

The Gloucestershire Charter

Third edition



Local Councils working together for local people

A Charter between Gloucestershire County Council
and the Parish and Town Councils of Gloucestershire

SIGNATURES

We the undersigned declare our commitment to the Gloucestershire Charter and in so doing, aim to encourage the improvement of our good working practices and embrace the spirit of this agreement.

Chief Executive, Gloucestershire County Council

Chair /Clerk /Councillor for

Parish /Town Council

June 2008

Second Edition, April 2007

First Edition, April 2006

INTRODUCTION

1. Originally created in April 2006, with version two published in April 2007, this third version has been updated to incorporate feedback from all involved in the Charter. It is written as a result of continuous and effective collaborative working between Gloucestershire County Council and the parish and town councils of Gloucestershire.
2. The overall aim of the Charter is to improve relationships between the tiers of local government in Gloucestershire, paying particular attention to improving consultation and communications about policies and decisions that may affect communities.
3. There are two hundred and sixty four parish and town councils within Gloucestershire, all playing a valuable role in the fabric of local life. Parish and Town Councillors and their Clerks possess unique knowledge that can help the planning and decision-making process.
4. This Charter does not contain a mechanism by which services may be devolved to parish and town councils as it is acknowledged that the majority may not wish to take on extra responsibilities. However, as individual local councils obtain 'Quality Parish' status this aspect will be reviewed.
5. This Charter has the full approval and commitment of Gloucestershire County Council, parish and town councils of Gloucestershire, the Gloucestershire Association of Parish and Town Councils, and the support of Gloucestershire Rural Community Council (GRCC).
6. This Charter will continue to be monitored with a view to making further amendments as necessary. Priorities within the commitments have been identified and these will be used to monitor performance and ensure that the Charter is being used effectively by all.



GLoucestershire County Council's COMMITMENTS TO PARISH AND TOWN COUNCILS

1. Local Governance

- 1.1 Our staff will endeavour to make themselves available to parish or town council Clerks by phone or in meetings. A request to attend a meeting should be made wherever practicable on reasonable notice (preferably one month), except in the case of emergencies.

2. Community Planning

- 2.1 We will promote the early inclusion and involvement of representatives of parish and town councils in Local Strategic Partnerships (LSPs) whilst endeavouring to ensure that those LSPs are robust and useful mechanisms for partnership working.
- 2.2 We will ensure that parish and town councils are consulted and are involved in the substance and direction of community strategies as they affect the local communities they represent, and that they have the opportunity to take an early and active part in the formulation of policy and service delivery.
- 2.3 We will engage with parish councils at their request or invitation when a parish is undertaking a community planning process such as Parish Planning or Health Checks.
- 2.4 GRCC will offer support to communities undertaking community led planning processes.
- 2.5 We will also consider parish plan proposals in community strategies and respond, where appropriate.

3. Consultation and Communication

- 3.1 Statutory Matters: These are matters in which the county council has a statutory requirement to consult with parish and/or town councils, for example amendments to Public Rights of Way.

Non-Statutory matters: These are matters in which there is no statutory requirement to consult but the county council recognises that the views of its stakeholders and partners are essential to effective decision making.

An indicative list of the different types of matters in each of these categories is set out in Appendix 1.

- 3.2 Planning applications and consultation on the new style of development plans, for instance, are covered by national regulations, which set out a timetable for the processes, responses and notifications of decisions. The length of a consultation period can differ with different stages in the procedures and will be clearly set out in the material sent to parish and town councils.

- 3.3 When considering planning applications determined by the county council, the parish or town council will be invited to attend any site visits made by the county council's planning committee and given an opportunity to point out site-related issues that they consider important. (If a parish or town council make a request for a site visit, an officer from the county council will attend at an appropriate time.) In addition, there will be a further opportunity to make representations when applications are considered at planning committee. Representatives of parish and town councils will be allowed to make a short address before the committee debates the proposal. When a parish or town council has been asked to respond to a statutory planning consultation, the final decision of the county council will be communicated back to them. Slightly different arrangements apply when the applications straddle parish and town boundaries.
- 3.4 Non-Statutory matters: There is more flexibility on non statutory consultations. On these issues, we will provide a copy, on request, of any public report and background papers on the items on which consultation is taking place.
- 3.5 We will aim to provide parish and town councils with a consultation period of 12 weeks to encourage good working relationships and allow sufficient opportunity to discuss and respond, before the county council makes a decision that affects its local community. If it is necessary to offer a consultation period of less than 12 weeks, the county council will give clear reasons why this is needed.
- 3.6 We will invite parish and town councils to awareness-raising and stakeholder forums where these are used as an alternative way of engaging communities and will provide timely feedback on the outcomes of such awareness-raising and stakeholder forums.
- 3.7 We will let parish and town councils know when a key decision will be taken by the county council. They will be invited to attend and, at the Chair's discretion, to speak.
- 3.8 Where a parish or town council has been consulted, we will seek to inform it of the outcome within five working days of the decision having been taken and the reason behind the decision.
- 3.9 We will accurately report parish and town council views to those councillors making decisions.
- 3.10 Appropriate county councillors will endeavour to attend parish and town council annual meetings and other meetings where practicable, and will let the organiser know if they cannot be present. If a county councillor cannot attend regularly, they will endeavour to make arrangements to meet the Chair at an alternative and mutually convenient time.
- 3.11 We will inform the local county councillor and parish or town council in advance of a lead cabinet member's formal, pre-arranged visit to a parish or town.
- 3.12 We will notify parish and town councils annually of bus shelter grants and any major bus route schemes proposed in their parish or town. Parishes or towns that take up the grant will then own the shelters. Where a grant has been allocated but not used, parishes and towns will receive a follow-up letter from the Integrated Transport Unit.
- 3.13 Changes to a subsidised bus route (one that the county council funds) will be notified to affected parishes and town councils by a consultation letter. The letter will include the proposed timetable(s) and will allow for a six week consultation period, in order to fit in with the tight tender process necessary to avoid breaks in service. If it is necessary to undertake a consultation period of less than six weeks, the county council will give clear reasons why this is needed.

- 3.14 All parish and town councils will be informed of changes to bus services in their area following the above consultations or resulting from changes to commercially run services.
- 3.15 We will facilitate the use of our area notice boards by parish and town councils for the publicity of issues and information of local interest and concern.

4. Practical Support

- 4.1 We will, where practical, offer parish or town councils access to our own support services, to enable them to take advantage of facilities such as: printing and purchasing at a mutually agreed price; and advice on record-keeping and specialist storage facilities at Gloucestershire Archives.
- 4.2 We will offer assistance in identifying and helping to meet the training needs of parish and town councils by supporting the Gloucestershire Training Partnership.
- 4.3 We will actively support parish and town councils in developing their own local speed campaigns and associated local activities. Hand-held radar equipment and Speed Indicating Devices (SIDs) will be made available, free of charge, to allow elected members or their representatives to carry out local traffic speed surveys and develop local campaigns and publicity. Training and guidance will be provided by our road safety group. (See contact details – Road Safety Group).
- 4.4 In partnership with district councils we will provide advice and guidance to parish or town councils (and other local community groups) to enable them to prepare local community emergency response plans. This will enable them to be more self-sufficient in the event of a major emergency, e.g. flooding.

5. Delegation of Responsibility for Service Provision

- 5.1 Gloucestershire County Council will recognise the Quality Council status and will endeavour to further involve Quality Council's in work and decision making in their locality area.
- 5.2 We recognise that parish and town councils with 'Quality' status have enhanced powers. Where a parish or town council (or group of parish and town councils) wishes to take on delegated responsibility for the delivery, management or monitoring of services provided by us, we will discuss opportunities for devolution where it is lawful and represents best value (taking account of cost, quality, local preferences and practicability).

6. Financial Arrangements

- 6.1 Where the provision of a service is devolved or transferred to a parish or town council, funding is also transferred with the amount involved being agreed by us and the parish or town council. Functions which may be offered to parish and town councils by us are covered in Appendix 2.

7. Information and Complaints

- 7.1 When we consult with parish and town councils we will provide them with sufficient information to reach an informed view on a matter.
- 7.2 We will communicate with parish and town councils by posting relevant in-house produced newsletters on the Parish News website which can be found through the county council website. (See contact details – Gloucestershire County Council).
- 7.3 We will produce a yearly newsletter relating to environmental matters, specifically for parish and town councils.
- 7.4 We will acknowledge all written communications from parish and town councils (including letters, faxes and emails) and provide a substantive reply to all written communications which need a reply as follows:
- We will aim to answer any phone call within five rings by a person during office hours;
 - We will reply to letters within five working days. If we cannot give you a full answer, we will aim to get you one within a further ten working days or we will let you know what we are doing, including the date by which we hope to give you a full answer;
 - We will aim to respond to emails within three working days. If we are unable to give you a full answer, we will aim to get you one within a further ten working days or keep you informed of what we are doing, including the date by which we hope to give you a full answer; and
 - A member of the county council team will greet you within five minutes of your arrival at any of our receptions. The person you have come to see will meet you within ten minutes of your appointment time. Without an appointment, our staff will take the details of your enquiry and endeavour to get the right person to see you within 15 minutes or let you know how long we will be. Alternatively, we will arrange a mutually convenient appointment or phone conversation.
- 7.5 We will aim to resolve any breach of the Charter by early and constructive dialogue. If something goes wrong, we will act quickly and efficiently to put it right, and if a resolution cannot be agreed we will help customers to use our formal complaints procedure. (See contact details – Complaints procedure).

8. Sustainability

- 8.1 The county council will work in partnership with parish and town councils to promote sustainable social, economic and environmental development for the benefit of local communities, whilst seeking not to compromise the quality of life for future generations.

9. Equality of Opportunity

- 9.1 In partnership with parish and town councils we are determined to eliminate all forms of discrimination and promote equality of opportunity. Equality and Diversity are at the heart of everything we do and we have a joint responsibility to ensure that everyone has equal access to our services. We recognise that we have an important role to play in ensuring that all members of our communities have a say in our shared future.

Appendix 1 –

Issues which the County Council will refer to Parish and Town Councils for information and/or consultation.

Statutory	Non Statutory (and other consultations in which parish and town councils are stakeholders)
<ul style="list-style-type: none"> • Road bridge maintenance, closure and diversion • Pedestrian crossings • Public Rights of Way – proposals for permanent legal change • A Regional Spatial Strategy where there are implications for parish and town councils • Roads new and improved: ie. the need for them, their alignment and the standard of road under consideration (consultation from the earliest stages) • School closures • Traffic Regulations (e.g. speed limits, waiting orders, weight restrictions, one-way streets, parking restrictions) • Waste and minerals proposals and the county council's own development applications (known as county matter and county council planning applications). These proposals and regulations are subject to the provision of specific regulations which will override the consultation provisions set out in this Charter • Waste and minerals Local Development Framework. This is subject to the provisions of specific regulations which will override the consultation provisions set out in this Charter • Waste Management Strategy (this will include strategies jointly developed by the county and district councils for recycling and composting, and how biodegradable municipal waste will be diverted from landfill by new waste facilities) 	<ul style="list-style-type: none"> • Schools Commissioning Strategy (Invitation to public consultation meetings) • Changes to Children and Young People and Community and Adult Care Services • Complaints procedure changes • Derelict land reclamation and reshaping schemes • Design of major Improvement Schemes • Highway structural maintenance (e.g. road or footway resurfacing schemes) • Libraries – opening hours, buildings issues, mobile library routes and stop locations • Local Transport Plan (invitation to stakeholder forums) • Opening, change of use and closure of county council facilities in the area • Winter maintenance (changes to strategic treatment routes) • Community resilience plans

Appendix 2 –

Functions which may be offered to Parish and Town Councils following agreement between the County Council and Parish/Town Council.

Discussions prior to the letting of the 2006 Highways and Transport contract showed little desire to extend current levels of devolution of services, but an opportunity to review this will occur again in 2011. However, if parish or town councils approach the county council we will be open to negotiating arrangements for devolving services, subject to the maintenance of appropriate health and safety arrangements.

Functions :

- Recycling provisions
- Library service provision in an integrated multi-service community facility
- Some aspects concerning the issuing of bus and rail passes
- Some road safety measures
- Gritting - isolated hand salting of treatment routes
- Minor repairs/erection of signs, litter picking
- Information Access Point provision
- Grass cutting
- One stop shops
- Provision of sandbags
- Drainage maintenance (e.g. clearing of gully tops, drainage grids, kerb off-lets and grips).

PARISH AND TOWN COUNCIL COMMITMENTS

1. Local Governance

- 1.1 The parish or town council will endeavour to inform county councillors of the dates of meetings as soon as they are set and will provide them with a copy of the agenda for each formal meeting, plus a copy of the last parish or town council meeting's minutes, three clear days before the meeting. Any parish or town council that requests an officer from the county council to attend a meeting should do so one month beforehand.
- 1.2 The parish or town council will provide a space on its meeting agenda for the county councillor to provide a relevant report. It should be noted, however, that if the parish or town council resolves to exclude the press and public for an item this will include the county councillor unless specifically invited to remain.

2. Community Planning

- 2.1 Parish and town councils may respond to community planning consultations and invitations to participate either individually or collectively through the Gloucestershire Association of Parish and Town Councils (GAPTC).

3. Consultation and Communication

- 3.1 Parish and town councils will endeavour to inform the county council (see contact details - Highways Maintenance), when emergency action is needed e.g. dangerous or fallen trees, non functioning and displacement of traffic signals, road flooding, potholes, loose or uneven flagstones and kerbs, bollard knock-downs and fallen or unsafe lighting columns. Once reported the county council will investigate these issues within 24 hours.
- 3.2 Parish and town councils will endeavour to report the following to the county council: (see contact details - Highways Maintenance), damage to traffic signs and other street furniture, street lighting failures and non-functioning lights in traffic signs, blocked gullies and broken gully grids or man-holes, loose cat's eyes and road studs and ragwort outcrops and other noxious weeds. Once reported the county council will investigate these issues and make safe or repair in accordance with the council's Safety Inspection Policy.
- 3.3 Parish and town councils may nominate a local Snow Warden, Drainage Warden and where possible a local Snow Plough Operator and must advise the county council when changes in these nominees occur.
- 3.4 Parish and town councils that have signed up to the 'Lorry Watch' scheme will continue to report to Trading Standards the misuse of weight-restricted routes by heavy goods vehicles in local towns and parishes. The following parish and town councils are currently involved in the scheme: Ashchurch, Bibury, Brockweir and Hewelsfield, Chipping Campden, Fairford, Leckhampton, Minchinhampton, Rodborough, Mitcheldean, Prestbury, Stoke Orchard, Tetbury and Tewkesbury.

- 3.5 Wherever possible, parish and town councils will endeavour to report changes to bus services in their areas in parish or town magazines.
- 3.6 The parish or town council will respond to consultations by the county council on planning and any other matters within the time limit specified in the consultation. They will put in place mechanisms such as delegation to a committee or the convening of extra council meetings to meet the consultation documents deadline.
- 3.7 Parish and town councils will endeavour to inform their county councillor of meetings in the parish or town, where decisions to be made may be relevant to the county council.
- 3.8 Parish and town councils will seek to keep the public in their parish informed on local government matters and seek to assess public opinion through meetings, surveys and newsletters. Where appropriate, parish and town councils will make the results of major surveys available to the county council.
- 3.9 The parish or town council will provide the county council with the contact details of the Clerk to the council. Bearing in mind that the Clerk may only be employed by the parish or town council on a part time basis, the Clerk will inform the county council of the most convenient times/days when contact can be made.

4. Information

- 4.1 The parish and town council will inform and involve the county council when it is undertaking a community led planning process such as a parish plan or market town health check. Parish plan actions will be added to the county parish plan database once the parish plan has been formally adopted by the parish council.
- 4.2 The parish or town council, through the Clerk, will endeavour where appropriate (e.g. through use of notice boards, links from their council website or information in newsletters) to allow the county council to publicise issues and information of local interest and concern.
- 4.3 The parish or town council will inform the county council when it is working towards, and when it achieves, 'Quality' status.

COUNTY COUNCIL CONTACT DETAILS (as at 20 May 2008)

Gloucestershire County Council 01452 425000
www.gloucestershire.gov.uk

Gloucestershire Charter Hester Hunt	01452 426563 e-mail: hester.hunt@gloucestershire.gov.uk
Complaints procedure	01452 427614 email: customerservices@gloucestershire.gov.uk
Local Area Highways Offices Forest of Dean and Tewkesbury areas (Based at Cannop) Cotswold area (Based at Cirencester) Stroud area (Based at Whitminster) Gloucester City and Cheltenham Borough (Based at Gloucester)	08000 514514 email: highways@gloucestershire.gov.uk
Highways Maintenance Reporting a problem on the highway, including a pothole; streetlight problem; traffic signal problem; spillage on a road	08000 514514 (24 hours)
Road Safety Group Local speed campaigns, etc.	01452 425600 email: roadsafety@gloucestershire.gov.uk
Gloucestershire Archives Depositing records (Julie Courtenay) Visiting the archives (Paul Evans)	01452 425297 01452 425088 email: archives@gloucestershire.gov.uk
Trading Standards Lorry Watch Scheme (Karen Smith)	01452 426227
Emergency Management Services	01452 425013 email: emergplan@gloucestershire.gov.uk
Public Rights of Way	01452 425577 email: prow@gloucestershire.gov.uk
Council Direct For general council enquiries	01452 505345 www.councildirect.info