

PARISH COUNCIL CHARTER

Introduction

1. The parish councils of Blakelaw and North Fenham, Brunswick, Dinnington, Hazelrigg, North Gosforth and Woolsington (“the parish councils”) and Newcastle City Council (“the City 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 City Council acknowledges that parish councils are the grass-roots level of local government. By working with them, the City Council aims to enhance its aspiration of most effectively acting in partnership with local communities, while balancing the needs of the wider community.
3. In their role as democratically accountable bodies, parish 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, the parish councils recognise the strategic role of the City 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. Part 1 of this Charter applies to the parish councils. Part 2 applies to *Quality* parish councils only (“a Quality Parish Council”). As at the date of publication of this first version of the Charter, only Blakelaw and North Fenham Parish Council of the parish councils is a Quality Parish Council and holder of the Charter Mark. There will be ongoing monitoring by the parties of the operation of the Charter. It will be formally reviewed after four years in operation by the City Council and the parish councils. Any party concerned about the operation of the Charter should bring it to the attention of the other party so the issue can be considered.
5. Any request by a parish council to the City Council for information or assistance under this Charter should be made to the Head of Democratic Services, unless the Charter specifies otherwise. The Clerk of each parish council shall normally be the first point of contact for them.

Part 1 All Parish Councils

1. SUSTAINABILITY

- 1.1. The City Council will work in partnership with the parish councils to promote sustainable social, economic and environmental development for the benefit of local communities.

2. COMMUNITY STRATEGIES AND LOCAL STRATEGIC PARTNERSHIPS

- 2.1. The City Council will involve the parish councils in the processes of preparing and implementing the community strategy to promote or improve the economic, social and environmental well-being of the area, and the role which the parish councils should take. The City Council will consult and involve the parish councils accordingly about the content and direction of the community strategy as it affects the local communities they represent.

3. LOCAL GOVERNANCE

- 3.1. It is important that the City Council and the parish councils maintain close relationships. The Councils will undertake the following arrangements to ensure effective engagement and liaison between them:

- The City Council has a committee for every Ward (“Ward Committees”) which will be seen as the principal link between the City Council and the parish councils. There are 26 Ward Committees. Each Ward Committee comprises the three city councillors for the relevant Ward. The City Council employs 13 Ward Co-ordinators who as Council officers each have responsibility for facilitating the activities of 2 Ward Committees.

The relevant Wards for the parish councils are:
Blakelaw and North Fenham Parish – Blakelaw Ward
Brunswick Parish – Castle Ward
Dinnington Parish – Castle Ward
Hazlerigg Parish – Castle Ward
North Gosforth Parish – Parklands Ward
Woolsington Parish – Woolsington Ward

Each parish council will be invited to send a representative to attend meetings of its relevant Ward Committee and sent papers. In any event any parish council member or resident is entitled to attend Ward Committee meetings.

- The City Council will hold meetings with representatives of the parish councils as and when necessary to discuss matters of common interest.
- The parish councils will invite representatives (members and/or officers) of the City Council to parish meetings and give them the opportunity to speak on appropriate matters. The parish councils will provide the City Council in advance of the meeting with a copy of the agenda and all reports.
- Parish council representatives will have the right to request to address the City Council or its committees on any matters of local concern.
- Members of the City Council will be encouraged to attend meetings of the parish councils in their electoral divisions, wherever possible.

- The City Council will keep its relevant members informed of significant issues raised in correspondence with the parish councils. In turn, the parish councils will keep relevant City Council members informed about local views on any matter relating to their responsibilities.
- 3.2. The City Council will administer the parish council elections. The respective authorities will work together to limit the costs of holding such elections. When Parliamentary and City Council elections are held on the same day, costs are shared equally between central government and the City Council. The same principle will be applied where parish council and City Council elections are held on the same day. Common expenses, such as the cost of staffing polling stations, will be shared equally between the City Council and the relevant parish council although costs directly attributable to the parish council election, such as printing of ballot papers, will be fully recharged.
- 3.3. Any documents or other information which the parish councils are required to send to the City Council should be sent to the Council's Head of Democratic Services unless otherwise specified. Any documents or information to be sent by the City Council to the parish councils should be sent to the relevant parish Clerk unless otherwise requested.

4. CONSULTATION

- 4.1 The City Council will aim to give a parish council the opportunity to comment before making a decision which affects the local community in the parish area. To help achieve this:
- the City Council will circulate to each parish council in advance a copy of each agenda for Ward Committees and papers attached to the agenda.
 - the agendas and non-confidential reports for all other committees are available for inspection on the City Council's website
 - any of the parish councils can request to be included in the mailing list for any committee of the City Council

Parish councils can also request a copy of any public report at any time.

- 4.2 The City Council will seek to develop more effective ways of consulting with the parish councils, making use of information technology - in line with the City Council's Equalities Policy - using cost-effective means, as appropriate.
- 4.3 The City Council and the parish councils will make use of IT wherever possible and appropriate for the exchange of information, consultation documents, committee papers etc. It is anticipated that this will be the preferred means of communication in the future, and one of the objectives of this Charter is to promote effective and efficient communications between these two tiers of local government.
- 4.4 Only in exceptional circumstances will appropriate consultation not take place, in which case a written explanation will be given on request.
- 4.5. To help achieve the objectives laid down in this Charter and also to discuss matters of common interest, liaison and consultation (both formal and informal)

will be further developed at parish council level through meetings arranged as and when considered appropriate with appropriate City Councillors or officers.

4.6. The City Council will normally consult a parish council on statutory and other major plans and any other proposals which could lead to significant changes in the parish area in respect of the following functions so far as they fall within the remit of the City Council:

- Housing provision
- Youth or community services provision
- Ward Governance
- Electoral issues
- Local Plans
- Provision of Leisure and Cultural Services
- Public Transport
- Traffic

4.7 A parish council will also be consulted on all planning applications being determined in its area by the City Council.

4.8 The City Council will seek to develop arrangements wherever reasonably practicable and appropriate to enable the parish councils to be consulted on the following matters in so far as they affect the parish area:

- Arrangements and changes for waste collection and recycling
- Road maintenance which impacts on local residents, such as tree felling and the timing of any road works
- Proposals to divert, modify or extinguish public rights of way, or to change the status of routes
- Proposals for permanent traffic calming or other significant local safety schemes
- Proposals for highway improvements
- Procedures for the determination of planning applications
- Changes to Youth Service provision
- Changes to Education provision
- Changes to Community Centre support

4.9 When appropriate, consultation with other bodies that deliver services in the parish council locality, eg Police, etc may be achieved through local liaison meetings involving the City Council and the parish councils.

4.10. The parish councils will involve the City Council in the preparation of:

- Parish Plans
- Area Design Statements
- Community Action Plans
- Community events

For the purposes of this paragraph only, the parish councils will liase initially with the relevant Ward Co-ordinator.

5. EMERGENCY PLANNING

- 5.1 The parish councils will undertake to co-operate with the City Council's Emergency Planning procedures.
- 5.2 The Emergency Planning Unit will write to the parish councils as and when considered appropriate seeking updated information for inclusion in the emergency planning arrangements and the Parish Emergency database.
- 5.3 The Emergency Planning Unit is available to talk about emergency planning arrangements within the area and can undertake specific areas of training as required.

6. DISSEMINATION OF URGENT INFORMATION

- 6.1 The parish councils will undertake, where practicable, to support the City Council with any necessary dissemination to parishioners of urgent information from the City Council, for example, last minute cancellation of refuse collection or emergency planning warnings.

7. INFORMATION AND COMPLAINTS

- 7.1 When the City Council consults the parish councils, it will provide them with sufficient information to enable them to reach an informed view on the matter, and give them adequate time to respond in accordance with the statutory requirements where applicable.
- 7.2 The City Council will communicate with the parish councils and others in the community by publishing *City Life* or any other appropriate publication decided upon by the City Council regularly and making it available to the local community. It will also keep the parish councils informed by sending them copies of any other newsletters relevant to their local area. In accordance with paragraph 4.3 this will be undertaken electronically wherever appropriate.
- 7.3 The parish councils will send the City Council through the relevant Ward Co-ordinator a copy of any newsletter published by them. The City Council may consider promoting parish council initiatives in their newsletters and web sites.
- 7.4 The City Council will on request supply in an appropriate format, free of charge, or provide advice on how to otherwise access, the following information:
 - Their financial report and statement of accounts
 - The list of dates of meetings of their Council, committees and sub-committees
 - Their statutory development plans
 - Annual reports
 - The Strategic Plan for Newcastle City Council and Local Community Strategies
 - Details of the internal organisational structure

- 7.5 On request, the City Council will, where it considers it practicable and appropriate to do so, also provide the parish councils with the following (in so far as it relates to the parish council area) free of charge, in an appropriate format, or provide advice on how to otherwise access, the following:
- Parents information booklets, detailing schools in the area
 - Information from surveys and censuses
 - Proposals for highway improvement
 - Electoral roll for the parish
- 7.6 The City Council website contains details of the parish councils. The parish councils agree to inform the City Council of any change of details. Through the City Council's Community website known as City Eye (managed by City Libraries) the opportunity is given for the parish councils, as with other community organisations, to post community information and access assistance.
- 7.7 The City Council and the parish councils will acknowledge letters sent by the other party, and both will provide substantive answers to letters which need a reply in accordance with the provisions of the City Council's Customer Service Charter. This provides that a reply will be sent within fifteen working days, but if a full reply cannot be given in that time, that initial reply will indicate when a full reply can be expected.
- 7.8 This Charter should ensure smooth and effective communication between the parish councils and the City Council. However, if one of the parish councils is dissatisfied any such complaints would in the first instance be handled by the Head of Democratic Services, in consultation with the Head of Legal Services and the relevant Executive portfolio holder. If the matter could not be resolved at this level, or raised issues of wider concern, then it could be referred to the Standards (Parish Councils) Sub Committee (for issues relating to ethical framework) or Neighbourhood Committee (for any other matters). The corporate complaints procedure would still be available for individual casework.
- 7.9 The parish councils undertake to have in place a complaints procedure to address complaints which concern the administration and procedures of the parish council. This is required because parish councils, unlike the City Council, are not subject to the jurisdiction of the Local Government Ombudsman. However, in the event of a complaint about the behaviour of a parish councillor, which involves an alleged breach of the Parish Council Code of Conduct, there is recourse to the Standards Board for England.

8. STANDARDS COMMITTEE

- 8.1 Both the City Council and the parish councils have adopted codes of conduct, based on the national model code of conduct. The parish councils will work with the City Council's Standards Committee and the Standards (Parish Councils) Sub-Committee to promote and maintain high standards of conduct. The Standards Committee comprises 6 City Councillors, 4 independent members and 1 member of a parish council (nominated by the parish councils). The Standards (Parish Councils) Sub-Committee consists of 13 members, including 1 member from each of the parish councils.

- 8.2 The City Council's Monitoring Officer is also the Monitoring Officer for the parish councils and will provide support, where appropriate, to the parish councils with regard to the ethical framework for the governance of parish councils.

9. DELEGATING RESPONSIBILITY FOR SERVICE PROVISION

- 9.1 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.

10. FINANCIAL ARRANGEMENTS AND CONCURRENT FUNCTIONS

- 10.1 Under the Local Government Finance Act 1992 ("the 1992 Act"), each parish council has the discretion to issue a precept to the City Council. A precept must state, as the amount payable by the City Council for the year, the amount which has been calculated by the relevant parish council under section 50 of the 1992 Act as its budget requirement for the year. A precept has to be issued before 1st March in the financial year preceding that for which it is issued.

- 10.2 There are certain functions (called "concurrent functions") which may be carried out by both the City Council and parish councils. A list of the main concurrent functions is set out in Annex A of the *Guidance Note on Financial Arrangements with Parish and Town Councils* ("the Guidance Note") appended to *The Quality and Parish Town Council Scheme* issued by the ODPM (June 2003). These concurrent functions may be carried out by parish councils either because they have power to carry out the functions themselves or because the City Council has agreed they can be carried out on its behalf by parish councils. Where concurrent functions are exercised by both the City Council and parish councils it is recognised that there is a risk of double taxation, that is to say the resident of a parish area being required to pay for a service through the parish precept and also paying for the same service elsewhere in the City through the City Council's council tax.

The City Council and the parish councils agree to work together to ensure that as far as possible financial arrangements are in place to avoid double taxation and to this end the councils will have regard to the principles and good practice guidance contained in the Guidance Note.

- 10.3. Where any agreement is reached for a parish council to take on the provision of certain services on behalf of the City Council, the level of funding will also be agreed by the City Council and the parish council.

11. LOCAL COMMUNITY LIFE

- 11.1 The City Council has in place a Voluntary Sector Compact which sets out the ways in which the City Council and the voluntary community sector in Newcastle will work together and includes the funding relationship that exists between the City Council and the voluntary and community organisations.

In addition, through its Ward Committees, the Council provides further financial assistance to smaller community groups and organisations.

- 11.2 Parish Councils have powers under section 137 of the Local Government Act 1972 to make grants to community and voluntary groups within their parishes. It is recognised that these grants, which are subject to certain criteria, are valuable to community life, assisting for instance local Community Associations and Youth Groups.
- 11.3 Citizen engagement will be a high priority matter for the parish councils. Information derived by whatever process will be shared with the City Council.

12. PRACTICAL SUPPORT

12.1 On request the City Council will, where practical and if resources permit, offer the parish councils access to its support services, to enable them to take advantage of such services, at a mutually agreed fee, such services including:

- 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

12.2 The parish councils will also be able to have access to the City Council's standing lists of approved contractors in order to assist them in the procurement of any goods, works or services.

12.3 In addition, the City Council will where practicable and resources permit be willing to help in the following ways:

- To display information in libraries and council offices
- To provide information and advice on fire safety matters
- To provide information and advice on health and safety matters
- To provide advice on landscape and community enhancement projects
- To provide training opportunities and facilities for Local Councillors and Clerks, when requested
- To process temporary and periodic road closures for community events.

If at all possible, such help will be provided free of charge, or at the most beneficial rates the City Council can allow. In any event, the cost of any necessary statutory advertisements will be borne by the parish council.

- 12.4 The City Council will sympathetically consider any request by a parish council for the shared use or allocation of buildings, facilities and other assets, on terms that are equitable to, and agreed by, both parties following careful consideration of the financial and estate management implications of any proposal.

Part 2 Quality Parish Councils

- 13.1 In addition to the above, the City Council has agreed to work in the following ways with those parish councils which are recognised as having attained *Quality* status.

14. COMMUNITY STRATEGIES

- 14.1 Where a *Quality* council (or group of *Quality* councils) has prepared a parish plan the City Council will take account of its proposals and priorities in developing and implementing the community strategy as it affects the local areas concerned. The City Council will seek to strengthen links between the parish council(s) and the Local Strategic Partnership in order to improve delivery of local priorities.

15. INFORMATION AND ACCESS POINTS

- 15.1 If a *Quality* parish council (or group of *Quality* parish councils) wishes to become a local information and/or access point for the City Council services the City Council will help it to do so provided such arrangements are seen to be reasonably practicable and viable. In particular it will:

- issue to the parish council (and up-date as necessary) relevant written information on and application forms for its services
- give electronic access to similar information and forms (where it provides these electronically) provided the parish council has appropriate technology
- provides suitable briefing, training and support to staff of the parish or town council

16. LAND USE AND DEVELOPMENT PLANNING:

- 16.1 Where a *Quality* parish council (or group of *Quality* parish councils) has prepared (in consultation with the City Council a parish plan which includes proposals concerning land use and development planning issues (eg a village design statement) the City Council may adopt this as Supplementary Planning Guidance (provided it meets the requirements set out in national planning guidance).
- 16.2. Where the parish plan proposals imply some changes to the current development plan or the future local development framework for their area, the City Council will consider and discuss the proposals with the parish council (or councils) as part of its next review of that plan.

17. DELEGATION OF FUNCTIONS AND SERVICE PROVISION:

17.1 As part of its Best Value arrangements, the City Council will give *Quality* councils (or groups of *Quality* councils), who wish to, the opportunity to put forward proposals to take on aspects of the delivery, management and monitoring of services provided by the City Council. On receiving such a request the City Council will have regard to the following matters:

- Best Value considerations including costs, potential double charging of residents, economies of scale, workforce implications and the use of buildings and equipment etc.
- The capacity of the parish council to provide the service.
- The provision of a coherent pattern of services that is understandable to the public.
- Transparent and accountable arrangements
- Equality and diversity policies and procedures of the City Council

17.2 If any arrangements are made whereby the parish council will deliver, manage or monitor services provided by the City Council, a service level agreement incorporating details of the duration of the arrangements and the other conditions that will apply will be entered into in each case.