

**TOWN COUNCIL 14 NOVEMBER 2012****1. THE LOCAL COUNCIL CHARTER FOR NORTHUMBERLAND**

- 1.1 A revised version of the Local Council Charter for Northumberland has been issued following protracted discussions between Northumberland County Council and Northumberland Association of Local Councils and this will replace the original 2009 Charter. A copy is attached at Appendix 1.
- 1.2 The background builds on good practice and relationships between the county council and local councils and promotes a 'think parish' approach. Getting the relationship right identifies the prominent role in shaping local communities; being responsive to local needs and increasing localism.
- 1.3 There are a range of commitments for the county council and local councils under sections dealing with local democracy and community leadership; communication; consultation and engagement; finance; advice and support.
- 1.4 Section 2 is about delivering local services and assets and includes a list of 'Parish Services' with intended transfer from the county council across the county. It also introduces the possibility of local delivery of county council services following an agreed business-case and enhancing county services. It also promotes enhancing communication through Information Communications Technology (ICT).

RECOMMENDED that the Town Council consider the respective commitments of the new Charter.

**2. LOCAL SERVICE DELIVERY**

- 2.1 Northumberland County Council has published its intentions regarding Local Service Delivery and provided a framework to explain and guide partnership working between the county council and all local councils. It is introduced by the Deputy Leader and identifies responsibility for local services from April 2013 based on its view of equalisation of services as a fair and proportionate view.
- 2.2 Newbiggin by-the-Sea Town Council has already accepted responsibility for inspection and maintenance of play areas; bus shelters; public seating; floral planting; provision of litter bins; cleansing of the War Memorials under Service Level Agreements currently with the county council.
- 2.3 The following services are to become the responsibility of local councils across the county and be transferred by the county council from April 2013:

Cemeteries  
Parks  
Playing Fields  
Village Greens  
Public Halls and Community Centres

For Newbiggin this would involve the transfer of responsibility for Memorial Park; Milburn Park; the playing fields including football pitches at the Sports Centre; Welfare Park and Collingwood.

- 2.4 The county council maintain that most of the parks and playing fields throughout the county particularly in the former districts of Alnwick; Berwick; Castle Morpeth and Tynedale are already maintained locally. It wants to see these essential assets continue to be maintained so if local councils do not accept the proposed transfers then the county council will charge a special expense to the residents of that parish.
- 2.5 Discussions with county officers have identified that the upkeep of the bowling green and pavilion and the several football pitches all of which are well used by local people is a considerable expense to place on the local community with little prospect of significantly reducing the service routines.
- 2.6 Highway grass cutting will continue to be undertaken by the county council between April and September only with any early or late cuts or special arrangements for 'In Bloom competitions' being funded by local councils as an enhancement. Planting maintained by the county council will consist only of perennial plants or shrubs with some formal bedding being grassed over.
- 2.7 Members are invited to consider in principle whether the Town Council should accept a transfer of all or any of the local services referred to above.

# NORTHUMBERLAND

## Northumberland County Council

### **The Local Council Charter For Northumberland**

#### **Introduction**

This Charter sets out the relationship between the Principal Council (Northumberland County Council) and Local Councils (Town and Parish Councils) in Northumberland.

The Charter has been developed to help local councils and Northumberland County Council work effectively in partnership, acknowledging that the two tiers need to work together closely in order to better serve local people.

Northumberland County Council acknowledges that local councils are the grass-roots level of local government. By working in close partnership with local councils, Northumberland County Council aims to connect with local communities, understand their needs and respond to their priorities. In turn, the local councils recognise the strategic role of Northumberland County Council and the equitable distribution of services that it has to achieve.

This framework document seeks to set out the building blocks of the critical relationship between the County Council and the local councils. In supporting the development of a mutually beneficial working relationship, the Charter will outline the respective rights, roles and responsibilities of each tier, clearly defining the expectations that they may have of each other.

The County Council aims, wherever possible, to communicate directly with individual local councils.

In addition to defining the relationship between Northumberland County Council and the individual local councils the Charter also aims to clarify the relationship between the County Council and the Northumberland Association of Local Councils (NALC). NALC is a membership organisation which supports individual local councils and which supports the relationship between the local council sector and other bodies, including Northumberland County Council.

#### **Background**

Northumberland County Council is the principal council within Northumberland. Northumberland has only recently seen the entire county parished. Berwick became a town council and the south east of the county formed 8 parish councils in 2009.

As the first tier of local government in England, local councils are statutory bodies with a range of powers, with members elected every four years and activities funded principally by an annual precept.

The range and extent of powers possessed by local councils is expanding and the current policy context is developing to suggest that local councils will increasingly play a pivotal role in serving communities. This Charter therefore seeks to underpin any such developments.

In their role as democratically accountable bodies, local councils offer a means of shaping the decisions that affect their communities. They offer a means of decentralising the provision of certain services and of revitalising local communities.

The previous Local Council Charter for Northumberland was adopted in April 2009 at a time of significant change for the County. Further to local government reorganisation and the subsequent formation of many new local councils, 2011 was felt to be an opportune time to review the Charter principles.

The Charter is designed to build on both the existing good practice set out within the previous Charter and the existing relationships between the County Council and local councils. It also embraces the principles of central government's Quality Town and Parish Council Scheme.

Northumberland County Council is committed to promoting a 'think parish' approach. This means, that in making decisions, elected members and officers will consider the impact of proposals on local councils and will consult with local councils and/or NALC as part of the process. In order for a 'think parish' approach to be effective it must be considered by all appropriate departments and elected members within the County Council. Therefore work will be undertaken to promote and cascade the Charter to Councillors and across the various departments of the County Council.

## Section 1 - Getting the relationship right

There is a real opportunity for local councils to play a more prominent role in shaping their communities.

Localism requires public bodies to engage with and be responsive to local needs and opinions. Increasingly localism will involve communities setting their own agendas, taking initiatives and making proposals which will require the County Council to respond and accommodate, as appropriate.

The County Council recognises local councils as a key voice of their local community. This in turn requires local councils to maintain a continuing relationship with their communities to ensure that their views and proposals are well-founded and that they are well-placed to plan for and address future needs and opportunities.

### **1.1 Local democracy and community leadership:**

It has emerged through recent policy announcements that there is real opportunity for local councils to play a more prominent role in shaping their communities.

Northumberland County Council will:

1. Provide support to enable County Councillors to maintain links with local councils within their ward and share information on a regular basis.
2. Identify an Executive member with the responsibility for local councils in order to strengthen the on-going support to the sector.
3. Ensure that County Councillors are aware of any significant issues in their division that are raised by Local Councils.
4. Provide local councils with access to any public report on request.
5. Ensure that there is a consistent approach to the administration of local elections.
6. Involve local councils in an ethical standards regime involving a revised code of conduct and standards committee procedures.
7. Facilitate and run parish polls and referendum if requested by a local council at a cost to the local council.
8. Support local councils in local elections through advice as appropriate and cover a proportion of the election costs.
9. Offer support from county councillors and officers to local councils wishing to produce neighbourhood plans.
10. Via the Locality Development Team, ensure that proposals which emerge from neighbourhood plans and community led plans are considered and addressed by the appropriate officers or members, including those that do not fall within the County Council's statutory planning functions.

In respect of local democracy, local councils will:

1. Provide copies of agendas and papers to officers and County Councillors on request.
2. Assist the County Council to maintain the register of electors.
3. In preparation for local elections, encourage interest amongst residents in standing for election.
4. Assist the County Council with the publicity for local elections.

5. Develop and implement an induction and training process for new councillors.
6. Where a casual vacancy occurs, seek to fill it in good time.
7. Use their powers of co-option to diversify, or to address any perceived imbalances in the composition of the council.

In respect of community leadership, local councils will:

1. Promote and support local surveys and community- led planning, as a means of identifying and addressing a range of local issues, needs and opportunities.
2. Promote the work of local councils to the wider community in order to encourage new local councillors to come forward.
3. Commit to work towards the principles included in the Quality Parish Council scheme.
4. With support from NCC, help the local community to prepare for emergency situations (for example by contributing to community emergency plans).
5. Make available to the public, on request, a wide range of documents in accordance with their Publication Scheme.
6. Encourage residents to attend and raise questions at their meetings.
7. Support the regular publication of news about local council and other community matters.
8. Promote action with the County Council and other partners to address the sustainability of their communities, on matters such as community resilience, climate change, fuel/energy, affordable housing and the local economy.
9. Support action undertaken by the wider community, volunteers and community groups.

## **1.2 Communication:**

Effective communication is the foundation for any successful working relationship. It is recognised that getting the communication right between one large organisation and 150 small organisations requires a great deal of attention and work. Communication needs to be a two way process and it is important that a variety of communication methods are used, dependant on the circumstances. This includes the increased use of ICT and electronic communication routes.

Northumberland County Council will:

1. Communicate directly with local councils while ensuring that local councils are not overwhelmed with too much information.
2. Use a variety of methods to communicate with local councils, electing the best fit approach, depending on issue.
3. Clarify the preferred methods of contact for local councils, defining when local councils should use the contact centre, contact individual officers directly, utilise the Locality Development Team or make contact with their local county councillor.
4. Provide direct contact details of key officers within the Council, in service areas of relevance to local councils
5. Via the Locality Development Team, provide a consistent point of call for all local councils to contact within the County Council through officers that are acquainted with the broad issues and background of each parish.
6. Develop and promote a single, centrally administered database of local council contact details to ensure that officers are using the most up to date contact details.

7. Communicate directly with each local council via e-mail, with no hard copies of correspondence to be sent except in exceptional circumstances.
8. In recognition of local councils' role as statutory consultees on planning applications, commit to supporting local councils during the transitional period from paper to electronic communication in order that they can continue to provide effective input to the planning process.
9. Establish an on-line portal to enable local councils to register for alerts and notifications on policies and consultations that affect their communities.
10. Hold joint area committee and local council events twice a year to encourage engagement and discussion between County and local councils, with the agenda shaped by both tiers.
11. Ensure that County Councillors and other officers, as appropriate, are available to local councils to listen to and action any issues raised by the local council.
12. Commit to meet with local councils on an annual basis where appropriate and requested, either on a one to one basis or through groups or clusters.
13. Provide support where possible to local councils that require help with ICT use (for example training or access to purchasing equipment through NCC providers).

Local councils will:

1. Provide contact details for both clerk and chair including telephone numbers and e-mail addresses.
2. Notify NCC of any changes in Chair or Clerk contact details.
3. Ensure that all Clerks have access to a computer and e-mail account and also encourage Councillors to have access to and utilise electronic means of communication.
4. Use the most appropriate route to contact the County Council, including making use of the contact centre (i.e. the 0845 number or ask@) to log routine problems and service requests. This will ensure that problems are readily tracked and responded to and that officers in the relevant department are making best use of their time.
5. Use a variety of methods to communicate with and consult their communities. This could include newsletters, questionnaires and attendance at public meetings.
6. Utilise local partnerships, forums and other routes to residents and the community, to share information and understand the needs and priorities of the parish.

### **1.3 Consultation and engagement:**

It is essential that the County Council and local councils work together when making decisions to shape services and policies that affect our communities. It may therefore be appropriate for local councils and the County Council to consider undertaking joint consultations.

Northumberland County Council will:

1. Instil a 'think parish' approach in all service planning and delivery.
2. Use NALC as a sounding board for policy and approaches affecting local councils where the issue is strategic or broad in nature or where the timeframes limit a fuller consultation.
3. Consult local councils as a statutory consultee in planning, licensing and highways that include the following core service areas:

- i. All planning applications
  - ii. Planning policies that affect local areas
  - iii. Licensing applications
  - iv. Proposals for highway improvements
  - v. Large scale road maintenance which impacts on local residents
  - vi. Naming of local streets
4. Take account of the views of local councils in the process of setting the budget of the County Council.
  5. Consult local councils where appropriate on issues that affect their area in other services and policy of the County Council.
  6. Allow a minimum of twelve weeks for consultation responses and if this is not possible, provide explanations, if requested, as to why it was not possible to do so; for example, the statutory consultation period on planning applications is 21 days.
  7. Provide a summary, where there is capacity to do so, for complex or lengthy documents.
  8. Provide briefing sessions/workshops where practical for local councils on complex or critical issues.
  9. Have regard to the views of local councils when making decisions
  10. Provide feedback to local councils on the results of consultation where appropriate to do so and where resources allow.
  11. Where policies and proposals are of a general nature, the Council will consult NALC and/or groups of parishes as an effective means of securing the collective views of local councils.

Local councils will:

1. Endeavour to take part in consultations and respond within the given period
2. Endeavour to respond to consultations electronically where possible to do so.
3. Provide advice and feedback to Northumberland County Council on how services can be improved.
4. Take lead responsibility for engaging all members of their parish to represent the views and priorities of the whole community.
5. Engage with residents through a variety of methods.
6. Work with Northumberland County Council to seek the views of residents on matters of mutual interest.
7. Consult and involve Northumberland County Council in the preparation of Town and Parish Plans or in the development of any relevant local initiatives where Northumberland County Council may have an interest.

#### **1.4 Finance**

Financial arrangements will be guided by the overarching principles of equity, efficiency and transparency.

Northumberland County Council will:

1. Keep local councils informed of proposed changes to service provision and will consult with the local councils on budget implications.
2. Provide timely and relevant information to support local councils in determining their precepts where appropriate and possible to do so.

3. Ensure equity across the County, with harmonisation of service arrangements following diverse approaches under previous district councils.
4. Support local councils in ordinary elections by meeting the cost of the administration of nominations, the provision of polling station and polling staff and also the polling cards.
5. Provide a detailed breakdown of the election costs to which local councils are expected to contribute.
6. Discuss local councils' requirements for special expenses on a case by case basis.

Local councils will:

1. Provide precept information by the agreed deadline of 24th January to ensure that council tax bills and papers can be collated and compiled in good time for the next financial year.
2. Contribute to the funding of any local council election that is held alongside an ordinary election.
3. Be responsible for the full cost of any local council by-election within their parish.

### **1.5 Advice and support:**

Sharing practical support and advice to ensure the communities across Northumberland are better served.

Northumberland County Council will:

1. Provide briefing sessions on service areas within the County Council where there is considerable change in legislation or services that may have significant impacts for local councils.
2. Provide a consistent point of contact for local councils through the Locality Development Team, signposting them within the Council for the advice and support they require.
3. Provide training and briefing events to support local councils work with ICT, planning, standards and service transfers.
4. Encourage local councils wishing to achieve Quality Parish standard and provide support where it is practical and resources permit.
5. Work with NALC to draw up an appropriate training and briefing timetable that meets the needs of parish councils.

Local councils will:

1. Develop and maintain a relationship with Voluntary and Community Sector groups to make sure support is provided for community action where appropriate.
2. Participate in training with NCC as a means of developing shared knowledge, understanding and links between the two tiers.

## **Section 2 - Delivering local services and assets**

### **2.1 Parish services**

Local councils possess a wide range of powers to provide local services and organise activities, such as parks, sports centres, burial grounds and arts festivals. In most cases both tiers of council (i.e. local and County) possess these powers and they are described as concurrent functions. The services that are available in a local area will differ from place to place according to needs, opportunities, priorities etc. The Charter seeks to clarify which of

these concurrent functions should normally be provided, if at all, by the local council rather than by the County Council. These 'parish services' are listed below.

Where a 'parish service' is currently provided by the County Council steps will be taken to transfer the service to the relevant local council. Where specific land and buildings are integral to that parish service, (i.e. a park, pavilion, cemetery. etc.), the County Council will also transfer the ownership (or in a leasehold property, the lease) to the local council. Where a local council is unable or unwilling to take responsibility for a parish service the County Council may levy a 'special expenses' precept on the particular parish in order to pay for the continuation of that service.

The Joint County Council – NALC Charter Implementation Group will operate a Charter Implementation Programme to ensure an ordered and supported transfer of services and assets, working to an appropriate timetable.

Parish services are:

- Allotments
- Bus shelters
- Cemeteries
- Children's play areas
- Parks, playing fields and other open spaces for primarily local use
- Provision of floral displays and participation in 'In bloom' competitions
- Provision of new ornamental local gateway signage
- Public conveniences for primarily local use.
- Public halls and community centres if not held by a charity
- Seasonal lighting
- Supply of new and replacement litter bins
- Town twinning
- Village greens
- War memorials

## **2.2 Local delivery of County Council services**

A local council may express an interest and put forward a business-case to take responsibility for running a local County Council service. This arrangement will normally involve a service-level agreement including provision for the County Council to pay the local council to deliver the service.

The arrangements would not normally be permanent because the County Council will retain ultimate responsibility for the service and will therefore retain ultimate control of any relevant land or buildings.

In all cases these arrangements will be subject to:

- an assessment of the local council's capacity and systems to run the service
- value-for-money considerations
- the need to retain a coherent pattern of service provision across the county, where there is the prospect of a diversity of providers
- transparent and accountable arrangements
- equality and diversity consideration where applicable

- the needs and views of service-users
- Consistency with the County Council's Commercial Strategy.

The County Council and NALC will develop a framework to ensure that arrangements are fair and realistic, with appropriate attention given to the management of risk and quality control and the provision of training, information and other support.

### **2.3 *Enhancing County Council services***

The County Council is committed to the principle of enabling local councils, if they wish to make financial contributions in order to improve the frequency or quantity of County Council services in a local area. A common example is the frequency of grass-cutting of public amenity spaces. To ensure there is clear added-value the County Council will establish and publicise detail of what constitutes the baseline service-standard and will provide transparent and consistent costs for enhancements and additions.

Subject to agreement with the County Council a local council may wish to undertake service enhancements itself rather than contract with the County Council.

For some services it may not be practicable to undertake such enhancements.

### **2.4 *Services subject to closure***

The County Council is committed to the retention and provision of a range of services across Northumberland. However where a local service may face closure due to budget constraints the County Council will consider allowing a local council to take responsibility for the service. The County Council will endeavour to give sufficient period of notice and to offer appropriate guidance. Normally the local council will need to meet the on-going costs under these circumstances.

## **Section 3 - Performance, Monitoring and Review**

Performance against the undertakings within the Charter will be monitored and evaluated on a regular basis through a joint mechanism to be agreed between the County Council and NALC. Significant issues of non-compliance will be referred to the Executive and the NALC Committee.

The Charter will be reviewed annually, with local councils, to ensure that it remains fit for purpose. It will be amended to reflect emerging developments locally and nationally.

The Charter will form part of the induction and training process for staff and Members of Northumberland County Council who are expected to have dealings with local councils. IT will also form part of the training process for local council clerks and councillors.

### **Information and Communications Technology (ICT)**

A key role of the Charter is to promote and enhance the channels of communication and understanding both between the County Council and local councils and between local councils and their wider communities. The fuller use of ICT by local councils is one very important element in these relationships but this will take time and support to develop.