

REPORT TO THE PARISH COUNCILS' FORUM 23 JUNE 2009

Draft Parish Charter – Consultation Response

Note: - The Draft Parish Charter, attached to this report, has been reformatted and numbered for ease of reference. There have been no changes to the contents of the document.

1. Overview

The draft Parish Charter was circulated to all parishes.

Eight replies have been received from:-

1. Alvechurch
2. Barnt Green
3. Belbroughton
4. Catshill and North Marlbrook
5. Dodford with Grafton
6. Finstall
7. Hagley
8. Wythall

2. Executive Summary

One Council, Catshill and North Marlbrook, has resolved not to sign the Charter at present. Their specific concerns are to get advice from CALC on the County Charter; see what the consensus is across all parish councils in the district; and to see why Bromsgrove District Council has not signed the County Charter.

From the other seven responses there is broad support for the Charter subject to specific questions and comments including:-

1. finance
2. consultation timescales
3. devolution of services

These comments are covered in detail later in the report

3. Bromsgrove District Council Response

Bromsgrove District Council welcomes the positive responses from the parishes and recognises there is further detailed discussion needed to respond to the comments and questions raised.

From the feedback Barnt Green has proposed that a working group be set up to go through the detailed comments and report back to the Forum. Bromsgrove District Council supports this approach. As a way forward the following recommendation is proposed:-

Recommendation

In order to deliver the Charter it is proposed that

- a small, time limited, working group be set up consisting of Councillor Roger Hollingworth and officers from District Council (to include planning) plus three representatives of the parish councils and
- that the group report back to the Parish Forum on 22 September 2009.

4. General Comments

The following section is a composite of the detailed comments received and follows the numbering in the Draft Charter

1. Introduction

The Charter needs to start with a clear statement setting out the aims of the agreement and the benefits it intends to produce. This should then be supported by the separate chapters and could be added to as the working arrangements develop.

1.1 - will benefit from reference in the final sentence to the addition of “**and it will be subject to periodic review to gauge its success**”.

1.2 - in the second sentence it does not make clear how Bromsgrove District Council intends to work with the Parish Councils and by implication separately, with the Bromsgrove Area Committee of the Worcestershire County Association of Local Councils. The nature of these working relationships needs to be specified more fully.

1.5 - makes reference to Part 2 and 3 of the Charter which needs to be detailed.

2. Core Statement of Agreement

2.1 - refers to “signing up to the document”. The process by which the District Council and parish councils do sign up needs to be specified as well as any intention about the numbers of parish councils signing to make the Charter effective. (Is it intended that all 20 parishes should sign?).

2.1.4 - within this section it refers to raising awareness among the staff of the respective councils about District and parish council roles. This will be important to ensure that the Charter is not merely living in the minds of Councillors but is taken forward in the everyday exchanges between the officers of the Councils signing up to it.

2.1.5 - refers to the important difference in the capabilities of parish councils to handle information and respond to consultation. Parish councils certainly do differ in these respects and this is already manifest in the way they are responding to the new arrangements recently introduced by Bromsgrove District Council in respect of development control functions (as set out in Appendix 3). This does call into question whether in that instance; there was proper recognition of difference prior to implementation of the new approach.

2.1.8 - introduces the monitoring role for the Parish Forum Meeting. Appendix 2 is where the terms of reference for that Forum needs to be detailed, specifically; the Terms of Reference need to be included and made available to Parish Councils for comment, given the significance that the Parish Forum will have under the Charter

2.3 – provision of papers to District Councillors – Does the wording need tightening up? Do District Councillors routinely want to receive all supporting papers (including all papers for committees)? Can the wording be amended as District Councillors can always request to see anything referred to in the agenda?

3. Consultation, Liaison and Engagement

3.1.3 - this section refers to a period of not less than 21 working days for any consultation that Bromsgrove District Council conducts with relevant parish councils. Given the already mentioned difference in parish councils capacities, and the cycle of meetings within parish councils (usually one council meeting per month maximum), wherever possible the lead time for a consultation exercise needs to be of at least one and a half calendar months.

3.1.6 – concern that this clause that it may be used and parishes are not given reasons for it being used. Parishes should be consulted under ‘private session’ with strict guidance on confidentiality if necessary

3.1.7 - refers to consultation being conducted in a way that will enable all parish councils to respond and makes recognition of the variation among them in IT support. Again the content of Appendix 3 on the planning function changes is relevant. While a time limit has been introduced in respect of making paper copies of planning applications and related documents available to parish councils, it needs to be clarified where any such time limit fits alongside the important sentiment in 3.1.7.

3.1.11 - signals the opportunity for a welcome full engagement with parish councils on key parish matters. Unfortunately the example of Parish Plans and the accompanying note on these plans refers to a situation where so far District Council engagement has not been too obvious. Indeed the Parish plans example is one where improved partnership working, achieved under this Charter, needs to be seen in practice. There should also be support from the District Council for parish councils that are seeking ‘Quality Status’. In this same section under the parts identifying parish councils contributions, parish councils must accept their responsibilities in responding to

consultations and attending workshops and briefing meetings as may be arranged by the District Council.

3.3.3 - need more clarification around the arrangements for agenda items being assembled for Parish Forum meetings. They were assembled chiefly via the Bromsgrove area meeting of the Worcestershire County Association of Local Councils. This arrangement does ensure that the agenda contains the items of priority significance to the Parish Councils in Bromsgrove.

4. Information and Communication

4.2.1 - identifies that Bromsgrove Council will increasingly use electronic means for information provision and encourages parish councils to equip themselves for this. This leads rather immediately to the need for a Bromsgrove wide initiative to ensure that parish councils have or plan to acquire (advised by Bromsgrove DC IT staff) cost effective information and communications technology. It would be helpful if the District Council were to lead a development project to promote parish councils' IT capability. (The recognised differences in parish councils' capabilities could therefore helpfully be reduced)

4.2.5 - refers to the use of plain language. There is a concern that much of the language of local authority planning is not of that kind. It would be helpful if documents relating to planning have a glossary explaining key terms or abbreviations.

4.2.6 - relates to the full understanding of parish councils by Bromsgrove District Officers and Members. This picks up on a point made earlier about the proper introduction of the Charter when adopted by all councils that "sign up".

4.2.8 - identifies the opportunities for parish councils to speak at certain committees and boards of the District Council. It may be necessary to clarify whether these speaking rights can apply to both Parish Councillors and Clerks as appropriate.

6. Local Neighbourhood Partnerships

The introduction of two LNP's was not without difficulties. Is there an assumption that LNP's will roll out across the entire District, or only in those areas where parish and non-parishes are seeking them? Preference is for the latter.

7. Devolution of Services

There is a need to clearly identify the financial arrangements and fairness in funding between the parished and non-parished areas.

7.1 – the section states that parishes may ask the District to devolve to them the running of services or may wish to fund services at a higher level than that

provided by the District (for example litter picking). The two situations are quite different but section 7.2 does not distinguish between them. There is a reference to financial arrangements being agreed but no statement of general principles. The County Charter states that fairness between parished and non-parished areas was a general principle as was the principle that finance should follow function.

10. Development Control

Village Design Statements are not included in the Draft Charter. The document mentions encouragement and support for Parish Plans but not in the development and recognition of Village Design Statements.

Appendix 3 – Development Control

Section should include a commitment from the District to work closely with parishes on enforcement issues.

Replies should be within 21 days not 14 – the same as others are allowed.

A comment on point 7, speaking at committee; a preference for five minutes not three in order to allow non-professional people a full opportunity to participate.

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