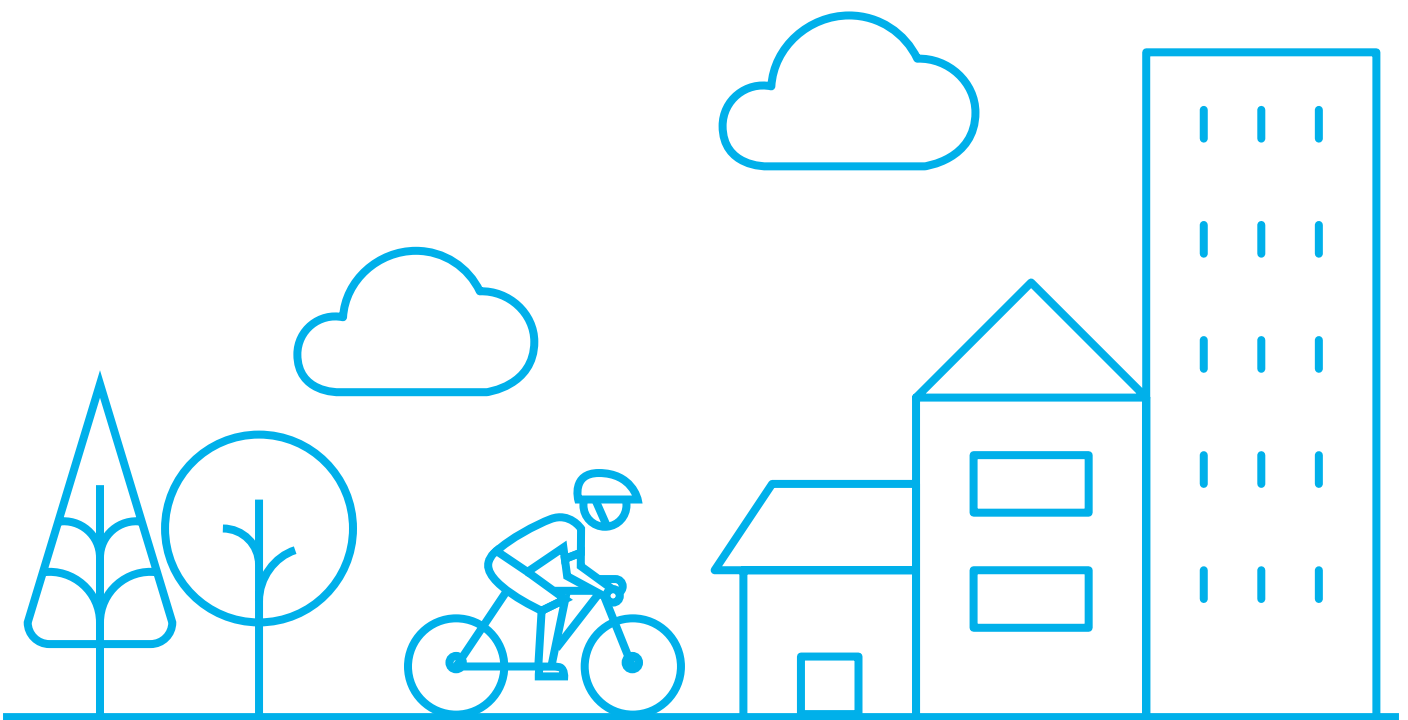


Draft Policy Statement

Working Together in Birmingham's Neighbourhoods

July 2018



CONSULTATION

Working Together in Birmingham's Neighbourhoods

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Working Together in Birmingham's Neighbourhoods

Introduction



Councillor Sharon Thompson
Cabinet Member:
Homes and Neighbourhoods

Birmingham is a big city with dozens of diverse neighbourhoods and hundreds of community organisations. **We want to work in partnership with people in their local area to make services more responsive to local needs and preferences and to improve local neighbourhoods.** We recognise that this is one way that the City Council can avoid being remote from people's everyday concerns and lives.

The City Council has worked over many years to find ways of working more closely with residents and community organisations. These have ranged from Neighbourhood Offices, the Local Involvement Local Action initiative of the 1990s, the setting up of ward committees and support to neighbourhood forums, to the devolution of services to District Committees in 2004.

In recent years we have had to rethink how we do this, due to resource constraints. The governance of the city is also changing with the re-drawing of ward boundaries, creating smaller wards and increasing their number from 40 to 69. Another important change came with the creation of Sutton Coldfield Town Council, the largest urban parish council in the country. Having more parish or neighbourhood councils across the city is now recognised as one important option for the way ahead.

Councillors on the Corporate Resources and Governance Overview and Scrutiny Committee carried out an inquiry into how we work with the parish councils and reported to the City Council in December 2017. We now need to take forward their recommendations through this paper.

This paper sets out a draft policy statement on how the City Council will work with local neighbourhoods in the years ahead. It has been written to help open up a conversation across the city about how we can achieve these aims more effectively. This includes how we intend to work better with the existing parish and town councils in the city and to enable further such councils to be set up in the future.

Despite the resource constraints, we are determined to explore new ways of bringing about a more localised city and make the most of all our assets, financial, physical and human.

The Statement is intended to be an evolving summary of the Birmingham position on neighbourhood governance and we hope it will be supported widely across the communities and organisations of the city. It is not set in stone.

We intend to engage stakeholders widely as the statement is developed during 2018, with a view to publishing a further update (a "white paper") in the autumn. However, there are some key principles of our approach that we are already clear about and these are indicated in this document.

Councillor Sharon Thompson
July 2018



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Working Together in Birmingham's Neighbourhoods

SECTION 1

Background

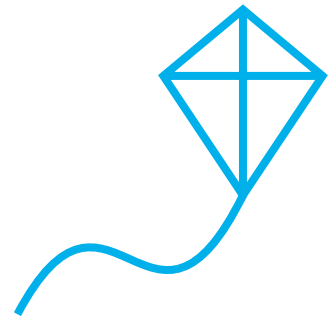
A wide range of organisations and activities determine how services are delivered and how improvements are made in our local neighbourhoods, enabling active citizens to make a difference. This includes the local ward councillors and city council decision making about its services, but also the community organisations, the local businesses and the many other public agencies that have an impact on local areas.

More formal decision making arrangements can include city council committees and elected parish or town councils (the lowest level of formal local government in the UK). But a range of community organisations such as neighbourhood forums, residents associations, community development trusts and other social enterprises also make an important contribution to the life of our neighbourhoods and enable people to come together, discuss the future of their area and take action to improve it.

Elected councillors (be they city councillors or parish councillors) and the City Council's decision making system are the core of our system of "representative democracy". But a healthy local democracy also requires "participatory democracy" – ways in which local residents can get directly involved in decision making and in activities that improve the city and our local services. These two forms of democracy need to be well balanced and work well together.

Parish councils

The term "parish council" refers to a range of different types of local council, from the smallest local area up to town councils such as the one recently created in Sutton Coldfield. Just like the City Council, they are elected councils which can take on a range of powers and local services and raise a "precept" or Council Tax to spend in their area (although they can clearly decide not to raise a precept). Parish councils are not related to Church of England parishes and they can now be called "Neighbourhood" or "Community" councils to reflect a more modern, diverse community.



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Working Together in Birmingham's Neighbourhoods

The table below sets out some examples of ways of organising locally and the activities that they are particularly strong at. It illustrates the diversity of ways in which we can work together to improve our local area.

Examples of the range of neighbourhood organisations

Type of organisation	What they're good at
Neighbourhood (Parish) Council	<ul style="list-style-type: none">• Providing some local services• Power to raise local Council Tax precept• A further representative voice for the area
Ward Forum or Partnership	<ul style="list-style-type: none">• Bringing together local councillor(s), residents and other public agencies to focus on how to solve problems in the area. The police also organise local 'tasking meetings'.
Neighbourhood Forum	<ul style="list-style-type: none">• Resident led organisations which may have elections to a committee• Power to initiate a Neighbourhood Planning process, setting out a physical plan for the future of the area which becomes a legal policy if supported by residents.• Some Forums provide additional voluntary services
Community Development Trust	<ul style="list-style-type: none">• Focused on the regeneration and improvement of the local area.• Can raise money from trusts and foundations and apply for grants for specific projects.
Residents Association	<ul style="list-style-type: none">• Similar to a Neighbourhood Forum but without the legal powers for neighbourhood planning.• Many associations work closely with local services and the police, for example running neighbourhood watch schemes.
Social Enterprise	<ul style="list-style-type: none">• Take a variety of forms and are set up to provide a variety of services (such as leisure, retail, social care or health related) but all are not-for-profit businesses that re-invest income in the local community.
Local groups and charities with a specific interest	<ul style="list-style-type: none">• A wide diversity of informal groups provide additional local services, support particular groups in the community and campaign on specific issues. They may also raise money as charities.
Faith groups and religious centres	<ul style="list-style-type: none">• Religious communities, leaders and places of worship also make a major contribution to many communities and raise money for charitable activities.

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Working Together in Birmingham's Neighbourhoods

The role of different local organisations

The City Council values the role and contribution made by all these types of organisation and our aim is to support an increasing diversity of groups in the future. As the table left shows, different organisations have different strengths and the aim should be to create the right mix for the needs of each area, not to impose a single approach.

Neighbourhood (parish) councils do have particular strengths as the lowest level of representative, elected local government they are well placed to provide additional local services and to take on some services provided by the City Council. We are therefore particularly keen to help interested neighbourhoods to develop proposals for more neighbourhood councils in the city.

How this statement fits within our wider approach to localism

The policies in this paper are just part of our wider approach to local services, local democracy and engagement in the city. A separate statement is available on the overall direction of change and the principles and objectives we have set. In summary, our focus is to improve local neighbourhoods and the local services that everyone benefits from every day. We will do this by:

1. Making key services more responsive to local needs and priorities, through senior management engagement in local areas and dedicated staff in each service whose role is to ensure that local issues are quickly dealt with. This will aim to cut through 'red tape' and bureaucracy.

2. Redesigning jobs so that staff are free to work with residents and colleagues in different services to make a difference in local areas, without waiting for permission.
3. Supporting ward councillors to focus on local issues and represent their residents more effectively and giving citizens more power to improve their area and get things done.
4. Having effective Ward Forums and Ward Plans drawn up with local residents.
5. Continuing to modernise key local services such as refuse collection.
6. Investing in tackling priority issues such as jobs, health and housing and working together across wider areas of the city.

As set out above, we see parish, town and neighbourhood councils as one very positive way to deliver on these objectives, but they are only one option available to local communities. Our wider strategic approach will ensure that there is a framework for communities to engage in tackling local issues, whatever form of local democracy they choose to have.



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Working Together in Birmingham's Neighbourhoods

SECTION 2

Setting the future direction

We want to engage local stakeholders widely as this statement is developed, but we also want to set a clear sense of direction.

As set out above, we are committed to working with neighbourhoods through a diversity of local organisations – we will not impose a one size fits all approach across the city.

We will seek to develop stronger partnerships and networks in each of the new wards, building on the diverse range of community organisations and enterprises that are already in place. We want to see councillors and residents working as a team to get things done in every ward of the city.

We will work with neighbourhoods in several different ways to strengthen local arrangements:

1. Every new ward will have a Ward Plan, setting out the priorities for improving the neighbourhood and its services. This will enable the council as a whole to influence the allocation of resources where they are needed and local councillors to work in partnership to secure resources from other public agencies and the private and voluntary sectors.
2. By agreeing Charters with different neighbourhoods, setting out the service standards and local improvements we will work towards, as set out below.

3. By agreeing Local Devolution Deals with specific areas that have adopted parish, town or neighbourhood councils or perhaps other forms of governance suitable for this purpose. This means we will agree, where appropriate that some services and powers can be delivered locally. Further details on this idea are also set out below.
4. By working with every ward to ensure that residents are aware of the range of local organisations they can set up, according to their local priorities and helping them to create new organisations or strengthen existing ones.
5. By promoting and supporting the creation of new parish, town or neighbourhood councils where residents want them.

Q1: What do you think of our overall approach to working with neighbourhoods?



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Working Together in Birmingham's Neighbourhoods

Creating new parish, town or neighbourhood councils

We value the role that parish, town or neighbourhood councils can play in running Birmingham and we are proud that the city now has the largest urban parish council in the country in the Royal Borough of Sutton Coldfield Town Council. Parishes can deliver services more locally, but they can also bring more people into local civic leadership and heighten the sense of pride in a local area.

We also recognise the enormous potential to create more parish councils across the city, given that outside Sutton Coldfield only Frankley currently benefits from one. One of the main reasons for producing this paper is to set out how we will do this and to consult widely to find out how much interest in parishes there is across the city.

There are many different positions the City Council could take on parish councils, ranging from a neutral approach of simply waiting for residents to propose a new council and then carrying out the required legal process, to giving residents more information about the benefits of parish councils and the process of creating one, to proposing a new parish council for every area of the city. The first option would not be in line with our positive approach to parishes and the opportunities they provide, whilst the last would create a top-down approach which would not be acceptable either. So, our policy reflects our principle of responding to the wishes of residents in different parts of the city.

The City Council's position will be as follows:

1. We will provide information about parish councils, what they can do and how they are created and work with partners in the community to ensure this is accessible to all residents, whilst working with the National Association of Local Councils (NALC) to test and advise on our approach.
2. We will undertake a discussion in every ward of the city, outside Sutton Coldfield, to find out what residents want and identify the strengths and weaknesses of current arrangements and whether a parish council might work well.

3. Where groups of residents or community organisations express an interest in having a parish council we will carry out the necessary Community Governance Review and then put any proposal to a postal consultative ballot, as we did in Sutton Coldfield.

As stated above, our approach to parish councils will not sit in isolation from other ways in which residents can secure more control and influence over local services or their neighbourhood.

We set out in this paper a Framework of Relationships to guide our approach to neighbourhood organisations. As detailed below, the various options will each deliver different benefits and each will have different limitations. For example, parish councils are legally able to take on service delivery functions and to raise additional public money within their area, but other options such as neighbourhood forums, residents associations, community development trusts or tenant management organisations may be better suited to the needs of a neighbourhood and what it wants to achieve.

We will work with community organisations, through Ward Forums to ensure that they are able to communicate effectively with the local community about the options for governance arrangements and to assess all options for improving the capacity of the community to respond to issues and influence decision making.

Areas that establish a parish council will then be able to enter discussions with the City Council about a Local Devolution Deal for the area, setting out the funding and services that will be provided locally. The proposed process for this is set out below.

Q2. Are you in favour of having more parish, town or neighbourhood councils in Birmingham?

Q3. Do you think having a parish, town or neighbourhood council would benefit your particular local area?

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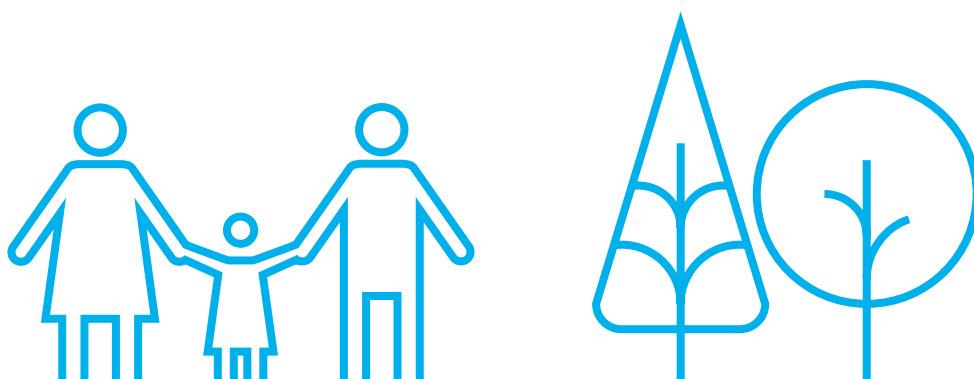
Creating a parish council

The process for creating a parish, town or neighbourhood council must be in line with the relevant legislation and government guidance (see Appendix 3) and will be as follows:

1. The process can be triggered by a petition from residents, setting out the suggested area (boundaries) of a parish council. The government guidance includes rules about such petitions, what they should include and the number of signatures that must be secured. The City Council will be happy to receive such petitions through a variety of community groups, but they must conform to the guidance.
2. The City Council can also start a review without a petition and will do so if we think there is strong enough support for the idea in the local area. This could be indicated, for example by the views of local community organisations or a vote of residents at a well-attended Ward Forum. There will also be a presumption in favour of creating a parish council where a neighbourhood forum with an agreed Neighbourhood Plan has expressed support. However, no parish council will be created without the consultative referendum mentioned below, to ensure there is widespread support in the community.
3. The City Council will then conduct a formal Community Governance Review, which must assess various issues such as the proposed boundaries, other proposals in the same area, the strength of community identity and the impact on community cohesion. We will do this well within the statutory maximum period of 12 months and ideally within six months.
4. The City Council will then publish its conclusions and recommendations including boundaries, the grouping of parishes and electoral arrangements.
5. A consultative ballot will then be held to enable every elector in the proposed area to say whether they support the proposal for a new parish council. One option, to ensure the ballot is fully representative of the area, would be to set a threshold response rate, below which the ballot could be ignored, though this is not operated in the ballot for a Neighbourhood Plan. It is also possible to set a threshold for the majority in the vote, though again the Neighbourhood Plan process requires only a straightforward majority (50% plus one) of those responding to approve the proposal.
6. If the proposal is supported by residents, it must then be approved by the government.
7. The City Council will then work with local residents to establish the parish council and organise elections.

Q4. Do you agree that there should be a consultative ballot as part of the process to set up a parish, town or neighbourhood council?

Q5. Do you think a minimum response rate or vote percentage should be set (and if so what should they be)?



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A framework for relationships

As outlined earlier there are many different forms of neighbourhood organisation and the City Council will need to embrace different models.

To encourage greater participation and to provide guidance to those areas wishing to make changes, we intend to develop a Framework for Relationships. This will set out the range of options for greater neighbourhood involvement and governance the City Council supports.

The options included in this Framework must allow for the needs and aspirations of individual localities to be met. We may wish to consider adopting something similar to Cornwall Council's 'A Framework for Town and Parish Councils and Community Groups to have an Increased role in service delivery' (see Appendix 2 for this and examples elsewhere). This offers the following options for greater local involvement, from less to more devolution:

1. Influencing and monitoring local service delivery, where parish councils and/or local community groups influence, request changes to existing contracts or input to requirements when new contracts are retendered. They can also play a role in monitoring service delivery in their area.
2. Joint delivery/service enhancement, where parish councils and/or local community groups choose to enhance an existing service by funding work that exceeds the base level provided or deliver additional services not currently provided.

3. Agency Agreements, Management Agreements, Licences and Sponsorship with/by parish councils. Cornwall Council provide a lump sum to the parish council for the delivery of the service, based on the minimum service they would undertake. The parish council can choose to enhance this service locally. (These could equally apply to local community groups).
4. Delegation of service delivery where the parish council takes on full responsibility for the local service on behalf of Cornwall Council.
5. Transfer of a service applicable where Cornwall Council proposes to reduce or no longer provide a service. Parish councils are consulted and offered the opportunity to take on delivery themselves. Transfer of any related asset may be part of the discussions.

Creativity and flexibility in the approach is critical – the issues in individual neighbourhoods will vary and so a range of options will be necessary. The work on the Sutton Coldfield library is a positive example of what can be achieved through joint working and mutual support.

Q6. What other options for greater local involvement would you like to see in this Framework for Relationships?



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Charter agreements with Birmingham City Council

Getting relationships between the City Council and local neighbourhoods and community organisations right will require attention in three areas: service management and delivery, governance structures and working relationships between people.

Investigation by councillors on the Corporate Resources and Governance Overview and Scrutiny Committee into the two parish councils in Birmingham has identified some areas where the parish and city council are working well and some areas for improvement. Key to success is the development of good working relationships between the two so that a mutual understanding of respective roles and the added value that parishes deliver is developed but also so that they can work together to resolve issues identified by parishes.

Existing parish councils have reflected that ideally mutual understanding and support should be achieved through a more formal structure with identified contacts in the city council through which they could channel their issues. This would avoid their 'passed from pillar to post' experience and allow for more efficient and effective working.

To improve on this experience, the City Council will adopt Charter agreements which set out the principles of how the City Council and local councils or other local organisations will work together. This is an approach adopted by other councils and there are many examples of Charters elsewhere that we can learn from (see Appendix 2).

Each Charter will be individually negotiated although there are likely to be common areas covered in each. Charters will set out clearly the agreed role and responsibilities of the City Council and the local council or other organisation, detailing the expectations of one from the other. The Charter must be sustainable, realistic and deliverable, ensuring that any issues related to resourcing and liabilities are addressed.

Common areas are likely to include:

1. Communication and consultation arrangements and key contacts. It must allow for ongoing communications between both parties so that mutual understanding continues to develop.
2. Working protocols including the process for resolving issues, gaining approval for new projects and initiatives, and negotiating changes to the existing agreement.
3. Support offered by both parties including resources and use of assets.

Q7. Do you think that Charter Agreements are a good idea?

Q8. What other areas do you think Charter Agreements should cover?

Charters between particular neighbourhoods and the City Council

Charters could also be extended to include agreements with particular neighbourhoods, something that has been successful in some parts of the country (see Appendix 4 on neighbourhood charters).

A Neighbourhood Charter would set out the rights and responsibilities of the City Council, local organisations and residents in terms of the services and activities in their neighbourhood.

It would describe the governance arrangements and particular local relationships that apply to that neighbourhood or ward. It might include tailored service delivery standards and local management of assets, but would not go as far as a Local Devolution Agreement.

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Local devolution deals

As well as improving the overall relationship between the City Council and the existing parish councils, we recognise that the existing parish and town councils in the city will be keen to develop their activities and deliver more local services. New parish councils will also want to know what range of services they may be able to take on.

So, we are proposing to offer all parish, town or neighbourhood councils their own Local Devolution Deal – an agreement with the City Council about what local services will be run by the new council and what assets they will manage. This will be a bottom up process – the City Council will respond to the priorities and ambitions of the local area and not impose anything from the top down. If a parish council does not want to take on any services then it will not have to.

We would also welcome views on whether other sorts of local organisation would be capable of taking on devolved services (or providing additional services to the core City Council offer).

For those that are particularly ambitious the Local Devolution Deal process will enable the parish council and the City Council to work out together what is practical and the risks and benefits involved and then to work in partnership to make things work.

So that people know the scope of potential deals and the range of devolved services the City Council is prepared to discuss, we will consult later on the Framework for Relationships and on a detailed Devolution Deal Prospectus. These will set out the opportunities as well as the constraints and limits on devolution in different service areas and make clear the services which the City Council will not consider devolving. In this document we are inviting comment on some broad principles and an outline of the process we propose.

Q9. What do you think about Local Devolution Deals?

Principles for local devolution deals

The City Council intends to adhere to the following broad principles when agreeing Local Devolution Deals:

1. Parishes proposing devolution of services must have been in existence and functioning effectively for at least a year (this means that they are engaging widely in the community, managing their finances well and being inclusive and open in their approach).
2. Services considered for devolution must be things that a parish council can legally provide.
3. The City Council will indicate which services may be appropriate for devolved management or funding and which must remain at a larger scale. We would welcome views on those that should be in each category, but at this stage we intend to exclude child protection and care, some education and special needs services, adult social care, road maintenance and street lighting, strategic procurement, financial management and corporate administration from the process.
4. Proposals can include joint service delivery and management arrangements as well as full transfer of services and they can be made by a collaboration of more than one parish council.
5. Services considered for devolved management must be capable of being delivered at the scale proposed, either through the parish council's own resources or a management arrangement with the City Council.

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6. Proposals should demonstrate that the service will be provided reasonably efficiently, compared to central provision.
7. Proposals should demonstrate that the service will be more responsive to local needs or provide different, tailored aspects of the service not currently provided centrally.
8. The parish council will have to demonstrate sound business cases for all devolution proposals, including the management and other resources that will be put in place.
9. The parish council will have to show how the community will be engaged in the delivery of the service and how their views on the service will be monitored and performance managed.
10. Proposals for assets to be transferred to a parish council will have to demonstrate the capacity to manage the asset independently and to put the asset to good use for the community. Assets will generally be transferred on a leasehold basis and not freehold.

The process for Local Devolution Deals will also be consulted upon in more detail later, but it is likely to include:

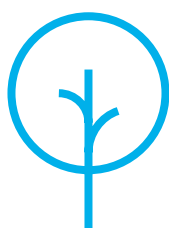
1. Submission of initial proposals for the devolved management of services and assets by the parish or town council.
2. An initial analysis by relevant officers will be drawn up and returned to the parish council.
3. Detailed discussions on the different proposals made, including the relevant officers mentioned above and consultation with relevant Cabinet Members and Chief Officers.
4. Officers will focus on the sort of conditions outlined above and will be concerned to ensure that the devolution of the service in one part of the city does not have a detrimental impact on efficiency and quality in other areas. Different options for local delivery of the service will be explored.
5. Submission of a signed agreement to the Cabinet for formal decision.
6. Planning and then implementation to agreed timescales.

Q10. Do you think these are the right principles for Local Devolution Deals?

The process for agreeing a local devolution deal

The City Council will identify named officers in each relevant service and also a strategic devolution negotiator who will work with those officers and report to the Leader and another Cabinet Member. All relevant Cabinet Members will be consulted during negotiation of a deal and all final deals will be signed off by the Cabinet.

Q11. What other steps should be included in this process for Local Devolution Deals?



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Conclusion and next steps

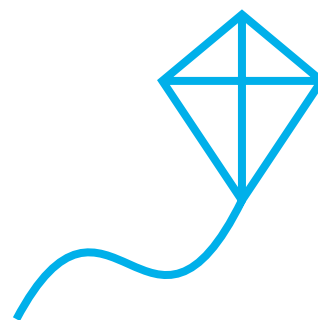
Improving how the City Council works with parishes and providing the opportunity to all neighbourhoods to have stronger ways to influence decision making will be an important part of our approach to localism over the next few years.

Our focus is shifting to the ward level, with a new set of smaller wards now in place and work underway to ensure that we support the work of councillors in their wards and neighbourhoods. This will include a stronger development programme to equip council members with the skills to be effective 21st Century local leaders.

We want this paper to be the start of a wide ranging debate that gives everyone the chance to have their say on how their neighbourhood is run which will lead to a final policy statement in September.

A cross-party working group will be set up to oversee this process and this will include representatives from the existing parish and town councils.

Q12. What else would you like to see introduced or changed so that you have more influence over priority setting, decision making and service delivery in your local area?



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Working Together in Birmingham's Neighbourhoods

How to respond to this consultation:

By completing the questionnaire survey on the City Council's BeHeard website at **BirminghamBeHeard.org.uk**

The closing date for the consultation is **28 September 2018**

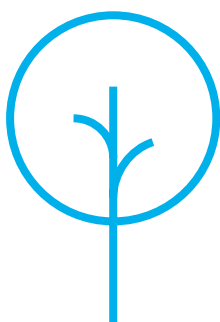
By emailing us at: **CommunityGovernanceViews@birmingham.gov.uk.**

Please indicate whether you are responding as an individual or on behalf of an organisation. If you are representing a group please indicate the process by which your submission was discussed and agreed.

By attending a Ward Forum meeting in your ward. These meetings are being organised between now and the end of September and information will be provided when the meetings are arranged. Future Ward Forum meetings can be found here:

<https://birmingham.cmis.uk.com/birmingham/Committee/Wards.aspx>

By attending a number of other meetings, known as "Community Conversations" that we will be setting up across the city.



The discretionary powers of parish councils

SUBJECT	SUMMARY OF DISCRETIONARY POWERS
Allotments	Power to provide land for allotments and to enter into allotment tenancies in or outside the councils’ area.
Allowances for councillors	Power to pay councillors allowances.
Ancillary Powers	Power to do anything that will facilitate, be conducive to or incidental to the discharge of its powers and functions.
Bands and orchestras	Power to maintain a band or orchestra or contribute to the maintenance of a band or orchestra in or outside the council’s area. Power to charge for admission to performances.
Bicycles and motor cycles – parking places	Power to provide and maintain parking places for bicycles and motor cycles in the council’s area. Power to provide stands and racks for bicycles and motor cycles in the council’s area. Power to make byelaws for the use of and charging for parking places.
Boating pools	Power to provide a boating pool in a park provided or managed by the council. Power to charge a reasonable amount for its use.
Borrowing money	Power to borrow money with approval where necessary.
Burial grounds and cemeteries	Power to provide and maintain open space or burial ground in or outside the council’s area. Power to maintain for payment a monument or memorial on a private grave (for no more than 99 years) in the council’s area. Power to provide and maintain cemeteries in or outside the councils’ area. Power to contribute towards the maintenance of cemeteries where the inhabitants of the councils’ area may be buried. Power to grant rights of burial, to place and maintain tombstones or memorials on graves and to charge fees. Power to make byelaws.
Bus Shelters	Power to provide and maintain bus shelters on roads or land, adjoining roads in the council’s area.

SUBJECT	SUMMARY OF DISCRETIONARY POWERS
Byelaws	Power to make byelaws.
Car parks (off-road)	Power to provide and maintain suitable off-road car parking places in the council's area to relieve or prevent traffic congestion or to preserve local amenities. Power to regulate use of car parks and charge for their use.
Car sharing schemes	Power to establish and maintain a car sharing scheme that benefits the council's area or to assist others in doing so.
Charities	Power to act as trustee of non-ecclesiastical charity.
Cinemas	Power to provide a cinema or contribute towards the expenses of a cinema in or outside the council's area. Power to charge for admission to a cinema provided by the council.
Clocks	Power to provide and maintain public clocks within the council's area.
Closed churchyards	Power to maintain a closed churchyard in the council's area if requested to do so by a parochial church council.
Commons and common pastures	Power to provide land in the council's area for common pasture if the council's expenditure can be recovered from any charges it makes for use of the land.
Community gardens	Power to provide and maintain open space as gardens in or outside the council's area.
Community meetings – Wales	Power to convene.
Compensation – Wales	Power to pay compensation to a person affected by the council's maladministration.
Conference facilities	Power to provide and encourage the use of facilities in the council's area.
Contracts	Power to enter into contracts.
Crime prevention	Power to spend money on crime detection and prevention measures in the council's area.

SUBJECT	SUMMARY OF DISCRETIONARY POWERS
Dance halls	Power to provide premises for dances, or to contribute to the expenses of dances in or outside the council’s area. Power to charge for admission to dances provided by the council.
Ditches and ponds	Power to deal with ditches, ponds, pools and gutters by draining them or preventing them from being harmful to public health. Power to carry out works for their maintenance or improvement or to pay others to do this.
Dog control orders	Power to make orders for dog control offences for land in the council’s area. Power to issue fixed penalty notices for offences committed under dog control orders.
Employment of staff	Power to appoint staff.
Fetes and other events	Power to provide entertainments and facilities for dancing in or outside the council’s area. Power to charge for admission.
General power of competence – England	Power for an eligible council to do anything subject to statutory prohibitions, restrictions and limitations which include those in place before or after the introduction of the general power of competence.
Gifts	Power to accept gifts.
Graffiti	Power to issue fixed penalty notices for graffiti offences in the council’s area.
Honorary titles	Power to confer title of honorary freeman or freewoman
Indemnities	Power to indemnify councillors and staff with insurance cover.
Investments	Power to invest property in approved schemes.
Land / premises	Power to purchase or sell land in or outside the council’s area. Power to appropriate land for an authorised purpose. Power to accept and maintain gifts of land.
Life-saving appliances	Power to provide life-saving appliances (e.g. life belts, defibrillators).

SUBJECT	SUMMARY OF DISCRETIONARY POWERS
Lighting	Power to light roads, and public places in the council’s area.
Litter	Power to issue fixed penalty notices for litter offences in the council’s area.
Litter bins	Power to provide and maintain litter bins in streets or other public spaces and contribute to their provision and maintenance.
Lotteries	Power to promote lotteries.
Markets	Power to establish markets in the council’s area and provide a market place and market buildings. Power for a council that maintains a market to make byelaws.
Mortuaries and post-mortem rooms	Power to provide mortuaries and post-mortem rooms. Power to make byelaws to manage and charge for the use of mortuaries and post-mortem rooms.
Neighbourhood planning – England	Power to act as the lead body for the establishment of a neighbourhood development order or a neighbourhood development plan.
Newsletters etc.	Powers to publish information about the council, its services and the services provided in the council’s area by other local authorities, government departments, charities and other voluntary organisations.
Non-councillors	Power to appoint non-councillors to council committees and sub-committees. Power to appoint up to two non-councillor community youth representatives (aged 16-25) to committees – Wales only.
Open spaces	Power to provide and maintain land for public recreation. Power to make byelaws. Power to provide and maintain land for open spaces in or outside the council’s area. Power to make byelaws.
Parish meetings – England only	Power to convene.

SUBJECT	SUMMARY OF DISCRETIONARY POWERS
Planning applications	Power to be notified of planning applications affecting the council’s area and to comment.
Power of Well-being – Wales	Power to do anything to promote the economic, social and environmental well-being of the council’s area or anyone in the area, subject to any statutory prohibitions, restrictions and limitations on council powers.
Precept	Power to raise a precept.
Public buildings and village halls	Power to provide buildings for public meetings and assemblies or contribute towards the expenses of providing such buildings.
Public rights of way	<p>Power to repair and maintain public footpaths and bridleways in the council’s area.</p> <p>Power to enter into agreement to dedicate a road as highway in the council’s area or an adjoining parish or community area.</p> <p>Power to enter into agreement to widen existing highway in the council’s area or an adjoining parish or community area.</p> <p>Power to provide warning notices on footpaths and bridleways.</p>
Public toilets	<p>Power to provide public toilets</p> <p>Power to make byelaws.</p>
Recreation	<p>Power to provide and manage recreation grounds, public walks, pleasure grounds and open spaces.</p> <p>Power to make byelaws.</p> <p>Power to provide and contribute to a wide range of recreational facilities in or outside the council’s area.</p>
Right to challenge services that are provided by a principal authority – England	Power to submit an interest in running a service provided by a district, county or unitary authority.
Right to nominate and bid for assets of community value - England	<p>Power to nominate assets to be added to a list of assets of community value.</p> <p>Power to bid to buy a listed asset when it comes up for sale.</p>

SUBJECT	SUMMARY OF DISCRETIONARY POWERS
Roads	<p>Power to consent or not consent to the local highway authority stopping maintenance of a road in the council's area or stopping up / diverting a road in the council's area.</p> <p>Power to complain to the local highway authority about the obstruction of rights of way and "roadside waste" in the council's area.</p> <p>Power to plant and maintain trees and shrubs, and lay out grass verges in the council's area.</p> <p>Power to provide and maintain seats and shelters on roads and land bordering any road in the council's area.</p>
Sports and recreational facilities	<p>Power to provide sports facilities in or outside the council's area or contribute towards the expenses of any voluntary organisation or local authority that provides sports facilities in or outside the council's area.</p>
Swimming pools	<p>Power to provide public baths.</p> <p>Power to charge for use of public baths.</p> <p>Power to make byelaws.</p>
Traffic signs	<p>Power to provide traffic signs on roads.</p>
Theatres	<p>Power to provide a theatre or contribute towards their expenses in or outside the council's area.</p> <p>Power to charge for admission to a theatre provided by the council.</p>
Tourism	<p>Power to encourage tourism to the council's area or contribute to organisations encouraging tourism.</p>
Traffic calming	<p>Power to make payments to a highway authority for traffic calming schemes for the benefit of the council's area.</p>
War memorials	<p>Power to maintain, repair and protect war memorials in the council's area.</p>
Water	<p>Power to make use of wells, springs or streams in the council's area and provide facilities for obtaining water from them.</p>
Websites	<p>Power to provide a website to give information about the council, its services and the services provided in the area by other local authorities, government departments, charities or other voluntary organisations.</p>

Source: Local Councils Explained, 2013, National Association of Local Councils

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From O&S Report: Partnership Working: BCC and Parish/Town Councils

Summary of Frameworks and Charters

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.

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.

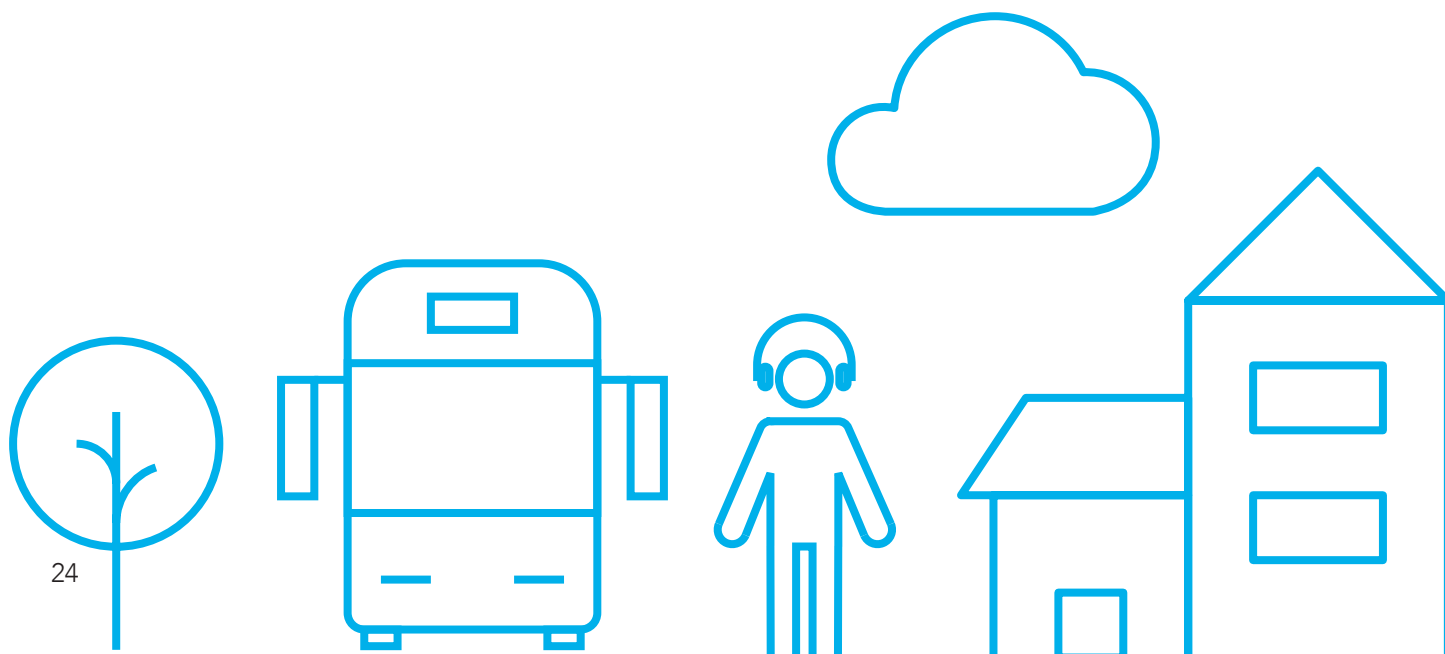
Milton Keynes Council is currently engaged in a piece of work looking at the relationship between the two tiers of government and is consulting with local councils on enhancing working relationships based on 5 key areas:

- 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.

Practical Support

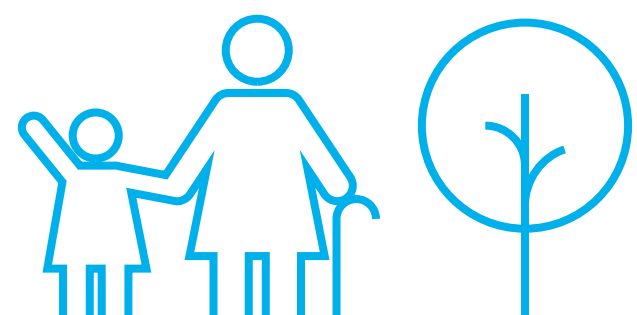
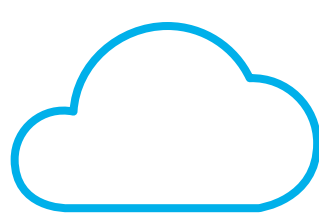
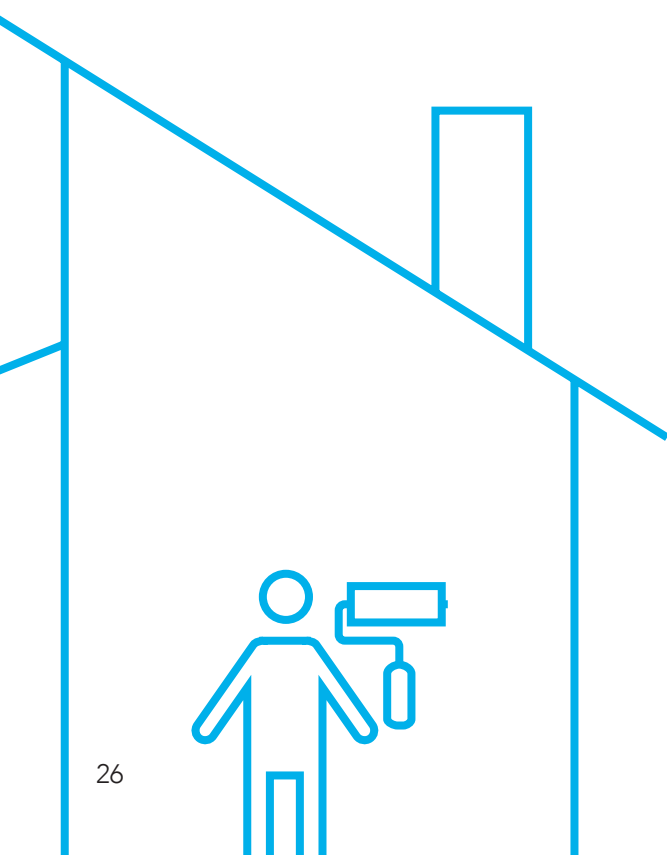
- Shropshire Council will, where practical and affordable, offer parish and town councils access to their corporate services (for example HR Functions, ICT, Finance etc). Initial enquiries should be free; thereafter such support for some services may need to incur a charge, or may be offered through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

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.

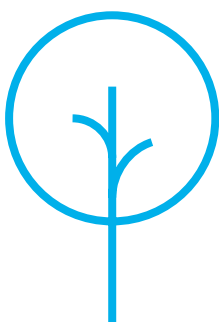
"We will attend twice-yearly parish liaison meetings in those districts where there is a joint commitment with the district council to implement such arrangements. An Executive Member and senior officer will normally attend"

"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
- 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

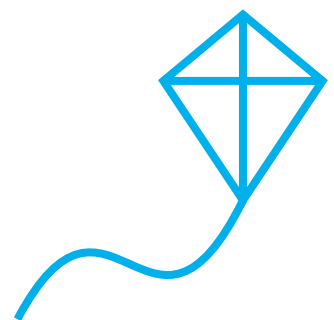
Town/Parish and Village councils will be invited to develop and manage ward plans that impact on their area and will be expected to use their role within the community to shape the plan, raise awareness of it and seek ownership of the plan and encourage communities to be involved in delivering the agreed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

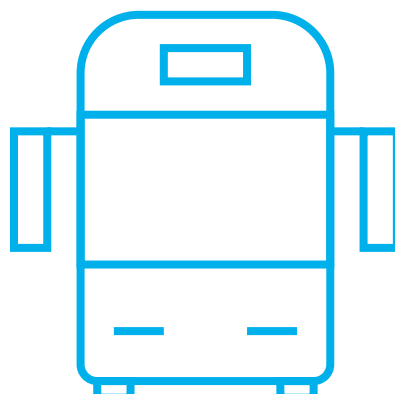
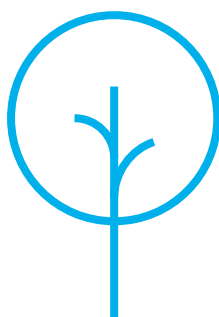
Practical Support

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);
- 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.



4. 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.



Creating a Town or Parish Council

The Government and the Local Government Boundary Commission has set out guidance on the creation of a new parish council.¹

In addition The National Association of Local Councils (NALC) provides lots of guidance on the subject and how community groups can set up a campaign for a parish council.²

Extract from Government and National Association of Local Councils (NALC) Guidance on Creating a Town or Parish Council

To establish a local council a Community Governance Review needs to be triggered. This can be by either the principal authority themselves or by the community, through the submission of a petition*.

The petition must state exactly what it proposes: creating a parish or town council for a defined area. The number of minimum signatures required varies according to the size of the population. If the petition area:

- Has fewer than 500 local government electors, the petition must be signed by 37.5% of the electors;
- Has between 500 and 2,500 local government electors, the petition must be signed by at least 187 electors;
- Has more than 2,500 local government electors, the petition must be signed by at least 7.5% of the electors.

Once the petition gathers the required number of signatures, it can be submitted to the principal authority, who will validate the signatures and, provided that the minimum threshold is met, will conduct a Community Governance Review within 12 months of submission.

During this time, the principal authority will launch a consultation, asking residents to state whether they are in favour or against the establishment of a local council. At the end of the consultation period, the council will review residents' responses before reaching a decision. If the principal authority decides in favour of a parish council, it will also set the date for the first election.

*A neighbourhood forum that's had a neighbourhood development plan passed at referendum can trigger a community governance review without needing a petition.

¹ Guidance can be found here: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/8312/1527635.pdf

² See: <http://www.nalc.gov.uk/our-work/create-a-council>



Charters for specific neighbourhoods

The Future Communities project (a partnership of Homes England and Local Government Improvement and Development) define a neighbourhood charter as ‘a voluntary partnership agreement between a community, the local authority and other service providers. It can lay out details of expected service standards, action plans and/or local priorities with clear commitments from both service providers and local communities in helping to meet these targets. They can be shaped through participation, and often the element of engaging the community is as important as the end charter.’

They set out the benefits of charters or agreements as:

- They can improve efficiency of, and satisfaction with, services by establishing expectations and baselines for service standards and providing a framework for agreement on variation to meet local requirements, even mechanisms for redress.
- They can help clarify the role of different partners and service providers, and provide a more solid base for partnership working in neighbourhoods.
- They can be shaped participatively by and involve commitments from citizens as well as from public service providers and representatives.
- They can build local trust and community capacity.

Examples of Neighbourhood charters include:

Bristol

A generic charter which sets out the services that the Council and others provide in the local area, what residents can expect from these services, how residents can influence what is delivered and what residents can do to help make their neighbourhood better.

Covers:

- Waste, recycling and clean, tidy neighbourhoods
- Council maintained Parks & Green Spaces
- Dogs and dog ownership
- Neighbourhood safety and neighbourhood nuisance
- Highways and Parking
- Licensing, Planning and Building Control

(Is in the process of being reviewed)

Doncaster

Another generic charter which is an agreement between Doncaster Council, its partners and residents to work together to maintain and improve neighbourhoods in Doncaster. This charter brings together a range of different services that are delivered in the neighbourhood and sets out the standards of service that residents can expect. It also explains what residents can do to help achieve excellent standards. The charter is monitored by residents and service providers to make sure that the service standards are being met.

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Sheffield

A unique Residents' Charter was in place for the SWaN project. (Scowerdons, Weakland and Newstead estates). The SWaN estates were made up of 809 non-traditional houses, built in the 1960s. These property types suffered from persistent repair and structural problems arising from their construction style. The Charter set out the commitment to residents throughout the regeneration process. This included the commitment that a new home of the tenure of choice would be available for existing residents who wanted to return to a new home on the estates.

Tower Hamlets

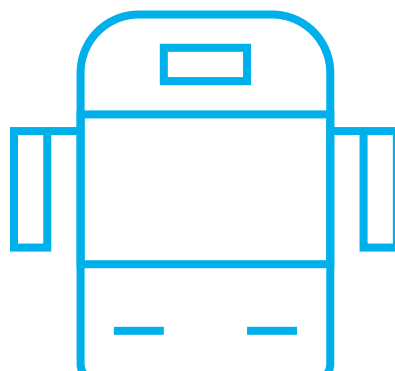
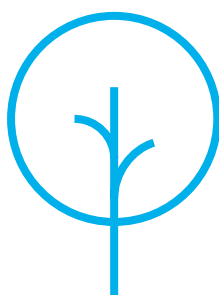
In 2010 Tower Hamlets was chosen to be a pathfinder authority for the Home Office's trial of neighbourhood agreements - essentially a compact between the local authority, its partners and residents on standards of service and roles and responsibilities within a local area.

Their first Neighbourhood Agreement was for the Boundary Estate. The agreement was designed and agreed between residents and local service providers and sets out what each will do to maintain the Boundary Estate and make it a pleasant place to live.

Agreement includes:

- Service standards based on issues identified by residents;
- What service providers can do to ensure standards are met;
- What residents can do to ensure service standards are met.

They have developed a toolkit to assist others in drawing up neighbourhood agreements, reflecting on the learning from this first experience.

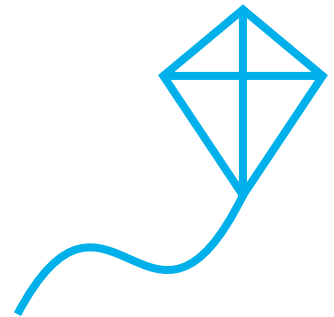


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Home Office findings from the Neighbourhood Agreements Pathfinder Programme (2012)

- When selecting the area that the Agreement will cover it is important to think carefully about the boundaries and capacity of service providers and existing links with local residents.
- The monitoring of the Agreement is more likely to be effective if this is considered in the development stage. Baselines and targets against which the success of the Agreement can be measured should be established at the beginning of the process.
- A range of opportunities should be created for residents to become involved in developing the Agreement and building the capacity for residents to get actively involved is also essential.
- Maintaining momentum and commitment to deliver on the Agreement is important to its success. Well-thought-out long-term engagement strategies will help with this and will keep residents engaged through the delivery of the agreement, not just during its development.
- For many service providers, the final Agreement was an extension or formalisation of how they already engaged communities in setting local priorities. However, for some, involving residents in shaping their service delivery was a new approach and for these service providers the process has provided valuable learning about the needs of the local community and informed service reshaping to a greater extent.



You can respond to this document in a number of ways:

By completing the questionnaire survey on the City Council's BeHeard website at **BirminghamBeHeard.org.uk**

The closing date for the consultation is **28 September 2018**

By emailing us at: **CommunityGovernanceViews@birmingham.gov.uk**. Please indicate whether you are responding as an individual or on behalf of an organisation. If you are representing a group please indicate the process by which your submission was discussed and agreed.

By attending a Ward Forum meeting in your ward. These meetings are being organised between now and the end of September and information will be provided when the meetings are arranged. Future Ward Forum meetings can be found here: **<https://birmingham.cmis.uk.com/birmingham/Committee/Wards.aspx>**

By attending a number of other meetings, known as "Community Conversations" that we will be setting up across the city.

