

CHARTER FOR HEREFORDSHIRE COUNCILS

CHARTER BETWEEN
HEREFORDSHIRE COUNCIL
AND TOWN AND PARISH
COUNCILS WITHIN
HEREFORDSHIRE

November 2002



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INTRODUCTION

1. The councils in the area of the County of Herefordshire District Council (hereafter referred to as Herefordshire Council) have agreed to publish a charter which sets out how they aim to work together. This Charter is the result of discussions locally and across Herefordshire to confirm existing good practice and to establish some new ways of working. There are 134 parish and town councils in Herefordshire all playing a valuable role in local democracy and service provision.
2. The Councils (together with Herefordshire Council) jointly represent all levels of democratic local government, to whose principles they are all committed. They are all keen to see continued efforts made to improve our system of local democracy and to see greater public participation in and appreciation of the system.
3. Herefordshire Council (the principal council) acknowledges and recognises that parish and town councils are the grass-roots level of local government. By working with them and the Herefordshire Association of Local Councils (HALC), the principal council aims to act in partnership with local communities, while balancing the needs of the wider locality.
4. In their role as democratically accountable bodies, parish and town councils (local 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, they recognise the strategic role of the principal council and the equitable distribution of services which they have to achieve.
5. 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. The second part (Part 2) applies to *QUALITY* councils only. It will be formally reviewed after five years in operation.

PART 1 - ALL PARISH AND TOWN COUNCILS

Sustainability

6. Herefordshire Council will work in partnership with parish and town councils to promote sustainable social, economic and environmental development in Herefordshire.

Community Strategies and Local Strategic Partnerships

7. Herefordshire Council and the Herefordshire Partnership will involve parish and town councils in the processes of preparing and implementing the community strategy to improve the economic, social and environmental well-being of the area, and the role which local councils should take. Herefordshire Council and Herefordshire Partnership undertake meaningful consultation with local councils about the content and direction of the community strategy as it affects the local communities they represent.

Local Governance

8. Herefordshire Council will seek to involve parish and town councils in its local governance arrangements and for liaison in the following ways:
 - a) Herefordshire Council will maintain its close working relationship with HALC through
 - the regular attendance of the Parish Liaison Officer at its meetings
 - informal quarterly meetings between senior Council Members and Officers of Herefordshire Council and HALC
 - an annual meeting to which all parish and town councils will be invited;
 - b) Representatives of parish and town councils will be invited to sit on Herefordshire Councils' nine Local Area Forums;
 - c) Parish and Town Councils will invite appropriate Members and Officers of Herefordshire Council to their meetings.
9. Herefordshire Council will organise the administration of parish and town council elections. The respective authorities will work together to limit the costs of holding such elections.

Consultation

10. Herefordshire 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, Herefordshire Council will:
 - Send a copy of the Forward Plan to all members of the HALC Executive and to all parish and town councils on a monthly basis, and be responsive to requests from HALC for county briefings
 - forward a copy of its public reports to Programme Panels, Committees, Local Area Forums etc. to HALC at the same time as they are sent to members of the Council so that it can respond directly or through the Local Members
 - advise all clerks of the dates of all its public meetings
 - make copies of its agendas available on the Council's web site as soon as possible

It should be recognised that in some circumstances, the timescales set for receipt of comments on consultation documents are imposed externally, and are occasionally very short. However, only in exceptional circumstances will appropriate consultation not take place, and in such cases, 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 e.g. Market Towns Liaison meetings, Highways & Transportation Liaison meetings.
12. Officers of Herefordshire Council will attend meetings with parish and town councils (or groups of local councils) at a mutually agreed time to discuss matters of common interest when requested to do so and given sufficient notice.
13. Parish and town councils will send copies of their agendas and papers to the Herefordshire Council's Parish Liaison Officer and to local Councillors on request. Officers and Councillors of Herefordshire Council will be given an opportunity to speak at local council meetings on matters of mutual interest if they request to do so.

Information and Complaints

14. When Herefordshire Council consults local councils, it will provide them with sufficient information to enable them to reach an informed view on the matter, and give them adequate time (avoiding holiday periods whenever possible) to respond in accordance with the statutory requirements where applicable.

15. Herefordshire Council will acknowledge letters, and provide substantive answers to letters which need a reply in accordance with the provisions of its Customer First policy. Herefordshire Council and parish and town councils will send a full substantive reply or an acknowledgement within 15 working days.
16. If a local council is dissatisfied with the principal Council's actions, their response to a request for information, or their failure to consult, it may initiate the Council's formal complaints procedure.

Standards Committee

17. Both Herefordshire Council and the majority of parish and town councils have adopted codes of conduct, based on the national model code of conduct. The local councils will work with Herefordshire Council's Standards Committee to promote and maintain high standards of conduct. Herefordshire Council has consulted and agreed with HALC that HALC will appoint a representative to serve on the Standards Committee.

Delegating Responsibility for Service Provision

18. If a local council (or group of local councils) wishes to take on delegated responsibility for service delivery, Herefordshire Council will actively encourage this, where it is best value (taking account of cost, *QUALITY*, local preferences and practicability). Where this is not the case or not practicable, Herefordshire Council will, in consultation with the local council, explore alternative solutions to encourage more local level input into service delivery.

Financial Arrangements

19. Herefordshire Council has set out its financial arrangements for parish and town councils at Appendix 1 in accordance with the principles of good practice guidance.
20. Where a parish or town council takes on the provision of certain services, the level of funding will be agreed by the principal council and the local council. A non-exhaustive list of possible functions which will be considered for delegation by mutual consent is given at Appendix 2.

Local Community Life

21. The Herefordshire Council will promote local community life through e.g. community buildings grant scheme, provision of advice to parish councils preparing Parish Plans.

Practical Support

22. Herefordshire Council will, where practical, offer local councils access to its 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 local councils.

PART 2 - QUALITY PARISH AND TOWN COUNCILS

23. In addition to the above, Herefordshire Council has agreed to work in the following ways with those local councils which are recognised as having attained *QUALITY* standard.

Community Strategies

24. Where a *QUALITY* council (or group of *QUALITY* local councils) has prepared a parish 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. Herefordshire Council will strengthen links between these local councils and the local strategic partnership in order to improve delivery of local priorities.

Information and Access Points

25. If a *QUALITY* local council (or group of *QUALITY* local councils) wishes to become a local information and/or access point for the Herefordshire Council services the Herefordshire Council will help it to do so. In particular it will:
- Issue to the local council (and up-date as necessary) relevant written information and application forms for its services;
 - Give electronic access to similar information and forms (where it provides these electronically) provided the local council has appropriate technology;
 - Provide suitable briefing, training and support to staff of the parish council.

Land Use and Development Planning

26. Where a *QUALITY* local council (or group of *QUALITY* local councils) has prepared (in consultation with Herefordshire Council) a village or town plan which includes proposals concerning land use and development planning issues (e.g. a village design statement), the Herefordshire Council will adopt this as Supplementary Planning Guidance (provided it meets the requirements set out in national and local planning guidance).
27. Where the village or town plan proposals imply some changes to the current development plan for the area, Herefordshire Council will consider and discuss the proposals with the local council (or councils) as part of its next review of that plan.

Delegation of Functions and Service Provision

28. Herefordshire Council has agreed to offer a *QUALITY* local council (or group of councils) the opportunity to take on one or more of the services and functions listed in Appendix 2 (to be developed), or parts of them, in accordance with the practical and financial arrangements set out in Appendix 1.
29. As part of its Best Value arrangements, Herefordshire 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/or monitoring of services provided by Herefordshire Council.

This Charter is a working document which will be reviewed on a regular basis.

Appendix 1

The financial arrangements between Herefordshire Council and local councils are governed by the following principles:

- Fairness between council tax bills in parished and non-parished areas, and between different local councils;
- Fairness in the provision of services (and access to them) by the principal authority between different parts of their area;
- Simplicity – to keep administrative costs of operation to a minimum;
- Transparency – to help understanding;
- Democratic control and accountability – to let local council support additional services with additional expenditure whilst ensuring accountability to all those responsible for funding. This means distinguishing between funding by principal authorities (for a service carried out by a local council) and funding raised by local councils themselves (e.g. using their precepting powers)
- Finance following function – where provision of a service is devolved or transferred from a principal authority to a local council, funding is also transferred, with the amount involved being agreed by the principal authority and the parish or town council.

Appendix 2

Possible functions which might be considered for delegation to all parish and town councils by the principal authority by mutual consent (in accordance with paragraph 21 above)

Control of Markets

Street Cleaning

Maintenance of Highway Verges, footways and footpaths

Litter Collection and Litter Control Measures

Street Lighting (other than principal routes)

Recycling Provision

Street naming

Parking Restrictions (and related matters)

Issue of bus and rail passes

Road Safety Measures

Noise and Nuisance Abatement

Tree Preservation Orders

Some aspects of Development control

Some aspects of the management of Libraries and Museums

Some aspects of Leisure and Tourism provision (e.g. bowling greens, playing fields, issue of Leisure permits)

Public Conveniences

Allotments

Appendix 3

Locally drafted arrangements for delegation of functions and service provision to QUALITY parish and town councils in accordance with paragraph 29 above will be determined by discussion between Herefordshire Council and parishes at the appropriate time.