

CHARTER FOR LINCOLNSHIRE COUNCILS

CHARTER BETWEEN THE
COUNTY AND DISTRICT
COUNCILS IN LINCOLNSHIRE
AND TOWN AND PARISH
COUNCILS WITHIN
LINCOLNSHIRE

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INTRODUCTION

1. Councils at all tiers in Lincolnshire have agreed to publish a charter which sets out how they aim to work together. This Charter is intended to confirm existing good practice and also establish new ways of working where applicable.
2. The Councils jointly represent all levels of democratic local government, to whose principles they are all committed. They are all keen to see continued efforts made to improve our system of local democracy and to see greater public participation in and appreciation of the system.
3. The County and District Councils (Defined as the Principal Authorities) acknowledge and recognise that Parish and Town Councils (Defined as Local Councils) are at the grass-roots level of local government. By working with them and their Association the principal authorities act in partnership with the most local communities, while balancing the needs of the wider locality.
4. 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. In turn, they recognise the strategic role of the principal authorities and the equitable distribution of services which they have to achieve.
5. This Charter reflects the increasing importance attached by Central Government to partnership working and the development of **QUALITY status** for Parish and Town Councils. The first part of this Charter (Part 1) applies to all Parish and Town Councils. The second part (Part 2) applies to **QUALITY Councils** only - ie Those who have achieved the "**QUALITY**" mark as defined by Government.

PART 1 - ALL PARISH AND TOWN COUNCILS

Sustainability

6. Principal Authorities will work in partnership with their local councils to promote sustainable social, economic and environmental development within Lincolnshire.

Community Strategies and Local Strategic Partnerships

7. Principal Authorities will involve their local councils in the processes of preparing and implementing the community strategy to improve the economic, social and environmental well-being of the area, and the role which local councils should play. This will involve meaningful consultation with local councils about the content and direction of their community strategy as it affects the local communities they represent.

Local Governance

8. Principal Authorities will seek to involve their local councils in their local governance arrangements and will liaise in the following ways:
 - a. Maintaining a close working relationship with the Association representing local councils, utilising such mechanisms as the established “*County Forum.*” which has representation from all seven principal authorities and the Lincolnshire Association of Local Councils (LALC)
 - b. Representatives of parish and town councils will be invited to sit on Local Area Forums
 - c. Parish and town councils will invite appropriate Members and Officers of principal authorities to their meetings.
9. District councils will continue to organise the administration of parish and town council elections. The respective authorities will work together to limit the costs of holding such elections.

Consultation

10. Principal Authorities will aim to give their local councils the opportunity to comment before making a decision which affects the local community. In furtherance of this they will:
 - send a copy of any Forward Plans to all parish and town councils or LALC whichever is appropriate and be responsive to comments made

- forward a copy of its public reports to Programme Panels, Committees, Local Area Forums etc. to all parish and town councils or LALC whichever is appropriate at the same time as they are sent to members of the council so that responses may be made directly or through the local members
- advise all clerks of the dates of all its public meetings
- make copies of its agendas available on the council's web site as soon as possible

It should be recognised that in some circumstances, the timescales set for receipt of comments on consultation documents are imposed externally, and are occasionally very short. However, only in such exceptional circumstances will appropriate consultation not take place, and in such cases, a written explanation will be given on request.

11. To help achieve the objectives laid down in this Charter, liaison and consultation (both formal and informal) will be further developed at local level through regular meetings or specific service consultative groups and, at officer level, individually or through working parties and groups e.g. Market Towns Liaison meetings, Highways & Transportation Liaison meetings.
12. Officers of principal authorities will attend meetings with parish and town councils (or groups of local councils) at a mutually agreed time to discuss matters of common interest when requested to do so and given sufficient notice.
13. Parish and town councils will send copies of their agendas and papers to the principal authority's designated officer and to local councillors on request. Officers and councillors of principal authorities will be given an opportunity to speak at local council meetings on matters of mutual interest if they request to do so.

Information and Complaints

14. When principal authorities consult local councils, they will provide them with sufficient information to enable them to reach an informed view on the matter under consideration, and give them adequate time to respond.
15. Principal authorities and local councils will acknowledge letters, and provide substantive answers to letters which need a reply or an acknowledgement within 15 working days
16. If there is dissatisfaction with action or responses the Council's formal complaints procedure may be initiated.

Standards Committee

17. Both principal authorities and local councils abide by codes of conduct, based on the national model code of conduct. The local councils will work with the principal authorities Standards Committees to promote and maintain high standards of conduct.

Delegating Responsibility for Service Provision

18. If a local council (or group of local councils) wishes to take on delegated responsibility for service delivery, principal authorities will actively encourage this, where it is best value (taking account of cost, quality, local preferences and practicability). Where this is not the case or not practicable, the principal authorities will, in consultation with the local council, explore alternative solutions to encourage more local input into service delivery.

Financial Arrangements

19. Principal authorities will undertake its financial arrangements with local councils in accordance with the principles of good practice guidance and as illustrated in **appendix 1**.
20. Where a local council takes on the provision of certain services, the level of funding will be agreed by the principal authority and the local council. A non-exhaustive list of possible functions which will be considered for delegation by mutual consent is given at **appendix 2 (list from model document)**

Local Community Life

21. Principal Authorities will seek to actively promote local community life through such things as grant schemes, and the provision of advice and assistance to local councils

Practical Support

22. Principal Authorities will, where practical, offer local councils access to its own support services, to enable them to take advantage of facilities such as printing and purchasing, at a mutually agreed price. In particular, assistance will be offered in identifying and helping to meet the training needs of local councils.

PART 2 - QUALITY PARISH AND TOWN COUNCILS

23. In addition to the above, the principal authorities have agreed to work in the following ways with those local councils which are recognised as having attained *QUALITY* standard as set and defined by government

Community Strategies

24. Where a *QUALITY* council (or group of *QUALITY* local councils) has prepared a parish plan, the principal authorities will take account of its proposals and priorities in developing and implementing the community strategy as it affects the local areas concerned. The principal authorities will also seek to strengthen links between these local councils and the local strategic partnership in order to improve delivery of local priorities.

Information and Access Points

25. If a *QUALITY* local council (or group of *QUALITY* local councils) wishes to become a local information and/or access point for services the principal authorities will help it to do so where practicable. In particular it will:
- Issue to the local council (and up-date as necessary) relevant written information and application forms for its services;
 - Give electronic access to similar information and forms (where it provides these electronically) provided the local council has appropriate technology;
 - Provide suitable briefing, training and support to staff of the parish council.

Land Use and Development Planning

26. Where a *QUALITY* local council (or group of *QUALITY* local councils) has prepared (in consultation with principal authorities) a village or town plan which includes proposals concerning land use and development planning issues (e.g. a village design statement), the principal authority will adopt this as Supplementary Planning Guidance (provided it meets the requirements set out in national and local planning guidance).
27. Where the village or town plan proposals imply some changes to the current development plan for the area, principal authorities will consider and discuss the proposals with the local council (or councils) as part of its next review of that plan.

Delegation of Functions and Service Provision

28. Principal authorities have agreed to offer a *QUALITY* local council (or group of councils) the opportunity to take on one or more of the services and functions listed in Appendix 1 (to be developed)
29. As part of its Best Value arrangements, principal authorities 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/or monitoring of services provided by them.

This Charter is a working document which will be reviewed on a regular basis.

Appendix 1

The financial arrangements between principal and local councils are governed by the following principles:

- Fairness between council tax bills in parished and non-parished areas, and between different local councils;
- Fairness in the provision of services (and access to them) by the principal authority between different parts of their area;
- Simplicity – to keep administrative costs of operation to a minimum;
- Transparency – to help understanding;
- Democratic control and accountability – to let local council support additional services with additional expenditure whilst ensuring accountability to all those responsible for funding. This means distinguishing between funding by principal authorities (for a service carried out by a local council) and funding raised by local councils themselves (e.g. using their precepting powers)
- Finance following function – where provision of a service is devolved or transferred from a principal authority to a local council, funding is also transferred, with the amount involved being agreed by the principal authority and the parish or town council.

Appendix 2

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 Highway Verges, footways and footpaths

Litter Collection and Litter Control Measures

Street Lighting (other than principal routes)

Recycling Provision

Street naming

Parking Restrictions (and related matters)

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 provision (e.g. bowling greens, playing fields, issue of Leisure permits)

Public Conveniences

Allotments

