

DRAFT

NEW CHARTER 2011.

A Shared Community
Working relationships in Local Government in
Herefordshire.

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NEW CHARTER 2011.

THE WORKING PARTNERSHIP BETWEEN THE COUNCILS IN HEREFORDSHIRE

Definition

In this document:

Local Councils means all Parish, Town and City Councils.

Councils means *Local Councils* and Herefordshire Council

Introduction

Herefordshire Council is the unitary authority for the County of Herefordshire. There are 58 Ward Councillors (Members) in 40 wards. The County is 100% parished with 1200 parish councillors in 134 parish and town/City Councils and 4 parish meetings.

Herefordshire Council and Local Councils within Herefordshire have agreed to publish a Charter which sets out how they aim to work together. This Charter is the result of discussions locally and across Herefordshire to confirm existing good practice and to establish some new and enhanced ways of working.

The Councils jointly represent all levels of democratic local government, to whose principles they are all committed. They are 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.

In Herefordshire, individual town and parish Councils can become members of its county association of Local Councils, Herefordshire Association of Local Councils (HALC). HALC is the representative body for Local Councils and supports its members by providing an advisory service, including legal advice supported by their national organisation, the National Association of Local Councils.

Herefordshire Council employs a Parish Liaison Officer to further the interests of this Charter and to work with Local Councils in their dealings with Herefordshire Council.

This 2011 Charter updates and replaces the Charter for Herefordshire Councils agreed and published in October 2002.

The Local Context

Herefordshire is establishing its approach to locality working, which is about working in partnership with communities and the efficient delivery of services locally.

A tiered approach to devolving services or budgets through a corporate and partnership policy framework will be a key plank of Herefordshire's locality strategy and to achieving its aims and objectives. Taking a partnership approach to decisions being made at the closest possible point to communities will be instrumental in gaining an understanding of how devolution (of decisions, budgets or services) could work and what this means in relation to local people and communities having a say about services that matter most to them.

Local Councils are the grass-roots level of local government. They have an increasingly valuable role to play in local democracy and service provision. By working with them and HALC, Herefordshire Council aims to act in partnership with local communities, whilst balancing the needs of the wider locality.

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, Herefordshire Council has a strategic role in ensuring the equitable distribution of services which they have to achieve.

This is consistent with the Sustainable Community Strategy for Herefordshire which states that across Herefordshire: "We will develop stronger, vibrant, more inclusive communities in which people enjoy a good quality of life and feel they have influence over decisions that affect them".

A strong community is one that feels empowered, confident and accepted. In order to achieve this there should be respect for each other and groups. Individuals from all backgrounds need to be informed and have the opportunity to get involved in making decisions which affect their communities.

The National Context

The Big Society aims to put the community at the heart of taking action in their area by encouraging volunteering and involvement in social action, giving communities a greater say over local planning and delivering local services.

The current Localism bill sets out a radical shift of power from central government to local communities helping to create the Big Society.

More decisions will be taken within communities about how public money is raised and spent. This will give people more choice and a better standard of service. Local government will be held more accountable to its communities giving local people opportunities to take control of the process of decentralisation.

THE NEW CHARTER

This New Charter sets out the broad framework on how the Councils will work together. Councils agree that an action plan will be developed, adding more details about how the relationship will work locally across the County.

Strong working relationships, that have already been developed and that can be further built upon, are key to the delivery of better and more effective services for our communities.

Working in Partnership

1. Herefordshire Council will seek to involve Local Councils in its governance arrangements and liaise in the following ways:
 - a) Local Councils will invite appropriate Members and Officers of Herefordshire Council to their meetings.

- b) Members and officers of Herefordshire Council invited to attend local council meetings will use their best endeavours to attend such meetings
- c) Herefordshire Council will maintain its close working relationship with HALC through
 - the regular attendance of the Parish Liaison Officer at its meetings
 - informal quarterly meetings between senior Council Members and Officers of Herefordshire Council and HALC.

Local Democracy

2. Herefordshire Council will work with Local Councils and HALC to promote and to develop the public's interest in local government and to strive to improve a broad community involvement in local democracy, specifically through attendance at local council meetings, participation in parish council working groups and/or standing as parish/town councillors.

Local Councils will:-

- Encourage the public to attend their meetings and give an opportunity to ask questions and make comments.
- seek to encourage the talent available in communities to participate in local council business
- Make available to the public a wide range of information making effective use of ICT.
- Work with their Herefordshire Council Ward Members to carry out their ward responsibilities.
- Advise Herefordshire Council Ward Members of their meeting dates and agenda.
- Promote interest in local council elections
- Encourage a diverse and representative membership of their council.

Herefordshire Council will:-

- Encourage their Members to work closely with their Local Councils by regularly attending parish/town council meetings and holding surgeries.
- Encourage their Members and officers to attend training courses on “working with Local Councils”.

Clustering of Local Councils and Cross Border Issues

3. It is recognised that some Local Councils may decide that there are advantages in “clustering” together to deliver a service and this may benefit the business case.
4. It is recognised that Local Councils may wish to cluster with Councils across county borders or with Councils in Wales. Councils agree to promote cross-border cooperation, taking into account legal and funding constraints.

Consultation

5. Herefordshire Council will seek to give Local Councils and HALC the opportunity to comment before making decisions that affect their local area. The subject areas will include formulation of policy, planning issues and the delivery of services and functions at local level.
6. In consulting with them, Herefordshire Council will provide Local Councils with sufficient information to enable them to reach an informed view on the matter under consideration and give adequate time to respond in accordance with Herefordshire Council’s standard and with any statutory requirements where applicable. Consultations will make full use of information technology.
7. Local Councils will take the lead in actively encouraging their local communities to produce community-led plans that will not only inform those Local Councils’ business plans but also feed into Herefordshire Council’s service plans. The aim is to achieve 100% community-led plan coverage within five years. Local Councils will also ensure that the plans are reviewed at least annually and updated every 5 years.

8. Local Councils will ensure there is a mechanism in place to engage with their communities with regard to understanding and responding effectively to day-to-day issues as they arise.
9. Local Councils will involve their communities in the annual budgeting process and promote participatory budgeting as a means of meeting the needs of their communities.

Communication

10. All Local Councils should make use of ICT wherever possible for the exchange of information, consultation documents, planning applications, committee papers and general correspondence. It is anticipated that this will be the preferred means of communication in the future ensuring that effective and efficient communication is achieved between the two tiers of local government.
11. Furthermore, all Councils will be encouraged to set up and maintain websites for their communities and to link into partner websites.
12. In order to optimise the ICT opportunity Herefordshire Council will endeavour to promote the development of superfast broadband as an efficient means of delivering 21st Century services.

Service Delivery

Delegation, Devolution and adoption of Services

13. Local Councils will work with the Herefordshire Council and consider any delegated responsibility in detail, taking into consideration the cost, quality, local preferences and practicability at all times.
14. Where a request for delegation or devolution is made, Local Councils will produce a costed business case in support of the request and provide evidence of local need for the service. A mechanism for the transfer of services between Councils will be developed following the adoption of this New Charter.

15. Any application should be accompanied by the Local Council demonstrating how they will achieve Quality Status standards.

Service changes by Herefordshire Council

16. Where Herefordshire Council decides to end a particular service, Local Councils will be given the choice of delivering the service at their cost by either funding Herefordshire Council or its partners to deliver the service or by providing the service themselves.

Asset Transfer and/or Sharing of Assets

17. Asset transfers will be considered by Herefordshire Council, subject to the demonstration of community need and in accordance with the Council's Community Asset Transfer policy.
18. Critical to the success of any transfer is having a clear rationale backed by a robust business-case demonstrating the sustainability of the proposal, and the ability of the recipient to manage the asset effectively, including an assessment of the financial and organisational capacity of the council.
19. Local Councils will work with the Herefordshire Council to identify public assets that can be re-modelled or shared to improve service delivery at the locality level.
20. It is recognised that asset transfer is a two-way process and Local Councils may wish to discuss with Herefordshire Council, transferring assets currently owned by them.
21. All cases of service transfer to and from Local Councils under this New Charter will be reported annually to Herefordshire Council and by the Herefordshire Association of Local Councils to all Councils, including a nil return if applicable and published in the public domain.

Operational Arrangements

Quality Status and Power of Well-Being.

22. Herefordshire Council will work with Local Councils and HALC to promote the take-up by Local Councils of the Quality Parish Council Scheme (QPS) as a basic benchmark of good practice, embracing aspects of legal compliance, public accountability and community engagement.
23. Local Councils are encouraged to adopt the Power of Well Being that will offer them more powers to benefit their communities' social, economic and environmental well-being.

Emergency Planning

24. Local Councils will undertake to co-operate with the Herefordshire Council's Emergency Planning procedures.
25. Local Councils will be provided with e-mail alerts regarding emergency information, as appropriate.

Community Resilience

26. Councils will work together to encourage the development of a community resilience information file for each Local Council.

Training and Development

27. Local Councils, clerks and councillors will be encouraged to attend training and information sharing events whenever possible.
28. Local Councils will encourage all their clerks to become qualified with the aim that all clerks in the County should hold the CiLCA qualification.
29. Herefordshire Council will assist in identifying and helping to meet the training needs of Local Councils and participate in training events organised by HALC subject to staff availability.

30. Herefordshire Council will include the topic “working with your parish/town Councils” in the new ward members’ induction programme.

Compliments, Comments, Complaints and disputes

31. Any concerns about the operation of this New Charter will be resolved by early dialogue between Local Councils firstly by the clerk of the concerned council and the lead officer of Herefordshire Council and secondly by the Chair of the Local Council and the Lead Member of Herefordshire Council with officer support.
32. Where practical and possible the Herefordshire Council will offer Local Councils access to support services to enable them to take advantage of facilities such as printing, ICT procurement and other services.
33. Herefordshire Council will explore the provision of training and support on issues such as business planning and risk assessments.

Social and Economic Sustainability.

34. Councils agree to work in ways that are sustainable, reconciling the long-term needs with those of the present and protecting and improving the quality of life of current generations without compromising the quality of life of future generations.

Equality of Opportunity

35. Herefordshire Council embraces equality and diversity in all its work and is committed to serving the diverse needs of our communities, recognising that people have different needs, cultures, experiences and expectations.
36. Local Councils will make the same commitments to eliminate discrimination in all its forms, providing equality of opportunity to all the communities we serve. Wherever practicable they will endeavour to base local decisions on a broad community mandate, whilst taking into account the needs of the most vulnerable.

Funding

37. Innovative ways to make the best use of limited resources will need to be identified, to reduce wastage wherever possible and to deliver services in the most cost effective way.
38. All Councils will seek to include the principles of participatory budgeting in their future budgeting processes.

Monitoring, Further work and Review

39. This 2011 Charter is a living document and will be formally reviewed and evaluated regularly (at least annually) by the “Charter Group”, made up of representatives of Local Councils, HALC, the Market Towns Forum and Herefordshire Council. The first review is planned to be at the end of 2011 following the enactment of the Localism Bill and other relevant legislation.
40. Following the adoption of the New Charter 2011 a mechanism for the transfer of services between Councils will be agreed and published.

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