

MEETING:	CABINET
DATE:	OCTOBER 20 2011.
TITLE OF REPORT:	NEW CHARTER 2011.
PORTFOLIO AREA:	CORPORATE STRATEGY AND FINANCE

CLASSIFICATION: Open

Wards Affected

County-wide

Purpose

To approve the New Charter 2011 between Herefordshire Council and Local Councils in the County.

Key Decision

This is not a Key Decision.

Recommendation

THAT: the New Charter 2011 be approved.

Key Points Summary

- The councils in Herefordshire have agreed to review and update the Charter which sets out how they aim to work together. The New Charter 2011 is the result of discussions locally and across Herefordshire to confirm existing good practice and to establish some new and enhanced ways of working.
- In Herefordshire, there are 134 Parish and Town Councils and four Parish Meetings all playing an increasingly valuable role in local democracy and service provision.
- 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.
- Parish and town councils are the grass-roots level of local government. By working with them and the Herefordshire Association of Local Councils, Herefordshire Council aims to act in partnership with local communities, whilst balancing the needs of the wider locality.
- This New Charter 2011 updates and replaces the Charter for Herefordshire Councils agreed and published in October 2002.
- The New Charter 2011 has been drawn up following discussions between representatives from the Herefordshire Association of Local Councils, the Market Towns Forum and Herefordshire

Council (Cabinet member and officers).

- The New Charter 2011 was the subject of a full consultation with Members and all parish, town and City councils in the May to August 2011 period.
- The approval of Cabinet is now sought for the New Charter 2011. Simultaneously, HALC will seek endorsement from their AGM which is on 22 October.

Alternative Options

1. The alternative option is to do nothing. However the existing Charter is over eight years old and contains a commitment to review on a regular basis. In addition with the launch of the Big Society and the whole localism agenda, it is timely to review and update the Charter.

Reasons for Recommendations

- 2 The New Charter 2011 has been drawn up following discussions between the Herefordshire Association of Local Councils (including the Market Towns Forum) and Herefordshire Council. All parish, town and city councils have been consulted on the proposals.

Introduction and Background

- 3 The existing Charter outlining how the councils in Herefordshire should work together was originally agreed in October 2002. It is now eight years since this agreement was reached and thus with the launch of the Big Society and the localism agenda it is both timely and necessary that this Charter is reviewed and updated. A working group made up of representatives from Herefordshire Council and the Herefordshire Association of Local Councils (including the Market Towns Forum) has agreed a draft New Charter 2011 which was consulted upon in the May to August period. Approval is now being sought from Cabinet.

Key Considerations

The Coalition Government is committed to a decentralisation agenda transferring power to local government and the communities they serve. The existing Charter has been reviewed, expanded and brought up to date to meet this new localism agenda.

- 4 The New Charter 2011 (appendix 1) sets out the principles on how the councils will work together. It is a living document and will be developed in the coming months adding more details about how the relationship will work locally.
- 5 The New Charter 2011 covers a wide range of activities including communication, ICT, community-led planning and community engagement, local governance and democracy, community resilience, delegation, devolution and adoption of services, clustering, practical support from Herefordshire Council, asset transfer and sharing of assets.
- 6 By developing a closer working relationship in partnership, councils seek to deliver better and more effective services to the communities they serve.
- 7 The New Charter 2011 will be reviewed regularly. The first review will take place at the end of 2011 following the enactment of the Localism Bill.

Community Impact

- 8 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. The New Charter 2011 is pivotal in establishing the mechanism by which all councils in Herefordshire will work together, in partnership, to the betterment of our communities

Financial Implications

- 9 The costs of operating this New Charter are restricted to officer time working in partnership with the Herefordshire Association of Local Councils.

Legal Implications

- 10 This document is not a legally binding document but relies on partnership working. It is conceivable, following the passing of the Localism Act that an instrument of this nature may be legally required in future.

Risk Management

- 11 Councils should be open to share details of risks they face (including the opportunities open to them by actively managing risks) with the other councils, thus ensuring there are no surprises in the future and giving them an opportunity to share solutions
- 12 The devolution of powers to local councils may make it more difficult for Herefordshire Council to fulfil its agenda and plans. However designing a robust mechanism for managing any transfer should minimise this risk.
- 13 The partnership between the councils proposed and the support offered to local councils by Herefordshire Council may stretch the unitary council's resources. However the practical support offered will be on a costed basis and officer resource is in place to facilitate the partnership.
- 14 Communication between all councils may not be consistent. However this will be mitigated by regular meetings, email alerts and ward member involvement.

Consultees

- 15 A working group, made up of representatives from Herefordshire Council and the Herefordshire Association of Local Councils (including the Market Towns Forum), have drawn up this New Charter. A Consultation with all parish, town and City councils has taken place.

Appendices

- 16 Appendix 1 – New Charter 2011

Background Papers

- None identified.