

Proposed amendments / deletions are **highlighted / bold**

BARNSELY METROPOLITAN BOROUGH

Parish and Town Council Charter

Introduction

1. The Town Councils of Brierley and Penistone and the Parish Councils of Billingley, Cawthorne, Dunford, Great Houghton, Gunthwaite & Ingbirchworth, Hunshelf, Langsett, Little Houghton, Oxspring, Shafton, Silkstone, Stainborough, Tankersley, Thurgoland and Wortley ["the Parish Councils"] and the Barnsley Metropolitan Borough Council ["the Borough Council"] have agreed to publish a Charter that 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 Borough Council acknowledges that Parish Councils are a key component of the grass-roots of local government. By working with them and local Community Partnerships, the Borough Council aims to act in partnership with local communities, while balancing the needs of the wider community.
3. In their role as democratically accountable bodies, Parish Councils offer one of the ways 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 Borough Council and the equitable distribution of services that 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 Councils. It may be formally reviewed after four years in operation by the Borough Council and the Parish Council(s).

Sustainability

5. The Borough Council will work in partnership with all Parish Councils in its area to promote sustainable social, economic and environmental development for the benefit of local communities.

Community strategies and local strategic partnerships

6. The Borough Council will involve Parish Councils in the processes of preparing and implementing the Sustainable Community strategy, to promote or improve the economic, social and environmental well-being of the area. The Borough Council will invite representatives of the Parish Councils to attend the One Barnsley Forum and other stakeholder events at which they can make their contribution on the content and direction of the strategy as it affects the local communities they represent. In addition, the relevant Parish Councils will be invited to be **involved in relevant consultations and other locality community planning events.**

Local governance

7. Representatives of the Parish Councils are encouraged to attend Area Delivery Panel meetings in order to understand the broader context of issues being addressed across the Area Partnership locality. **(Deleted reference to Area Forums and representation on them)**

8. The Borough Council will hold liaison meetings twice each year with representatives of all Parish Councils that wish to take part. The purpose of the meetings will include providing information on Borough Council activities, responding to concerns raised by the Parish Councils and identifying what support the Borough Council might be able to provide to the Parish Councils. The meetings will be held in the Town Hall, Barnsley, and be chaired by the Borough Council's Chief Executive and all Parish Council Clerks will be invited to attend. Relevant Borough Council officers will also be invited to attend liaison meetings as appropriate. The meetings will be serviced by an officer of the Borough Council, who will also provide a link between the Parish Councils and the relevant Borough Council service, where necessary.
9. The Borough Council will administer the holding of Parish and Town Council Elections, recharging the relevant Parish or Town Council for any associated costs. The respective Authorities will work together to limit the cost of holding such elections.

Consultation

10. The Borough Council will consult the relevant Parish Councils on specific matters that will have a significant local impact before making a decision on those matters. In general, these will be the issues on which it is already standard practice to consult the relevant Borough Ward Councillors (**deleted reference to Area Forums**), and will include: Street naming and numbering; Traffic Regulation Orders and Traffic Calming; Environmental Maintenance Issues; Closure of Highways and Footpaths; Some land and property disposals; Cleansing/Street Sweeping; Neighbourhood Pride; Environmental Health and Control of Noise Pollution; Licensing and Arrangements for Events/Road Closures.
11. It is accepted that any consultation will need to be responded to within a reasonable timescale and cannot amount to a veto on the part of the Parish Councils; Equally, the Borough Council will not seek to ignore comments from the Parish Councils without good reason. These consultation arrangements will be in addition to the statutory requirement to consult on development control matters.
12. Only in exceptional circumstances will consultation on appropriate issues not take place, in which case a written explanation will be given on request. In general, these will be matters of commercial confidentiality and will relate to the extent of information given on an issue, rather than the disclosure of an issue in principle.
13. To help achieve the objectives laid down in this Charter, liaison and consultation (both formal and informal) will be further developed at Parish Council level by encouraging direct contact with the Assistant Directors for the relevant Borough Council services. Assistant Directors will deal with such contacts in a manner that gives due recognition to the status of Parish Councils as democratically elected Local Government bodies. The Borough Council will seek to involve representatives from the appropriate Parish Councils in meetings on service issues relevant to their local area. Equally, the Parish Councils will inform the relevant Assistant Director within the Borough Council of any decisions it takes that may impact on Borough Council services.
14. The Borough Council will attend meetings with the Parish Councils (or groups of such councils) at a mutually agreed time to discuss matters of common interest.

15. The Borough Council will also circulate a copy of agenda for Cabinet meetings to Parish Clerks at the same time as they are sent to members of the Borough Council. Parish Councils can request a copy of any public report and are encouraged to comment directly to Members of the Borough Council.
16. Parish Councils will, on request, send copies of their agenda and papers to the relevant **Area Manager** within the Borough Council and to Councillors for their area. Councillors and Officers of the Borough Council will be given an opportunity to speak at Parish Council meetings on matters of mutual interest.

Information and complaints

17. When the Borough Council consults 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. The Parish Councils will seek to respond to consultations within those timescales.
18. The Borough Council will communicate with Parish Councils and others in the community by publishing **Open Door** or its equivalent regularly and making it available to the local community. It will also keep Parish Councils informed by sending them copies of other relevant local promotional material as part of the liaison meeting arrangements.
19. The Borough Council will provide full responses to letters that need a reply within 10 working days. Where this cannot be achieved, an explanation stating when a full response can be expected will be sent within 5 working days. All e-mail contacts will receive an acknowledgement of receipt within 24 hours.
20. Parish Councils will consider any letters needing a response at the next available Parish Council meeting. A full response to any letter will be provided within 7 days of the Parish Council Meeting. It should be noted that different timescales may need to apply in respect of responses to consultations under paragraph 11 above.
21. If a Parish Council is dissatisfied with the Borough Council's actions, the response to a request for information, or a failure to consult, the Parish Council may make a formal complaint through the Borough Council's Chief Executive. A full response to complaints will be made within 20 working days, or an acknowledgement within 5 days, stating when a full response can be expected.

Standards Committee

22. The Borough and Parish Councils have adopted codes of conduct, based on the national model code of conduct. The Parish Councils will work with the Borough Council's Standards Committee to promote and maintain high standards of conduct. The Borough Council has consulted and agreed with the Parish Councils that there will be two representatives of Parish Councils on the Standards Committee, one representing Parish Councils in the East of the Borough and one representing Parish Councils in the West of the Borough.

Financial arrangements

23. The financial arrangements between the Barnsley Metropolitan Borough Council and the Parish and Town Councils will be based on the current government guidance, including *The Quality Parish and Town Council Scheme June 2003* and Guidance from central government on avoiding double taxation.

24. If, at some point in the future, a Quality Parish Council (or group of Quality Parish Councils) wishes to discharge functions on behalf of the Borough Council, the Borough 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 Borough Council will, in consultation with the Parish Council(s), explore alternative solutions to encourage more input from the Parish Council(s) into service delivery.
25. Proposals for service transfer may be based on all of a service within the Borough, or all of the service within a Parish area. Where it is proposed that a whole service is to be transferred to the Parish and Town Council community in Barnsley, all of the direct costs will be raised by the Borough Council. Any contractual implications arising from the transfer will need to be considered fully and resolved prior to the service being transferred.
26. Where there is a proposal for a transfer of a service to a Parish, provided the transfer meets the requirements as set out in the Charter, it will be supported financially by the relevant direct costs for that service being transferred as a grant, providing it will not have a detrimental financial impact on service provision across the Borough. The Councils party to this Charter will consider the transfer of additional associated costs. Any contractual implications arising from the transfer will need to be fully considered and resolved before the service is transferred.
27. The principle of the service transfer and the associated financial impact will be subject to Member approval at the appropriate level.
28. The Councils party to this Charter will make every effort to avoid double taxation, through negotiation and consultation and having regard to the government's guidance. As a general rule all the components of a service in that particular parish area will be transferred simultaneously.

Funding sources to promote local community life

29. The Council makes a provision of £19,000 available per Ward which can be utilised by community organisations to access funding for projects which are of benefit to the community. Further details about the 'Community Support Fund' are available from the Area Managers. **(Deleted references to a number of funding streams no longer available)**
30. **Parish Councils are encouraged to seek opportunities for funding streams through, for example, South Yorkshire Community Foundation and South Yorkshire Funding Advice Bureau. The Technical Services Unit in the Borough Council's Finance and Property Director (tel: 01226 773213) will provide further advice on other sources of funding available.**

Practical support

31. The Borough Council will, where practical, offer Parish Councils access to their 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 Parish Councils.

Land use and development planning

32. The Borough Council's Statement of Community Involvement, adopted in 2006, outlines how and when people and organisations can get involved in the planning process. In line with this, the Borough Council will:
- (a) involve and consult Parish Councils in the preparation of Development Plan Documents that will make up the Barnsley Local Development Framework;
 - (b) involve and consult Parish Councils in the production of Supplementary Planning Documents, for example development briefs and Parish Design Statements; and
 - (c) inform and consult Parish Councils on planning applications that are relevant to their parish, as required by statute;
 - (d) provide Parish Councils with **access to planning application documentation** to be considered at meetings of the Planning Regulatory Board.

Quality Parish Councils

33. Achieving Quality status indicates that a Parish Councils has the capacity to play an enhanced role in the community. In particular, this can be:
- (a) as an integral part of all consultation and co-ordination arrangements set up by the Borough Council and other service providers on how services are delivered in its area;
 - (b) in the discussion, management and delivery of services which parish councils may carry out and deliver, on behalf of the Borough Council, or by using their own existing powers; and
 - (c) in the provision of access points to information on services of the Borough Council and other service providers.
34. The Borough Council will encourage Parish Councils to seek Quality Status and provide such support as it can to assist Parish Councils through the application process.

Appendix 1

Delegation of Functions and Service Provision

[To include details of functions delegated, should such arrangements be agreed in the future]