

Northumberland Charter for Local Councils

A framework for developing and enhancing the relationship
between Northumberland County Council and local councils
in Northumberland

Northumberland County Council
Northumberland Association of Local Councils

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1 Introduction

This Charter sets out the range of commitments and the opportunities concerning the relationship between the two tiers of local government in Northumberland, with effect from April 2009: the new Northumberland County Council, and the 150+ local councils.

Local councils (whether known as parish, town, neighbourhood, village or community councils) are statutory community organisations which have a legitimate role to articulate the needs of their community, to provide services and organise activities for the benefit of their community, and to support initiative and action by the wider community. Northumberland County Council ('the Authority') recognises and values the role of local councils, and this Charter seeks both to develop this role, and the relationship with the County Council.

2 The Parties to this Charter

The following bodies and their structures and networks are party to this Charter.

- The Authority: i.e. Northumberland County Council, including its members, staff and committees
- Local Councils: i.e. all parish, town, neighbourhood, village and community councils in Northumberland, including their staff and members, together with any joint committees
- Northumberland Association of Local Councils: the representative body for local councils in Northumberland and Newcastle, together with its committees and panels
- Northumberland Strategic Partnership: together with its substructure of thematic groups and area partnerships

In addition, this Charter makes reference to the relationship of local councils and/or the County Council with the following: Northumberland Care Trust; Community Action Northumberland; the Northumberland VCS Consortium; local community forums.

3 Shared Principles and Objectives

3.1 Local Councillors as Community Leaders

The County Council is committed to ensuring that all councillors in Northumberland both unitary and local are fully supported to fulfil their role as a Community Leaders.

Community leadership is about councils, both councillors and officers, enabling local communities to steer their own future. It is not traditional, top-down leadership, but involves councillors and officers using all the tools at their disposal to engage communities in making their own difference.

To enable successful community leadership, councillors need to have:

- democratic legitimacy
- the ability to build effective partnerships with other local organisations and communities
- a commitment to community engagement and empowerment
- the ability to respond effectively to local priorities
- a sound understanding of local governance arrangements
- an understanding of the local community and the groups and organisations within it
- access to key people in other agencies within that community
- access to officers and key people within the County Council

3.2 Local Councils and Service Delivery

The credibility of community leadership relies on delivering **responsive services**. The Council and its partners need to attain an effective balance between achieving value for money through economies of scale whilst recognising that for certain services a “one size fits all approach” is not appropriate and will only serve to engender cynicism among communities. This may mean that certain niche or tailored services are commissioned through the voluntary and community sector or devolved to parish and town councils.

Surveys of local councils in Northumberland have demonstrated their overwhelming desire to be consulted by the County Council (and by other agencies) and to be involved in certain services and many decisions affecting their own areas.

The Charter recognises that within Northumberland there is a wide diversity of local councils and that not all local councils are able or willing to take on substantial responsibilities including service provision. Some of the county’s rural parish councils have very small precepts that mainly support the employment of a clerk. However the larger town councils already have a track record of service delivery, and in the South East new parish councils are being established that will serve substantial populations.

3.3 Aims

Therefore our collective aim is to improve the effectiveness of public services by ensuring services are delivered to suit the needs of users rather than providers through:

- improving communication and co-operation between local councils and the County Council.
- improving democratic engagement between the County Council, local councils and the wider community through Community Forums

And where appropriate and over time:

- developing new partnerships for the joint management of services or functions
- devolving to local councils the responsibility for certain services or functions.

4 Communication and ICT

Although traditional communication modes such as post and telephone will continue to be available, the preferred mode for most communication between the County Council and local councils will be via ICT, email and websites.

To this end, the County Council will use its best endeavours within resource constraints to:

- use ICT for most of its routine and widespread contact with local councils, unless there are any statutory limitations
- include local councils in its e-government initiatives
- provide technical support (advice and information) to enable local councils to use ICT effectively
- ensure that local councils have access to the necessary ICT connections such as Broadband
- give local councils access to bulk purchasing benefits, and to surplus ICT hardware and software
- undertake not to overburden local councils unreasonably with material which is difficult or costly to download
- make available to local councils the names and details of the responsible officers throughout the County Council

Local councils will:

- use ICT for most of their contact with the County Council, unless there are statutory limitations, or where a direct conversation would be more efficient or effective
- ensure that their staff are connected and basically proficient in the use of ICT
- inform the County Council of their key contact details
- work collectively with other local councils or NALC where this eases good communication

5 Consultation

Consultation is the process by which the County Council seeks the opinion of a local council, before reaching and implementing a decision. The subject areas are listed in Appendix 1, and they include both the formulation of policy, and the delivery of services and functions at the local level. In carrying out this consultation, the County Council will use its best endeavours to:

- provide regular briefings, to equip local councils to play a full and effective part
- provide all necessary information, including information on the policy context within which decisions will ultimately have to be made
- allow a realistic consultation period, taking into account any statutory requirements
- take account of the local council's views before reaching a decision
- report and on request explain to the local council the County Council's decision

In cases of extreme urgency, full consultation may not be practicable.

Local councils will:

- organise themselves to be able to respond effectively and in good time to consultations
- undertake to respond to specific proposals for their parish
- make every effort to respond to more-general consultations even if their response is 'no comment'

On many issues, the authority will consult directly with each local council individually.

In addition to these processes of consultation, local councils will be encouraged to undertake and facilitate community scrutiny of the services and activities of the council and other public agencies working in their area. This may take place at parish level or across wider areas, and it may take the form of public meetings on specific issues, organising petitions or the lobbying of local councillors to raise a Councillor Call for Action. The County Council will undertake to consider fully such representations at an appropriate level and to respond as to what actions it intends to take to address the issues which have been raised.

6 Responsibility for service - delivery

By statute, local councils throughout Northumberland have the power to provide a range of local services such as allotments, public open spaces and other activities. Where these exist in a parish area, and where there is a continuing need for them, local councils will normally be responsible for organising and financing them. A list of such services and activities is included in Appendix 2, Parish Services

The County Council is responsible for a wide range of public services, and it is committed in principle to making arrangements for appropriate bodies (including local councils) to deliver certain, very local services as part of its vision for a dispersed and networked council. A 4 year strategic change programme will be developed and within the first year “cornerstone” elements will be established by working with NALC and parish councils.

In all cases these arrangements will be subject to:

- an assessment of the local council's capacity, capability and systems (see below)
- value for money considerations
- the need for a coherent pattern of service provision, across the county
- transparent and accountable arrangements
- equality and diversity considerations, where applicable

Included in Appendix 3 is an indicative list of the services which the County Council may consider devolving to local councils. It includes both services which could be delivered by a local council or by a diversity of different third parties.

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 to the need to respond to the views and needs of service-users.

7 Quality and capacity

The County Council and NALC will promote the voluntary take-up by local councils of the Quality Parish Council Scheme (QPS) as a basic benchmark of good practice, embracing aspects of legal compliance, public accountability and community engagement.

In addition, for those local councils which seek to deliver the County Council's services under devolved arrangements the County Council and NALC will jointly develop and administer a framework for assessing their capacity and of monitoring their performance. Relevant considerations will include the local council's:

- risk management
- quality control
- staffing capacity and skills
- access to appropriate plant/equipment

8 Service enhancement

The County Council is committed in principle to the opportunity of service-enhancement by local councils, whereby a local council makes a financial contribution to enhance the quality or quantity of a particular service, delivered in the local area by the County Council. This might include, for example, paying for an increased frequency of grass-cuts of the local playing-field, or contributing to the cost of employing a youth worker for the area.

To ensure that there is clear added-value, the County Council will establish and publicise clear information about the baseline standard of provision of a particular service. It is recognised that for some services, it may not be practicable or desirable to undertake such enhancements.

9 Partnership and joint working

The County Council and NALC will ensure that local council interests are represented on a range of committees and other structures, including:

- the Northumberland Strategic Partnership: Board, Executive, relevant thematic networks and Area Partnerships
- the County Council's Standards Committee

Each local council will actively encourage the local members of the County Council to attend meetings of the local council, and to make appropriate contributions to the proceedings. Subject to capacity and time considerations, the members of the County Council will endeavour to attend meetings of their local councils, from time to time.

The County Council and NALC will organise and convene regular network meetings for local councils at various geographical levels, both to aid communication and co-operation, to share good-practice, and to review the operation of this Charter

Local councils will also be encouraged to co-operate with their neighbour councils, whether or not through formally constituted joint committees or voluntary mergers, in order to achieve appropriate economy where needed.

10 Community Forums

A Community Forum is a place where the wider community can come together to share local knowledge and concerns and to work together with the Council and other service providers to tackle them. It allows all levels of elected democracy to engage actively with their wider local constituency so their decision-making can be as well-informed as possible.

The Forum is a way of working rather than an institution. It engages people and organisations in a community planning process that allows citizens to shape the places in which they live and work.

The County Council and NALC acknowledge that local councils are vital to the effective working of the Community Forums. Local councils are aware of the prevailing local challenges and opportunities and will be instrumental in helping to get residents engaged in the Community Forums.

Therefore the County Council and NALC are committed to developing the effectiveness of the 'local voice' through Community Forums and local councils will be encouraged to take a leading role in these Community Forums and in ensuring the continuing participation by the wide range of community interests.

11 Policies and plans

Local councils will be encouraged to work with their communities to plan ahead, and to prepare priorities and strategies for the future: both at parish level, and across wider areas. Where several parishes have common interests or concerns, to which they wish service-providers to respond, local councils will endeavour to work together to prepare combined plans. Such plans will normally include, among other things:

- opportunities for improving the services and the decision-making which are the responsibility of a variety of different bodies (public, voluntary and private)
- initiatives and projects which can be implemented by the local council and by the wider community
- information and evidence about needs and opinions, including provision for specialist or minority interests
- local input to and priorities drawn from the county-wide Sustainable Community Strategy and Local Area Agreement
- provisions to improve the operation of the local council(s) and relationships with other bodies

Where community-led plans are seeking to influence the policies or other activities of the County Council, local councils will arrange for dialogue at an early stage with the relevant officers and members of the County Council.

12 Local democracy

The County Council and NALC will work with local councils to promote democracy, and to develop the public's interest in local government. Local councils will:

- encourage the public to attend their meetings and give an opportunity to ask questions and make comments
- make available to the public a wide range of information concerning the local council and the County Council, making effective use of ICT
- help the local members of the County Council to carry out their 'ward responsibilities'
- promote interest in local government elections
- where applicable use their power of co-option and appointment to secure a diverse and representative membership of their council

The County Council will:

- work closely with each local council regarding the administration of elections, including the maintenance of the register of electors, the identification and organisation of polling stations, the posting of statutory notices and the issue of nominations papers
- work with the news media to promote interest in parish elections
- meet the costs incurred in administering the parish elections, other than bye-elections
- undertake Community Governance Reviews at frequent intervals

13 Standards and ethics

The County Council and NALC will arrange for parish council representation on the Standards Committee. The Monitoring Officer will maintain and periodically arrange to update the register of interests and gifts. Each local council will promote good ethical standards, and will co-operate with the Standards Committee to ensure compliance with the Code of Conduct.

14 Assets and property

The County Council is committed in principle to the transfer of property to local councils and other bodies, where this will lead to demonstrable benefit for the community. The County Council will work with NALC and the Voluntary and Community Sector Consortium to develop and implement an appropriate framework. This framework will:

- identify property which is held by the County Council (land and/or buildings) which is surplus to the County Council's needs, for which an open-market disposal to the highest bidder is either not appropriate or not necessary, and for which a beneficial and viable community use can be found
- agree on a suitable body to own/hold and develop the property, taking account of prospective capacity and quality issues
- arrange for appropriate support, technical advice and safeguards to be put in place

Where the responsibility for operating a concurrent function is being permanently transferred to a local council (for example, the operation of a burial ground), the County Council will normally transfer to the local council the ownership of the land and buildings which are integral to the operation of that function.

15 Financial arrangements

Each Autumn, local councils will set their budgets for the following year and will normally notify the County Council of their precept before the end of January. The County Council will pay to each local council the due precept by the due date, as follows: the first half before the end of April; the remaining half before the end of September.

Normally, the Council Tax payers within each parish will be expected to pay for the delivery of the parochial services which are listed in Appendix 2. This Charter seeks to ensure that each local council takes direct responsibility for the delivery of these services. Where for the time-being these parochial services are being provided by the County Council, the County Council will seek to finance them by way of a special expense, under section 34-35 of the Local Government Finance Act 1992.

Where the County Council seeks to devolve to a local council the responsibility for delivering a service which is not a parochial service listed in Appendix 2, the County Council will normally pay to the local council the full amount of the cost of providing that service.

16 Advice, information, training and other support

The County Council will work with NALC, CAN (Community Action Northumberland) and other parties including the VCS Consortium to offer a range of support, as follows:

- where the County Council is consulting (or otherwise working closely with) local councils on issues requiring some technical or otherwise specialist knowledge (for example on the legal or policy context) appropriate guidance will be provided by the County Council's officers
- where the County Council is devolving service-delivery and/or assets to a local council, the County Council will make available appropriate guidance, unless this would conflict with any competitive tendering considerations
- subject to the internal capacity of the County Council, the County Council will make available to local councils support such as back-office services and access to purchasing arrangements, which might not otherwise be available or affordable to local councils
- NALC will offer to local councils advice, information and training on a range of key topics: legal, financial, managerial, procedural and policy matters. NALC will also provide access to the services of the National Association of Local Councils.
- where there is a conflict between a local council and the County Council, NALC will provide advice, and will be available to assist in finding a solution.
- the County Council, and NALC will work with CAN and the 'VCS Consortium' to enable local councils to benefit from the full range of VCS 'infrastructure services': for example, on project-development, grant aid, constitutions, community development, taxation etc.

17 Monitoring and review

It is recognised that during 2009/10 the County Council will be in a state of transition and due time will be needed for this Charter to 'bed-down'. In addition, the 'map' of local councils in Northumberland is changing radically. The creation of new, large and potentially very ambitious town councils in hitherto-unparished areas will create new demands and expectations, alongside the majority of long-established local councils. Therefore the operation of this Charter will be kept under regular review by the County Council and NALC, with the involvement of local councils. In addition there will be formal annual review with the likelihood of re-drafting being necessary in the light of experience.

Appendices

1. Consultation at local council level
2. Parish services
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Appendix 1: Consultation at Local Council Level

Issues, services and functions on which the County Council will consult individual local councils directly as appropriate.

The impact on the relevant parish, or its immediate environs, of decisions or changes to the following:

- The County Council budget
- planning applications, Local Development Framework, planning policies and other conservation-related matters such as tree preservation orders and Advertisement Regulation.
- public rights of way
- traffic management, highway improvements and maintenance, and street lighting
- street naming
- public transport services
- local emergency services
- schooling
- adult education
- youth services
- library and archive services
- arts and museum services
- recreation facilities and activities
- licences (new, renewals and transfers)
- local tourism initiatives
- social housing
- social and community care services
- litter control
- byelaws
- refuse collection and disposal
- waste recycling
- dog control
- caravan site licensing
- countryside and landscape projects (inc derelict land)
- coast protection
- disposal of County Council land
- Sustainable Community Strategy and Local Area Agreement
- economic development and regeneration
- local councils' own training needs relating to these services

Appendix 2: Parish services

The following is a list of functions and services which local councils are expected to manage (where they exist and serve local needs) to be financed by local council budgets..

Allotments

Bus shelters and public seats

Burial grounds and mortuaries

Commons and village greens

Parks, playing fields, playgrounds and other open spaces for the local community

Public halls and community centres (where not run by a separate charity)

Seasonal lighting

Town twinning

War memorials and other monuments

Appendix 3: Devolved Service Delivery

The following is a non-exhaustive list of services and activities which the County Council will consider devolving to a local council may provide as local circumstances allow, subject to the conditions contained in this Charter. This list complements the list of parish services contained in Appendix 2 .

Arts facilities	Tourist information and centres
Car parking	Waste recycling collection points
Closed Churchyards	
Country parks	
Crime prevention measures	
Dog control	
Graffiti removal	
Grounds maintenance	
Libraries and museums	
Litter collection and enforcement	
Markets	
Public access points/one-stop shops	
Public rights of way maintenance	
Public toilets	
Road and pavement maintenance	
Road safety measures	
School crossing patrols	
Street cleaning	
Street signage maintenance and cleaning	