

Item 6

CABINET

14th OCTOBER 2004

REPORT OF CHIEF EXECUTIVE OFFICER

ALL PORTFOLIOS

QUALITY PARISH AND TOWN COUNCIL SCHEME

SUMMARY

This report gives an update on progress made on the Quality Parish and Town Council Scheme, proposes the adoption of a Charter developed by a Working Group set up for that purpose.

The report also identifies further work required to develop a number of protocols to ensure that the principles of the Quality Scheme and various aspirations contained in the Charter are achieved.

RECOMMENDATION

1. That Cabinet support the proposed Charter
2. That the proposed Charter be referred to Council for approval.
3. That the Charter Working Group develop protocols to ensure that the principles of the Quality Scheme and various aspirations contained in the Charter are achieved.

DETAIL

Background

1. The Quality Parish and Town Council Scheme was launched on 18th March 2003. The Scheme fulfils a commitment made by the Government in the Rural White Paper '*Our Countryside: the Future. A Fair Deal For Rural England*', published in November 2000, to enable parish councils, where they wish, to work in partnership with principal councils to take a stronger role in their communities.
2. The Borough/Parish Relations Working Party has considered a number of reports setting out the background to the Scheme, the criteria for Parish and Town Councils to become 'Quality Councils' and the development of a Charter to support positive working relationships with all Parish and Town Councils and partnership arrangements with those local councils that achieve Quality Status.
3. A County Durham Accreditation Panel has been established for Parish Councils to apply for quality status. Where quality status is awarded, Parish and Town Councils can request to deliver services on behalf of the Borough Council. The over-riding principle when taking decisions on the delegation of services and functions is to provide best value, not only for the local communities served by the Town/Parish

Council(s) taking on the service, but also to residual communities served by the Borough Council.

4. Sedgefield Town Council is currently the only council in the Borough to have been awarded Quality Status. Other councils within the Borough are however pursuing Quality Status.

Development of a Charter

5. The Scheme aims to encourage principal councils to agree Charters with parish councils setting out how the principal Local Authority and Parish Councils will work in partnership. It will cover the relations between the principal Local Authority and the Parish Councils and will set out the additional benefits and responsibilities that Parish Councils can expect from achieving quality status. The Office of the Deputy Prime Minister has issued a model charter for councils to develop to reflect local circumstances.

6. A small working group was established to develop the model charter. The Charter Working Group is made up of the following officers:

Jamie Corrigan, Ferryhill Town Council
Mrs Lesley Swinbank, Sedgefield Town Council
Ken Pritchard, Bishop Middleham Parish Council
Mike Rice, Great Aycliffe Town Council
David Anderson, Sedgefield Borough Council.

7. The Working Group has given detailed consideration to the model charter and has proposed that the Charter attached at Appendix 1 be adopted.

Part 1 of the Charter covers the relationship between the Borough Council and all Parish and Town Councils within the Borough. It gives details of general working principles for achieving improved partnership working in the following areas:-

Sustainability
Community Strategies
Local Governance
Consultation
Land Use and Development Planning
Information and Complaints
Standards Committee
Delegating Responsibility for Service Provision
Financial Arrangements
Local Community Life
Practical Support

Part 2 of the Model Charter sets out the enhanced role Quality Parish Councils in the area can expect to play and covers the benefits of quality status. This Part of the Charter sets out how the Borough Council will work with Quality Parish Councils to develop Community Strategies, assist in the provision of information and access points and general principles involved in delegation of functions and service provision.

Next Steps

8. Sedgefield Borough and other local Councils will need to formally consider approval of the proposed Charter. Once adopted further work will be required to agree protocols to ensure that the various aspirations contained within the Charter are achieved.

Development of Protocols

10. In many ways the development of the Charter has been the easier aspect of the Quality Council Scheme to deal with, as the Working Group have used the Government's Model to follow the principles of the Quality Councils Scheme to develop the proposed Charter.
11. The implementation of the Charter will require Sedgefield Borough and the Town and Parish Councils to agree the necessary protocols for all areas covered by the Charter in order to achieve the objectives of the Quality Scheme. It is proposed that the Charter Working Group continue to meet to develop the necessary protocols. Officers of the Borough Council with responsibility for areas contained within the Charter will be invited to attend meetings as appropriate and assist in the process.

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Ward(s) Not Ward specific

Key Decision Validation N/A

Background Papers

'Quality Parish Council Scheme' – Report to the Borough Parish Relations Working Party, 9th April 2003.

'The Quality Parish and Town Council Scheme – The Scheme Explained' - Office of the Deputy prime Minister

Examination by Statutory Officers

	Yes	Not Applicable
1. The report has been examined by the Councils Head of the Paid Service or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The content has been examined by the Councils S.151 Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. The content has been examined by the Council's Monitoring Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. The report has been approved by Management Team	<input checked="" type="checkbox"/>	<input type="checkbox"/>

PARISH AND TOWN COUNCIL CHARTER

Introduction

1. Sedgefield Borough Council,
Ferryhill Town Council
Great Aycliffe Town Council
Sedgefield Town Council
Shildon Town Council
Spennymoor Town Council
Bishop Middleham Parish Council
Chilton Parish Council
Cornforth Parish Council
Eldon Parish Council
Fishburn Parish Council
Middridge Parish Council
Trimdon Parish Council and
Windlestone Parish Council

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. Sedgefield Borough Council acknowledges that Parish and Town Councils are the grass-roots level of local government. By working with them and the Local Strategic Partnership, Sedgefield Borough Council 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 Councils recognise the strategic role of Sedgefield Borough Council 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 Borough. The second part (Part 2) applies to Quality Parish and Town Councils only. It may be formally reviewed after four years in operation by Sedgefield Borough Council and the Parish Councils.

Part 1 - All Parish and Town Councils

SUSTAINABILITY

5. Sedgefield Borough Council 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

6. Sedgefield Borough Council 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. Sedgefield Borough Council 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. A Borough/Parish Relations Working Party has been established in order to liaise with local councils in the Borough and consider items of mutual interest and concern. All Parish and Town Councils within the Borough will be invited to appoint representatives to the Working Party, which will meet on at least two occasions each year at a venue agreed by the participating councils. In addition regular meetings will take place with Parish Clerks and officers of the Borough Council in order to enhance the liaison between Councils.

Representatives from Parish and Town Councils will be invited to attend the appropriate Area Forum for their Council's area. Meetings will be held within the local area concerned and will consider matters that are of local interest and which affect that local area.

8. Sedgefield Borough Council 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. Sedgefield Borough Council and Parish and Town Councils recognise the value of consultation and will consult with each other before making decisions which will:-
 - have an impact on the local environment,
 - result in changes to service delivery
 - and in connection with best value reviews
10. Sufficient information should be provided to enable an informed view to be reached on the matter. In addition adequate time should be given to respond in accordance with the statutory requirements where applicable.

11. The decision taken following consultation will be circulated to all consultees, giving reasons for that decision in accordance with agreed protocols.
12. Only in exceptional circumstances will appropriate consultation not take place, in which case a written explanation will be given.
13. Sedgefield Borough Council 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 Borough Council will circulate agendas containing public reports for meetings of Council, Cabinet and Committees to Parish Clerks at the same time as they are sent to Members of the Borough Council. Parish and Town Councils can request a copy of any public report and are encouraged to comment directly to Members of Sedgefield Borough Council.
14. 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 between officers of the Borough Council and Parish and Town Clerks.
15. Sedgefield Borough Council 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.
16. Parish and Town Councils will send copies of their agendas and papers to the Sedgefield Borough Council and to Councillors for their area upon request. Officers and Councillors of the Sedgefield Borough Council will be given an opportunity to speak at Parish and Town Council meetings on matters of mutual interest.

LAND USE AND DEVELOPMENT PLANNING:

17. Where a parish/town council, or group of parish/town councils, has prepared (in consultation with Sedgefield Borough Council) a Parish or Town Plan which includes proposals concerning land use and development planning issues (eg a village design statement) Sedgefield Borough Council may adopt this as Supplementary Planning Guidance (provided it meets the requirements set out in national planning guidance).
18. Where the Parish or Town plan proposals imply some changes to the current development plan or the future local development framework for their area, Sedgefield Borough Council will consider and discuss the proposals with the parish council (or councils) as part of its next review of that plan.

INFORMATION AND COMPLAINTS

19. Sedgefield Borough Council will communicate with Parish and Town Councils and others in the community by publishing INFORM 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.
20. Sedgefield Borough Council 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 agreed timescales. A full substantive reply or an acknowledgement will be sent by the Borough Council or Parish and Town Councils

within 3 working days. If an acknowledgement is sent, the full substantive reply will be sent within a further 7 working days, or within a time frame agreed by both parties.

21. If a Parish or Town Council is dissatisfied with the Sedgefield Borough Council's actions, the response to a request for information, or a failure to consult, the Parish or Town Council may make a formal complaint to the Chief Executive Officer.

STANDARDS COMMITTEE

22. Both Sedgefield Borough Council 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 Borough Council's Standards Committee to promote and maintain high standards of conduct. The Sedgefield District Local Councils Committee will appoint a parish representative to the Standards Committee each year. The Standards Committee will only deal with parish affairs when the parish representative is present.

DELEGATING RESPONSIBILITY FOR SERVICE PROVISION

23. If a Parish or Town Council (or group of local councils) wishes to discharge functions on behalf of the Sedgefield Borough Council, the Borough Council will consider this where it provides best value (taking into consideration cost, quality, local preferences and practicability), and taking into account relevant Regulations including EC Procurement Directives.
24. Where it is not good value or practicable Sedgefield Borough Council will, in consultation with the parish or town councils, explore alternative solutions to encourage more local-level input into service delivery.

FINANCIAL ARRANGEMENTS

25. Where a Parish or Town Council takes on the provision of certain services, the level of funding will be agreed by Sedgefield Borough Council and the Parish or Town Council concerned.
26. In addition financial arrangements will be agreed in accordance with the principles and good practice guide to avoid double taxation.

LOCAL COMMUNITY LIFE

27. Sedgefield Borough Council will endeavour to promote local community life in partnership with Town and Parish Councils

PRACTICAL SUPPORT

28. Sedgefield Borough Council will, where practical, offer Parish and Town Councils access to their own financial, technical and specialist support services, and enable them to take advantage of facilities such as printing and purchasing, at a mutually agreed price.

Part 2 - Quality Parish and Town Councils

29. In addition to the above, Sedgefield Borough Council has agreed to work in the following ways with those Parish and Town Councils which are recognised as having attained Quality status.

COMMUNITY STRATEGIES AND LOCAL STRATEGIC PARTNERSHIPS

30. Where a Quality council, or group of Quality councils, has prepared a parish or town plan Sedgefield Borough Council will take account of its proposals and priorities in developing and implementing the community strategy as it affects the local areas concerned. Sedgefield Borough Council will strengthen links between Quality councils and the Local Strategic Partnership in order to improve delivery of local priorities.

INFORMATION AND ACCESS POINTS

31. If a Quality parish council, or group of Quality parish councils, wishes to become a local information and/or access point for Sedgefield Borough Council services Sedgefield Borough Council 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 to enable them to provide this function.

DELEGATION OF FUNCTIONS AND SERVICE PROVISION:

32. Sedgefield Borough Council has agreed to consider requests from Quality Town and Parish Councils, (or groups of Parish and Town Councils) to carry out functions on its behalf. In considering specific requests the Borough Council is required to take into account all relevant factors and Regulations including E.C. Procurement Directives and whether the proposal would deliver Best Value, in terms of cost, quality, local preferences and practicability.
33. Where a proposal would not represent good value or would not be practicable Sedgefield Borough Council will, in consultation with the parish or town council, explore alternative solutions to encourage more local-level input into service delivery.
34. As part of its Best Value arrangements, Sedgefield Borough Council 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 Sedgefield Borough Council.