably practicable and in any event within 20 working days. If this is not possible an explanation will be given as to why along with an indication of when a full reply will be provided
- Ensure working arrangements with the parish sector are reviewed regularly via the North Yorkshire Parishes' Joint Liaison Group and information is published online
- Notify the parish sector via email of all programmed maintenance and improvement schemes relating to highways and other matters of significant impact within their boundaries
- Circulate notification of the publication of Area Constituency Committee agendas and papers on our website to parish clerks at the same time as they are sent to our members
- Provide opportunities for members of the public, including elected Members (Councillors) and parish clerks, to ask a question or make a statement at the start of ordinary meetings (Executive and committees), if notice including the full text of the question or statement has been given in writing or by electronic mail to the Democratic Services team democratic.services@northyorks.gov.uk no later than midday three working days before the day of the meeting.

4.3 The parish sector will:

- Make every effort to attend and be represented at relevant North Yorkshire Council meetings and events when invited
- Make best use of the available information technology to communicate with North Yorkshire Council
- Encourage Councillors to have access to and use of electronic communication

- Where practicable support, provide and encourage all clerks to have access to a council-owned computer and council (rather than personal) email account
- Send a substantive reply to correspondence from North Yorkshire Council within 28 working days (not including responses to consultation documents), unless there are exceptional reasons why this cannot happen
- Provide up to date contact details/changes to contact details for both Parish Clerks and Chairs to North Yorkshire Council's Democratic Services team on democratic.services@northyorks.gov.uk in a timely manner
- Use a variety of appropriate methods to communicate and consult with communities, e.g., through setting up group chats using messaging apps, village magazines and flyers
- Raise any issues relating to dissatisfaction with North Yorkshire Council's actions, the response to a request for information, or failures to consult, by making a formal complaint through the Council's complaints procedure noting that these issues can also be raised with the relevant elected Member of North Yorkshire Council, the local Area Committee and the North Yorkshire Parishes' Joint Liaison Group
- Report all non-urgent highway defects via the Parish Portal online reporting system (this was designed following engagement with the parish sector and includes a full record of all reports made to North Yorkshire Council's Highways department together with available updates for each case, more information is available in **appendix 2**)
- Provide the opportunity for North Yorkshire Council officers and Members to speak at meetings on matters of mutual interest

5.0 Consultation and Engagement

5.1 North Yorkshire Council will:

- Engage with the parish sector on key issues that are likely to affect or be of particular interest to their area
- Engage regularly with the parish sector through the North Yorkshire Parishes' Joint Liaison Group
- Follow Government practice and allow 12 weeks for consultation where possible
- Provide the parish sector with sufficient information to enable them to reach an informed view on matters upon which they are being consulted
- Support the engagement process through North Yorkshire Council Councillors
- Consult the parish sector in respect of planning, licensing and highways matters
- Take account of the views of the parish sector during the North Yorkshire Council budget setting process, providing information in a timely manner
- Provide briefing or training sessions to Councillors and clerks from the parish sector on complex consultation issues and where capacity allows
- Provide feedback to the parish sector on the results of consultation
- Use plain English and keep information jargon free when consulting with the parish sector
- Offer information in different formats where that is appropriate

5.2 The parish sector will:

- Provide a representative at North Yorkshire Council engagement meetings, whenever practicable to do so
- Recognise the strategic role of North Yorkshire Council in tackling issues that look beyond individual parish boundaries
- Respond within consultation deadlines set by North Yorkshire Council, unless otherwise agreed e.g. by considering having an extraordinary meeting to meet the deadline
- Work with North Yorkshire Council to seek mutually acceptable solutions to issues

6.0 Finance

6.1 Financial arrangements will be informed by the overarching principles of fairness, efficiency and transparency.

6.2 North Yorkshire Council will:

- Consult the parish sector on proposed changes to service provision and on budget implications in a timely manner
- Provide information in a timely manner, such as the tax base, to support and assist the parish sector in determining their precepts
- Pay the precept to the parish sector
- In October each year, provide a detailed breakdown of election costs to which the parish sector are expected to pay or contribute to if requested and which will inform precept decisions

6.3 The parish sector will:

- Provide precept information by the mutually agreed deadline
- Be responsible for the full cost of any parish sector by-election within their parish

7.0 Local Services and Assets

7.1 The parish sector is able to provide some local services and organise activities which take place within their area. Many parish sector councils across North Yorkshire already provide and operate a range of services, including parks, playing fields, cemeteries, closed churchyards, and allotments.

7.2 North Yorkshire Council will:

- Support the parish sector to maintain their own local services and assets if they wish to, and where it is practicable for them to do so

- Consider, in accordance with relevant legislation and the Council's own policy and procurement arrangements, proposals for the transfer of some locally based services and assets to the parish sector. This will exclude decision making on matters such as planning applications and traffic regulation orders and a range of services which the North Yorkshire Council are not able to delegate because of their particular statutory nature, e.g., children's education, social care

7.3 The parish sector will:

- Manage, maintain and resource the provision of local services and facilities, where appropriate in consultation with North Yorkshire Council

7.4 It should be recognised that the above principles are general and there can be local variations.

8.0 Practical Support

8.1 North Yorkshire Council offers practical support to the parish sector in a number of areas. This will be reviewed and further information provided as services are transformed following vesting day. North Yorkshire Council Councillors can provide information to the parish sector about issues in their areas and take the views of the local community into account in the decision-making process. They also have locality budgets which allow them to respond to local needs by recommending funding to support specific activities. The following sets out the practical support available to the parish sector at the current time.

8.2 North Yorkshire Council will:

- Offer the parish sector access to some services (e.g. printing, purchasing and training) at a mutually agreed price and as part of joint procurement opportunities. The ability to join any street lighting energy contract and street lighting maintenance contract may be possible and will be assessed on a case by case basis (applies to parish sector authorities only)
- Provide a first point of contact when the parishes are developing or refreshing parish plans, through the relevant North Yorkshire Council team
- Consider whether there are areas of a parish plan where it could help the parish sector
- Provide a point of contact for support and possible grant funding opportunities for community-based projects
- Provide the parish sector with advice and guidance to develop a Community Resilience Scheme, through the Resilience and Emergencies Team. This will enable the parish sector to increase their local community's resilience in the first few hours of an incident such as flooding, before the emergency services arrive
- Provide advice, guidance and support to the parish sector on their rights in respect of Community Right to Bid, Community Right to Challenge and the Community Right to Build as set out in the Localism Act
- Offer opportunities for the parish sector to manage some services and assets, including transfer of appropriate budget, where this is cost neutral to North Yorkshire Council and there is a sound business case

- 8.3 Further information on how to report issues, e.g., matters relating to highways, and contact details are set out in appendix 2.

9.0 Next Steps – Further development, Monitoring and Review

- 9.1 As stated previously, this document represents the first stage in the process towards developing a more comprehensive Parish Charter which will include detailed working arrangements between North Yorkshire Council and the parish sector in its area. It commits North Yorkshire Council to work with the parish sector over the next 12 to 24 months to agree detailed arrangements regarding specific service areas such as planning, elections, finance, economic development etc.
- 9.2 Implementation of the Charter will be monitored by the North Yorkshire Parishes' Joint Liaison Group.
- 9.3 The Charter will be reviewed commencing within the first six months of its operation and on an on-going basis. On-going reviews will be on an annual basis and following each North Yorkshire Council election, as a minimum, to ensure that it remains relevant.

Appendix 1

Terms of Reference

North Yorkshire Parishes' Joint Liaison Group

These arrangements provide the framework for the operation of the Group.

1. Title

The group shall be called the North Yorkshire Parishes' Liaison Group.

1.1 Background

At the time of writing of this Charter, there are currently 731 parishes in North Yorkshire. There are also a number of parish meetings without a parish council. In some areas small parishes may work together with neighbouring parishes to run a grouped, joint or common parish council. Parish councils may be created in accordance with legislation and local community demand. All parish sector authorities are parish councils but can choose to alter their style (e.g., city council) but they all have the same role. In this document the term the 'parish sector' is used to encompass these various arrangements.

2. Objectives

The objectives of the group are:

- To provide a means for liaison between North Yorkshire Council (NYC) and the parish sector on matters of common interest
- To co-ordinate local networking and joint activity
- To support the development of working relationships between North Yorkshire Council and the parish sector
- To provide a means for sharing and discussing information that is relevant to both North Yorkshire Council and the parish sector
- To create a reliable dialogue between group members to ensure the parish sector and North Yorkshire Council issues inform strategic decision and policy making on both sides

3. North Yorkshire Council Representatives

- The NYC Executive portfolio holder for locality engagement
- NYC Executive members and senior officers relevant to the issues being considered at the meeting (as nominated by the NYC Executive portfolio holder for locality engagement)

4. Parish sector Representatives

- Each branch of the YLCA shall appoint a representative to the Group
- Representatives may be accompanied by a Parish Clerk
- The two elected Parish Council North Yorkshire Standards Committee representatives will attend the meeting on occasions where there is information to share
- A parish sector spokesperson will be elected by parish sector representatives to manage shared communications between North Yorkshire Council and the parish sector on liaison issues

5. Chair

- The Group shall be chaired by the Executive member of North Yorkshire Council or her/his nominee
- The Vice Chair shall be the parish sector's spokesperson

6. Yorkshire Associations of Local Councils and Society of Local Council Clerks

- A representative of Yorkshire Local Councils Associations (YLCA) and Society of Local Council Clerks (SLCC) shall be entitled to attend meetings of the Group

7. Meetings of the Group

- Meetings of the Group shall take place quarterly and additional meetings shall be called as necessary. Dates for meetings shall be fixed for the year (as far as practicable) at the first meeting in each municipal year
- Additional meetings of the Group shall take place as soon as practical on a request being made and supported by 25% of Local Councils
- Should there be no issues raised for an agenda by the parish sector or North Yorkshire Council, a meeting can be cancelled with the agreement of the Chair and the parish sector's spokesperson

8. Agenda and Minutes

- Agendas for meetings shall be circulated at least five working days before meetings and minutes shall be circulated as soon as practical after meetings of the Group
- Preparation and circulation of agendas and minutes shall be undertaken by a North Yorkshire Council Officer
- The parish sector can submit items for inclusion on the agenda through the parish sector spokesperson. Agenda items will be at the joint unanimous discretion of the Chair and Vice-Chair

9. North Yorkshire Council Officers

North Yorkshire Council shall arrange the attendance of relevant officers at meetings of the Group (subject to availability) to reflect the matters on the agenda

10. Subgroups

The Group may appoint subgroups to undertake specific tasks and report back to the Group

11. Review of Arrangements

These arrangements can be reviewed as required

Appendix 2

How to Report Issues/Contact Details

In relation to Highways issues, the parish sector should:

- Use the North Yorkshire Council website where possible to find information about our services and news updates including road, footpath closures, temporary traffic lights and diversions
- Report all non-urgent highway defects via the North Yorkshire Council Parish Portal online reporting system
- Report all urgent highway issues by telephone to 01609 780780.
- Report highway emergencies outside normal office hours by contacting North Yorkshire Police on 101, website: (<https://www.northYorkshire.Police.uk/contact/>). Highway emergencies include any highway hazards such as flooding, mud/diesel spillages, carriageway debris, fallen trees and any road or footway defects which may be a danger to highway users.
- Gather evidence or feedback to assist us in our highways service delivery, including reporting road defects (e.g. potholes and drainage problems), and reporting misuse of weight restricted routes by heavy goods vehicles. This feedback can be provided via email to the local Highway Area Office or to Customer.Services@northyorks.gov.uk

In relation to social care emergencies (out of hours support), the parish sector should:

- Report any social care emergencies that arise outside of normal office hours by telephoning 01609 780780

NB Further contact details and reporting arrangements will be included when arrangements and procedures have been finalised.