

**SOLIHULL METROPOLITAN BOROUGH COUNCIL
PARISH AND TOWN COUNCILS IN SOLIHULL**

LOCAL COUNCIL CHARTER

This Charter was adopted by Solihull Metropolitan Borough Council on 8th April 2008

April 2008

LOCAL COUNCIL CHARTER

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LOCAL COUNCIL CHARTER

1. INTRODUCTION

- (1) The Parish and Town Councils of the Metropolitan Borough of Solihull (“the Parish and Town Councils”) and the Council of the Metropolitan Borough of Solihull (“the Borough Council”) have agreed to publish a charter which sets out how they aim to work together for the benefit of local people. This Charter is the result of discussions locally to establish a new way of working and to confirm existing good practice.
- (2) The Borough Council acknowledges the important role that Parish and Town Councils play as the grass-roots level of local government. By working with them and the Solihull Area Committee of the Warwickshire and West Midlands Association of Local Councils (WALC), the Borough Council aims to act in partnership with local communities, while balancing the needs of the wider community.
- (3) In their role as democratically accountable bodies, Parish and Town Councils offer a means of shaping the decisions that affect their communities. They offer a means of decentralising the provision of certain services and of revitalising local communities. In turn, Parish and Town Councils recognise the strategic role of the Borough Council and the equitable distribution of services which it has to achieve.
- (4) This Charter reflects the increasing importance attached by Central Government to partnership working and the development of *Quality* status for Parish and Town Councils.
- (5) The first part of this Charter (Part 1) applies to all Parish and Town Councils in the area.
- (6) The second part (Part 2) applies to *Quality* Parish and Town Councils only.
- (7) This Charter will be reviewed by the Borough and Parish and Town Councils in 2009 after 12 months of operation and then annually thereafter.

PART 1 ALL PARISH AND TOWN COUNCILS

2. SUSTAINABILITY

The Borough Council will work in partnership with all Parish and Town Councils in its area to promote sustainable social, economic and environmental development for the benefit of local communities.

3. ICT STRATEGY

The Borough Council and Parish and Town Councils will make use of information and communications technology wherever possible for the exchange of information, consultation documents, reports and minutes. Electronic communication will be the preferred means of communication.

4. COMMUNITY STRATEGIES AND LOCAL STRATEGIC PARTNERSHIPS

The Borough Council will involve Parish and Town Councils in the processes of preparing and implementing the sustainable community strategy ("One Borough: an equal chance for all") to promote or improve the economic, social and environmental well-being of the area, and the role which Parish and Town Councils should take. The Borough Council will consult and involve Parish and Town Councils accordingly about the content and direction of the sustainable community strategy as it affects the local communities they represent.

Parish and Town Councils are encouraged to participate in the Solihull Partnership, either through networking meetings or consultation. Each Council is encouraged to nominate a representative to sit on the Solihull Partnership Forum.

5. LOCAL GOVERNANCE

- (1) The Parish and Town Councils shall be represented by the Solihull Area Committee of WALC, a body of member Councils comprised of Parish and Town Councillors appointed by all the Parish and Town Councils.
- (2) Representatives of the Parish and Town Councils sit on the Solihull Partnership Forum for the Borough.
- (3) The Borough Council will hold liaison meetings with the Solihull Area Committee which shall include representatives of all Parish and Town Councils that wish to take part.
- (4) Parish and Town Councils will invite representatives (members and/or officers) of the Borough Council to meetings.
- (5) The Borough Council's Returning Officer also exercises returning officer functions relating to the holding of Parish and Town Council elections. The respective authorities will work together to limit the costs of holding such elections.

6. CONSULTATION

- (1) The Borough Council will aim to give the Parish and Town Councils the opportunity to comment before making a decision which affects the local community. The Borough Council will publish on its web site (www.solihull.gov.uk) its forward plan, a list of its public reports to the Council, the Cabinet, Cabinet decision sessions, committees, boards and sub-committees. Responses should be made to lead officers designated by the Council.
- (2) Only in exceptional circumstances will consultation not take place, in which case a written explanation will be given.
- (3) 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 where reasonable and appropriate regular meetings, ad hoc project groups or specific service consultative groups and, at officer level, individually or through working parties and groups.
- (4) The Borough Council will strive to be represented at meetings with the Parish and Town Councils (or groups of such Councils) at a mutually agreed time to discuss matters of common interest.
- (5) Parish and Town Councils will send copies of their agendas, papers and minutes to the Borough Council and to borough councillors for their area upon request. Officers and councillors of the Borough Council will be given an opportunity to speak at Parish and Town Council meetings on matters of mutual interest.

7. INFORMATION AND COMPLAINTS

- (1) When the Borough Council consults Parish and Town Councils, it will provide them with sufficient information to enable them to reach an informed view on the matter, and give them a reasonable time to respond in accordance with the statutory requirements where applicable.
- (2) The Borough Council will communicate with Parish and Town Councils and others in the community by publishing where appropriate relevant newsletters/local promotional material and making it available to local communities.
- (3) The Borough Council and the Parish and Town Councils will promptly acknowledge letters and emails sent by the other party, and both will within a reasonable time provide substantive answers to letters and emails which need a reply in accordance with the provisions of its service standards.
- (4) If a Parish or Town Council is dissatisfied with the Borough Council's actions or response to a request for information, or a failure to consult, the Parish or Town Council may make a formal complaint to the Chief Executive of the Borough Council.

8. STANDARDS COMMITTEE

- (1) Both the Borough Council and the Parish and Town Councils have adopted codes of conduct, following the national model code of conduct. The Parish and Town Councils will work with the Borough Council's Standards Committee and its Standards Sub-Committee to promote and maintain high standards of conduct.
- (2) The Borough Council has agreed to appoint on the nomination of the Solihull Area Committee, three representatives and alternates of the Parish and Town Councils to the Standards Committee (and two such representatives and alternates to the Standards Sub-Committee).

9. DELEGATING RESPONSIBILITY FOR SERVICE PROVISION

If a Parish or Town Council (or group of Local Councils) wishes to discharge functions on behalf of a principal authority, the Borough 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 Borough Council will, in consultation with the Parish or Town Council, explore alternative solutions to encourage more local-level input into service delivery.

10. FINANCIAL ARRANGEMENTS

- (1) The principles of financial arrangements for Parish and Town Councils are set out at Appendix 1.
- (2) Where a Parish or Town Council arranges to take on the provision of certain services, the level of funding will be agreed by the Borough Council and the Parish or Town Council concerned.

11. LOCAL COMMUNITY LIFE

The Borough Council will promote local community life through participation as appropriate in local schemes.

12. PRACTICAL SUPPORT

- (1) The Borough Council 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.
- (2) In particular, assistance will be offered in identifying and helping to meet the training needs of Parish and Town Councils (for example, through The Warwickshire, Solihull, Birmingham Training Partnership for Parish and Town Councils).

13. COMMUNITY STRATEGIES

Where a Parish or Town Council (or group of Councils) has prepared a Parish or Town Plan the Borough Council will take account of its proposals and priorities in developing and implementing the community strategy and Local Development Framework as it affects the local areas concerned. The Borough Council will strengthen links between the Parish and Town Councils and the Local Strategic Partnership in order to improve delivery of local priorities.

PART 2 QUALITY PARISH AND TOWN COUNCILS

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

14 INFORMATION AND ACCESS POINTS

- (1) If a *Quality* Parish Council (or group of *Quality* Parish Councils) wishes to become a local information and/or access point for the Borough Council's services the Borough Council will help it to do so. In particular it will:
 - (a) issue to the Parish Council (and up-date as necessary) relevant written information on and application forms for its services
 - (b) give electronic access to similar information and forms (where it provides these electronically) provided the Parish Council has appropriate technology
 - (c) provide so long as resources allow suitable briefing, training and support to staff of the Parish or Town Council

15 LAND USE AND DEVELOPMENT PLANNING:

- (1) Where a *Quality* Parish Council (or group of *Quality* Parish Councils) has prepared (in consultation with the Borough Council) a Parish or Town Plan which includes proposals concerning land use and development planning issues (e.g. a village design statement) the Borough Council will formally recognise such a plan as material consideration in decision making and will consider its adoption as part of the Local Development Framework in due course.
- (2) A Parish or Town Plan should accord with and apply established national, regional and local strategic policy. However where circumstances have substantially changed and as a consequence the Parish or Town Plan proposals imply some changes to the local development framework for their area, the Borough Council will consider and discuss the proposals with the Parish or Town Council (or Councils) as part of its next review of that plan. In the meantime, the provisions of the statutory development plan will take precedence.

16 DELEGATION OF FUNCTIONS AND SERVICE PROVISION:

- (1) It is anticipated that during the period this Charter is in operation, the number of *Quality* Parish Councils will increase considerably. The arrangements in Part 1 apply equally to *Quality* Parish Councils and other Parish and Town Councils. However, there is a presumption that *Quality* Parish Councils will wish to take on the provision of additional services and that the Borough Council will wish to work with them to enable them to do so, where this is appropriate and promotes community well being.

- (2) Therefore, during the life of this Charter, the Borough Council and the Parish and Town Councils will work together to develop a protocol for the delegation of services. This will take into account the need to
- Demonstrate Best Value (this will need to include costs, including potential double charging of residents, economies of scale, implications for the Principal Councils' workforce and the use of buildings and equipment etc)
 - Be within the capacity of the Parish or Town Council
 - Provide a coherent pattern of services that is understandable to the public
 - Have arrangements that are transparent and accountable
 - Adhere to the equality and diversity policies and procedures of the Borough Council.
 - Make sustainable use of resources and promote sustainable development.
- (3) Delegation arrangements will be set out in a formal legal agreement or service level agreement as appropriate which will specify the terms of delegation, financial arrangements and standards.
- (4) The principles of financial arrangements for delegated services are set out at Appendix 1. These are in accordance with the ODPM Guidance document "*The Quality Parish and Town Council Scheme*". The level of funding will be agreed by the Borough Council and the Parish or Town Council in each case. A list of possible functions that might be delegated is given at Appendix 2. A list of possible concurrent services is set out in Appendix 3.
- (5) It is anticipated that Quality Parish Councils will normally be the preferred option for the development of pilot projects and other new initiatives.

Appendix 1

[Local financial arrangements for Parish and Town Councils in accordance with paragraphs 10(1) and 16(4) above]

Principles of Financial Arrangements for the Delegation of Functions and Services to Local Councils

The following principles are those which should govern the financial arrangements between the Borough Council and Parish and Town Councils. They set out the key aims to be achieved when setting up new arrangements.

1. Fairness - in the provision and cost of services (and access to them) to the public throughout the area of the Borough Council and between parished and non-parished areas
2. Simplicity – to keep the administrative costs of operation to a minimum
3. Transparency – to help understanding of the arrangements
4. Democratic control and accountability – to allow Parish and Town Councils to support additional services with additional expenditure whilst ensuring accountability to those responsible for funding. This means distinguishing between funding by the Borough Council (for a service carried out by a Parish or Town Council) and funding raised by Parish and Town Councils themselves (e.g. using their precepting powers).
5. Finance following function – where provision of a service is devolved or transferred from the Borough Council to a Parish or Town Council, funding is also transferred, with the amount involved being agreed by the Borough Council and the Parish or Town Council.

These principles should be a continual reference point when setting up new or assessing existing financial arrangements between the Borough Council and Parish and Town Councils.

The funding body responsible for levying taxes will have the right to review arrangements from time to time and may produce proposals to amend them for policy, service efficiency, or budgetary reasons.

Specific arrangements for delegation of functions and service provision are under pinned by these principles.

Appendix 2

[Locally drafted arrangements for delegation of functions and service provision to Quality Parish and Town Councils in accordance with paragraph 16 above]

List of possible services that may be delegated to Quality Parish and Town Councils by the Borough Council

- Allotments
- Control of markets
- Issue of bus and rail passes and other transport voucher schemes (e.g. taxi vouchers)
- Litter collection and litter control measures
- Maintenance of highway verges, footways and footpaths
- Noise and nuisance abatement
- Operational Aspects of Parking provision
- Public conveniences
- Recycling provisions
- Road safety measures
- Street cleaning
- Street lighting (other than principal routes)
- Street naming
- 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)
- Taxi and public entertainment licensing

Delegation arrangements will be subject to formal agreements which will govern the respective liabilities of the Borough and Parish and Town Councils.

THIS LIST IS NOT EXHAUSTIVE

List of Possible Concurrent Services

- Allotments
- Boating pools
- Bus shelters
- Car parking (off street)
- CCTV (installation and maintenance)
- Cemeteries and burial grounds
- Christmas lights and trees
- Closed cemeteries and burial grounds
- Commons and common pastures
- Community centres
- Crematoria
- Entertainment and the arts
- Footway lighting
- Grants to bus operators
- Grass cutting
- Information services (transport, tourism)
- Highways maintenance
- Leisure facilities
- Litter and dog waste bins
- Museums
- Open spaces
- Parks
- Playgrounds
- Playschemes
- Playing fields
- Public clocks
- Public conveniences
- Public seats adjoining highways
- Recreation grounds
- Sports pitches
- Street cleansing
- Subsidies for uneconomic post or telecommunications services
- Taxi fare concessions
- Tourism promotion
- Traffic calming
- Village greens
- Village halls
- War memorials