
QUALITY PARISH AND TOWN COUNCILS – A CONSULTATION PAPER

1 Summary

- 1.1 The purpose of this report is to advise members on the consultation being undertaken by Department for Environment, Food and Rural Affairs (DEFRA) and Department for Transport, Local Government and the Regions (DTLR) into proposals to develop a '*QUALITY*' Standard for Parish and Town Councils. The aims are to improve the contribution of parish and town councils to effective local governance; to promote greater co-operation between tiers of local government and to work in partnership with local councils.
- 1.2 Responses to the consultation paper are required by the 14th February 2002. A copy of the consultation paper has been placed in the Members' Room.

2 SUMMARY OF CONTENTS OF THE CONSULTATION PAPER

- 2.1 DEFRA and DTLR want a '*QUALITY*' local council to:
- Be representative of and actively engage all parts of its community, providing vision, identity and a sense of belonging
 - Be effectively and properly managed
 - Articulate the needs and wishes of its community
 - Work in partnership with principal authorities and other public service agencies
 - In proportion to size and skills, deliver local services on behalf of principal authorities when this represents the best deal for the community
 - In proportion to its size and skills, undertake more service delivery and other responsibilities themselves
 - Work closely with voluntary groups and communities
 - Give leadership to work by the community on village or town plans
 - Act as an information point for local services
- 2.2 This will be done through the development of local charters between principal authorities and parish or town councils. Models of the charters have been proposed in the consultation document. The principal authority would be the district council (RDC) and/or the county council (ECC). Where there are two tiers of principal authority joint charters would be encouraged.
- 2.3 The main provisions of the charter should be included in the Best Value Performance Plan of the principal authority.

- 2.4 Details of the provisions of the Charters for all local councils and for those which achieve 'QUALITY' status are identified in Appendix 1.
- 2.5 It is proposed the 'QUALITY' council status can be achieved by meeting set criteria, identified in Appendix 2. Assessment will be based on a checklist format, with accompanying documentation. This would be inspected by the local Councils' external auditors, appointed by the Audit Commission. The proposed length of accreditation is four years, with possible interim tests and reviews after that period.
- 2.6 It is proposed that the parish and town councils will bear the cost of the assessment, which will be at a flat rate.
- 2.7 It is proposed that District Councils will maintain lists of 'QUALITY' councils.

3 OFFICER COMMENTS

- 3.1 There already exists in Rochford a District Council/Parish Charter and Consultative Code of Practice, an update of which was last agreed by Council in October 2000 (Minute 347/00). It covers many of the aspects of local governance identified in the Local Charter now suggested by Central Government.
- 3.2 In addition, the District Council has already transferred a number of facilities/services to specific Town/Parish councils. More recently, the District has established a Parish Partnership Fund to help support the smaller Parishes, in particular in relation to Crime and Disorder related initiatives.
- 3.3 Whilst the opportunity for local councils to gain a 'QUALITY' accreditation is to be welcomed, the new 'QUALITY' accreditation is likely to be onerous on smaller parishes and may lead to a divide between those who are accredited and those that are not.
- 3.4 Where local Councils gain 'QUALITY' accreditation, they will have the opportunity to play an enhanced role in terms of community planning, information and access, consultation and service operation. However, within the Rochford context, through the development of the District/Parish Charter and other practices, the Town/Parish Councils already play a role in many of these areas and it is, therefore, less obvious as to how 'QUALITY' accreditation will significantly enhance their position.

4 RESOURCE IMPLICATIONS

- 4.1 The existing District/Parish Charter and Consultative Code of Practice would provide a useful basis for the development of Local Charters.

4.2 In addition, it is likely that the District Council's staffing resources would be required to help further develop local charters. Also, additional resources might be required to support some Town and Parish Councils to meet the Charter requirements.

4.3 There are likely to be no additional resources available for parishes and towns, or the district, to develop these charters or achieve 'QUALITY' Accreditation.

5 LEGAL IMPLICATIONS

5.1 The Consultation Paper is unclear as to whether the local Charters are legally binding.

6 PARISH IMPLICATIONS

6.1 The proposals relate to working relationships with Parish and Town Councils.

7 RECOMMENDATION

It is proposed that Members consider the content of the consultation paper and comment accordingly.

Paul Warren

Chief Executive

Background Papers:

Quality Parish & Town Councils – A Consultation Paper – November 2001

For further information please contact Helen Drye on:-

Tel:- 01702 318167

E-Mail:- helen.drye@rochford.gov.uk

APPENDIX 1

Charter Requirements for Town and Parish Councils and Principal Authorities

All parishes and town councils will be included in the model charter with the principal authority (RDC), agreeing to work in partnership in the following areas of activity:

1. **Sustainability** - the promotion of sustainable social, economic and environmental development
2. **Community Strategies and Local Strategic partnerships** - involving local councils in consultation, preparation and implementation
3. **Local Governance** - such as liaison meetings, and helping organise the work of the parishes and towns elections.
4. **Consultation** - giving Parishes and towns the opportunity to comment prior to decision making which affects the local community. The principal authority would attend local meetings and be sent copies of agendas and papers and be able to speak at local council meetings on matters of mutual interest if they request to do so.
5. **Information and Complaints** - the principal authority would provide sufficient information for parishes and towns, and if dissatisfied may initiate the principal authorities complaints procedure.
6. **Standards Committee** - maintenance in line with principal authority's standards
7. **Delegated Responsibility for Service provision** - the principal authority will encourage delegation of services to local councils where it is best value to do so
8. **Financial arrangements** – the financial relationships between the local and principal authorities where delegation takes place, will be clear
9. **Local Community Life** - how the principal authority will promote community life through its activities and funding
10. **Practical Support** - how the principal authority will offer practical support through shared use of facilities.

Where a Town or Parish Council seeks and achieves the 'QUALITY' standard additional charter responsibilities would apply:

1. **Community strategies** - Where a 'QUALITY' council has prepared an area plan the responsible authority will take account of its proposals and priorities
2. **Information and access** - If a 'QUALITY' council wants to become the local information point for the principal authority, it will help it do so.
3. **Land Use and Development Planning** - Where a 'QUALITY' council has prepared a plan (in consultation with the principal authority), which includes proposals for land use and development planning, the principal authority will adopt this as Supplementary Planning Guidance.

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4. **Delegation of functions and Service Provision** - the principal authority will agree to delegate one or more services and functions identified below. As part of its Best Value reviews local councils will be given the opportunity to take on aspects of delivery, management and monitoring.

Possible functions which might be considered for delegation to all parish and town councils by the principal authority by mutual consent

Control of markets
Street cleaning
Maintenance of highways Verges, footways and footpaths
Litter collection and litter control measures
Street Lighting
Recycling provision
Street naming
Parking restrictions
Issue of bus and rail passes
Road safety measures
Noise and nuisance abatement
Tree preservation orders
Some aspects of development control
Some aspects of the management of libraries and museums
Some aspects of Leisure and Tourism
Public conveniences
Allotments

As Members are aware some of these functions have been delegated to Towns and Parishes by Rochford District Council.

APPENDIX 2

The 'QUALITY' Accreditation proposal for Parish and Town Councils

The proposals for accreditation are as follows:

Electorate mandate

Local councils should have all their seats filled by members who have stood for election at the beginning of each four-year term

Number of Council meetings

Local councils should hold at least six meetings per year (including the annual meeting), setting aside time for the public to participate

Competent Clerk

Clerks should be able to demonstrate that they possess the necessary skills/competency to carry out their duties. They should refresh their skills/competencies every four years.

Published Annual Report

Local councils will prepare and make public an annual report by the 30th April of that year, to include:

- A Chairman's overview of the councils achievements against previous action plans and targets and what plans and targets are for the following year,
- An un-audited summary of the councils performance including details of any major projects and a statement of when and how the full accounts will be published,
- A list of council members and officers with contact details
- Summary reports of all council meetings held during the year

The DTLR Guidance on Best Value will also apply to councils, which aspire to 'QUALITY' status.

Newsletter

Councils should produce a newsletter on at least a quarterly basis which would be made available to every household in the councils area.

Properly Audited Accounts

The accounts for councils wanting to qualify for 'QUALITY' status will be audited by an auditor appointed by the Audit Commission.