



Parish Charter for Carlisle District

Translations

English

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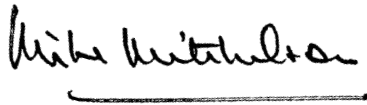
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Signatures



Cllr Mike Mitchelson
Leader of Carlisle City Council



Maggie Mooney
Town Clerk and Chief Executive
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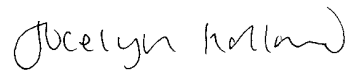
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Introduction

Definitions

“Principal Authorities” are Cumbria County Council and Carlisle City Council.

“Parish Councils” are Parish Councils and Parish Meetings.

1. The Government recognises that democratically elected Town and Parish Councils - the most local tier of local government - can play a key role in empowering local communities and giving citizens the opportunity to help shape decisions about the way public services are designed and delivered to them. The Government therefore launched the **“Quality Parish and Town Council Scheme”** in 2003, to raise the standard of governance at the parish level and provide a framework within which Principal Authorities and Town and Parish Councils can work in partnership to respond to community aspirations and priorities.
2. The national Quality Parish Scheme recommends the agreement of “Charters” between Principal Authorities and Parish Councils in order to promote partnership working and enhance the opportunities for citizen engagement in the design and delivery of local services. This Charter sets down the respective roles and obligations of Principal Authorities and Parish Councils and to include any special arrangements for those parish councils that have been awarded “Quality Parish Status”.
3. The publication of the Local Government White Paper, ‘Strong and Prosperous Communities’, on 26 October 2006 has reinforced this approach. Principal Authorities and Parish Councils will explore the future opportunities laid out in that document. The main principles of this Charter - better joint working, better communication and better consultations - remain unchanged and apply equally to council structures now and any possible changes in the future.
4. This **Parish Charter for Carlisle District** has been agreed between Cumbria County Council, Carlisle City Council and the Parish Councils in Carlisle.
5. **For more information about this Charter please contact:**

Cumbria County Council Voluntary and Parish Sectors, on 01768 242361 or georgina.terment@cumbriacc.gov.uk

Carlisle City Council Rural Support Officer, on 01228 817355 or rural@carlisle.gov.uk

Cumbria Association of Local Councils on 01768 242369 or office@calc.org.uk

Parish Charter For Carlisle District

A. Mutual Acknowledgement

1. **Successful partnership working at the parish level can only be achieved if the partners - the County Council, the City Council and the Parish Councils - understand and respect each other's roles and work to complement those roles in serving the community. It is recognised in this Charter that all three tiers of Local Government are equal partners.**
2. **Cumbria County Council and Carlisle City Council** recognise that Parish Councils:
 - Are a vital part of democratic local government, representing communities at the most local, 'grass roots' level
 - Are there to address the most local needs and concerns of their communities
 - Are the primary source of information about community aspirations and opinions
 - Provide an opportunity to foster greater community empowerment, particularly through the 'Quality Parish' scheme.
3. **Parish Councils** recognise that Cumbria County Council and Carlisle City Council:
 - Represent the interests of local communities at the County and District level
 - Have strategic roles and responsibilities and have to work within Government financial constraints
 - Have to take into account community interests wider than the parish
 - Can work most effectively with Parish Councils that are pro-active and well organised.

B. General Communications and Liaison

1. **In Cumbria there are three tiers of local government and this makes effective communication between the tiers a major challenge. Securing good communication and liaison between the parish tier and the Principal Authorities is a cornerstone of this ‘Parish Charter’. This involves communication at the most strategic level - sharing each others aims - right down to careful liaison on specific local projects.**
2. **Cumbria County Council and Carlisle City Council each undertake to:**
 - Host at least one meeting per year with the Parish Councils in Carlisle to discuss corporate aims and other matters of mutual concern
 - Nominate the Parish Liaison Officer, and any other appropriate officers, to participate in the meetings of the Carlisle Parish Councils Association (CPCA)
 - Give a written response to a written communication (including emails) from a Parish Council within 10 working days or provide a holding reply saying when a full reply will be available and which officer is dealing with the matter
 - Encourage the attendance of County/City councillors at Parish Council meetings
 - Facilitate greater electronic communication and sharing of information between Principal Authorities and Parish Councils through the Connected Cumbria Partnership*.
3. **Carlisle City Council also undertakes to:**
 - Nominate a full time Parish Liaison Officer to promote partnership working, contribute to ‘parish/rural proofing’ of policies and initiatives and assist Parish Councils in resolving any difficulties with the Principal Authority
 - Publish quarterly editions of Rural Voice (the newsletter for rural Carlisle) in consultation with Parish Councils (publications in March, June, September and December)
 - Encourage and support articles from Parish Councils and those with a specific rural interest in the quarterly Carlisle Focus publication
 - Produce a guide for Parish Councils on preparing articles for the media and a guide to media contacts
 - Develop a rural section on the Carlisle City Council website specific to Parish Councils and rural issues.
 - * “Connected Cumbria Partnership” is a partnership aimed at increasing the availability and access to information technology and broadband services in Cumbria.

4. Cumbria County Council also undertakes to:

- Nominate a Parish Liaison Officer to promote partnership working, contribute to ‘parish/rural proofing’ of policies and initiatives and assist Parish Councils in resolving any difficulties with the Principal Authority
- Operate a scheme to facilitate communication between Parish Councils
- Introduce and operate the ‘Highwayman’ scheme**
- Maintain web based information about transport policies, priorities and schemes for the use of Parish Councils.

5. Parish Councils undertake to:

- Be represented at liaison meetings convened by the Principal Authorities and the Carlisle Parish Councils Association
- Host at least one meeting per year, through the Carlisle Parish Councils Association, with the City Council to discuss matters of mutual concern
- Co-operate with the appointed Parish Liaison Officers
- Respond to a written communication from a Principal Authority within 10 working days or, if the matter needs a decision of the council, within five days of the council meeting

- Encourage the local County and District Councillor to attend meetings and provide him/her with agendas and minutes
- Provide information to the Principal Authorities on the attendance of County/ District Councillors at Parish Council meetings
- Provide copies of any Parish newsletter (email where possible) to the Parish Liaison Officer for circulation within the authority
- Participate in the ‘Highwayman’ scheme – nominating a key contact for all highways issues within the parish – where desired
- Make efficient and effective use of IT and electronic communication methods available to Parish Councils
- Distributing the Rural Voice newsletter within the parish and consider submitting articles of interest.

** The ‘Highwayman’ Scheme nominates a designated person from the Parish Council to act as a link with the Highways Authority.

C. General Support and Training

1. **Parish Councils have very limited resources available to them and rely, to varying degrees, on the professional support that can be provided by others. Most Parish Councils (over 90%) are members of the Cumbria Association of Local Councils (CALC) and receive advice, support and training from the Association. Nevertheless, there are some circumstances where the assistance of Principal Authority officers can be particularly useful to a Parish Council.**
2. **Carlisle City Council and Cumbria County Council undertake to:**
 - Allow their officers to meet reasonable requests for advice and guidance from Parish Councils
 - Provide regular training events for Parish Councils on topics that relate to the Principal Authority's statutory functions, notably the Code of Conduct, town and country planning (see section F on page 12), financial arrangements and transport/highways
 - Invite new Parish Clerks to attend one of their staff or member induction courses, where appropriate
 - Make arrangements for Parish Councils (councillors and staff) to be invited to appropriate training events arranged by the Principal Authority for its own purposes.
3. **Parish Councils undertake to:**
 - Identify the training needs of their clerk and councillors
 - Participate, where appropriate, in training courses offered through the Principal Authorities and Cumbria Association of Local Councils.

D. Closer Joint Governance

- 1. Town and Parish Councils and Principal Authorities share many statutory functions and share the desire to deliver 'joined-up' local government services to the general public. This requires appropriate governance arrangements where all tiers of local government can work together and share accountability. Principal Authorities are concerned to ensure that the services they provide are effective in meeting the real needs of the community on the ground. Parish Councils are well placed to report on whether or not this is being achieved.**
- 2. Carlisle City Council undertakes to:**
 - Invite Parish Council representatives to attend the Community Overview and Scrutiny Committee when Monitoring Rural Policy and other reports relevant to the rural area are being presented
 - Invite Parish Council representatives to participate in Overview and Scrutiny Task and Finish Groups where appropriate
 - Seek Parish Council representatives to sit on the Standards Committee in accordance with statutory requirements.
- 3. Cumbria County Council undertakes to:**
 - Invite Parish Council representatives to attend meetings as appropriate including Carlisle Local Committee and Carlisle Area Transport Advisory Group.
- 4. Cumbria County Council and Carlisle City Council will both:**
 - Support Parish Council participation (through Cumbria Association of Local Councils) in the Cumbria Strategic Partnership, the Carlisle Partnership and the arrangements for Local Area Agreements.
- 5. Parish Councils undertake to:**
 - Participate fully, through the Carlisle Parish Councils Association, in relevant partnerships, committees and meetings
 - Ensure, through the Carlisle Parish Councils Association, that representatives reflect the views of Parish Councils and provide appropriate feedback.

E. Participation and Consultation

1. Public participation and consultation is one of the cornerstones of open government and can lead to better constructed policies and a more engaged general public. Parish Councils represent the opinions of a particular community rather than a specific interest group and welcome the opportunity to provide views to Principal Authorities on emerging policies and plans. Consultations with Parish Councils require careful preparation if all parties are to get benefits from such exercises.

2. Cumbria County Council and Carlisle City Council undertake to:

- Seek the participation of and consult with Parish Councils on:
 - (a) Community strategies and other Principal Authority policies that affect parishes.
 - (b) The detailed programmes and plans for the implementation of policies that affect parishes.
 - (c) Any specific scheme being promoted by an Authority that affects an individual parish.
- Invite parish representatives to participate in appropriate committees, working parties and meetings where emerging policies and implementation plans affecting parishes are being discussed
- Invite Parish Councils to any public meetings and exhibitions about policies and plans affecting the parish
- Ensure that all consultation documents, prepared by the two Principal Authorities, sent to Parish Councils are prepared in accordance with the 'Consultation Protocol' set out in Annex 1 on page 19

- Discuss with the Parish Council concerned at the earliest possible stage, any Principal Authority promoted plan or scheme that affects that specific parish
- Take Parish Council views into account before making decisions
- Allow appropriate officers to attend Parish Council meetings to explain and discuss policies and plans
- Meet with the Parish Council when particularly contentious issues cannot be resolved in any other way.

3. Parish Councils undertake to:

- Respond positively, where possible, to invitations to attend consultative committees, working groups and meetings
- Respond to all consultations (even if it is a simple 'no observations')
- Adopt a standard procedure, including arrangements for delegation, which enable the council to respond within consultation deadlines set by the Principal Authority in accordance with the Consultation Protocol (Annex 1 on page 19)
- Work constructively with Principal Authorities to seek mutually acceptable solutions to contentious issues
- Respect the final democratic decision of the Principal Authority
- Ensure the Principal Authority is aware of their views and aspirations, for example through the production of a Parish Plan.

F. Town and Country Planning

- 1. The opportunities to become involved in the town and country planning system are of keen interest to most Parish Councils. Planning policies and decisions can have a substantial impact on the future of local communities. Planning policies and procedures can appear very complex to the average Parish Council and this requires active partnership working by Planning Authorities and Parish Councils to ensure community interests are properly served.**
- 2. Cumbria County Council and Carlisle City Council undertake to:**
 - Assist Parish Councils' participation in the statutory planning system
 - Ensure that Parish Councils are given full opportunities (beyond statutory minimum requirements, where possible) to participate in the preparation of Local Development Frameworks
 - Ensure all planning consultation documents prepared by the two Principal Authorities are in accordance with the Consultation Protocol (Annex 1 on page 19)
 - Consult Parish Councils on all planning applications (including revised plans where relevant) in accordance with statutory procedures and inform the Parish Council which Planning Officer is handling the application
 - Respond positively, where possible and appropriate, to any request for a Planning Officer to attend a Parish Council meeting to explain and discuss a planning application or a decision on a planning application
 - Invite a Parish Council representative to attend any member site visit held by the Planning Authority
 - In all circumstances where the decision of the Planning Authority is at variance to the recommendation of the Parish Council, a letter be sent to the Parish Council fully explaining the Planning Authority's decision
 - Respond in writing to enquiries by individual Parish Councils for further information on planning applications and changes in revised plans
 - Provide annual training to Parish Councils on planning policy and procedures.
- 3. Parish Councils undertake to:**
 - Respond to all consultations in relation to Local Development Frameworks within the Planning Authority's deadlines
 - Respond to all consultations on planning applications within the Planning Authority's deadlines
 - Adopt standard procedures that enable the council to respond to consultations on planning applications and Local Development Frameworks within the Planning Authority's deadlines
 - Ensure that the council representative at any site visit is well briefed and, if asked, presents the views of the council (not personal views) that are material to the planning application. Parish Councils should follow the Code of Conduct in selecting representatives to attend the site visit.

G. Community Planning

1. **Community planning is an area where Principal Authorities and Parish Councils are increasingly working together. Several Parish Councils have produced or are undertaking Parish Plans. The challenge is to ensure full community participation in Parish Plans and linkages with Principal Authority strategies.**
2. **Cumbria County Council and Carlisle City Council undertake to:**
 - Support and give guidance in the preparation and implementation of Parish Plans and/or Parish Design Statements as far as resources allow
- Adopt an Authority-wide protocol for assisting the consideration and implementation of identified actions in Parish Plans and/or Parish Design Statements.
3. **Parish Councils undertake to:**
 - Consider producing a Parish Plan and/or Parish Design Statement for their parish.

H. Concurrent Functions and Financial Arrangements

1. **Some statutory powers are available to both Principal Authorities and Parish Councils - these are known as ‘concurrent functions’.** In order to avoid confusion and duplication it is necessary to agree locally which Authority is actually going to be responsible for which service. It is also necessary to agree financial arrangements between the Authorities, including arrangements to overcome the problem of “double taxation”. (Double taxation arises when council tax payers contribute towards the cost of a service (via the parish precept) which is being provided by their Town or Parish Council and also contribute (via the District Council precept) to the same service being provided in other parts of the District).
2. **Carlisle City Council undertakes to:**
 - Collect and pay over by the end of April in the relevant financial year any precept levy requested by Parish Councils
 - Operate and keep under review the financial arrangements with Parish Councils with respect to concurrent services as set out in Annex 2 on page 19
 - Operate a concurrent services grant scheme as may from time to time be agreed with the Carlisle Parish Councils Association and pay over by the end of June in the relevant financial year
 - Operate the Parish Council and village hall grant schemes which offer annual grants towards capital projects within the parish
 - Meet the election expenses of Parish Councils where the timing of these coincide with Carlisle City Council elections
- Provide annual play area inspections free of charge
- Provide village hall condition surveys free of charge on a five year rolling programme
- Provide IT helpdesk and technical support, access to the internal email system and IT training free of charge
- Review the recommendations from the Commission for Rural Communities report on the use of council tax received from second home owners.
3. **Cumbria County Council undertakes to:**
 - Review the recommendations from the Commission for Rural Communities report on the use of the council tax received from second home owners
 - Give support for community projects through Neighbourhood Forums and the Carlisle Local Committee.
4. **Parish Councils undertake to:**
 - Make any precept requests according to the timescales requested by the Principal Authority
 - Make efficient and effective use of grants offered by the Principal Authorities
 - Acknowledge the financial support received from the Principal Authorities in any advertising or publicity associated with projects
 - Keep IT equipment provided by Carlisle City Council or the CALC computer scheme up-to-date.

I. Developing the Partnership

1. The Local Government White Paper ('Strong and prosperous communities' - 26 October 2006) clearly shows that strong community or neighbourhood governance is a theme that will be taken forward. This will require increased emphasis on closer partnership working between local government tiers, now and in the future. Capable and effective Parish Councils will be a cornerstone of that process; those already with a high standard of best practice will need to maintain it and those wishing to improve will need to be encouraged, supported and given the tools to achieve it.

2. Elements that contribute to the development of future capability of Parish Councils are given below.

3. Training, development and best practice guidance.

Training initiatives and ideas on best practice are constantly evolving via the government's National Training Strategy Steering Group. Well informed councillors and clerks are vital factors in directly improving the effectiveness of Parish Councils. Assistance is available from a wide variety of sources and agencies depending on the topic. It can be a combination of personal attendance of councillors and clerks at various training events, obtaining the services of visiting lecturers, seeking written material or publications or just discussing concerns or issues with peer Parish Councils.

4. Cumbria County Council and Carlisle City Council undertake to:

- Support the implementation of the Cumbria Training Strategy for Town and Parish Councils.

5. Parish Councils undertake to :

- Examine the wide range of training, development and best practice sources available which can include Principal Authorities (see Section C on page 9), the National Association of Local Councils (NALC), CALC or other bodies
- Ensure that the identified training needs of their councillors and clerks are met.

6. The Quality Parish and Town Council Scheme has been in place since 2003 and involves Parish Councils meeting seven recognised national standards and being accredited with 'Quality' status (it is not open to Parish Meetings). The October 2006 Local Government White Paper continues to endorse the scheme and has proposed that the 'well-being' element of expenditure powers is extended to Quality councils. Some 'Quality' accredited councils may simply wish to exert greater influence over the delivery of local government services in their area by Principal Authorities, whilst others will seek to take on the management of certain services themselves.

7. Whilst the scheme is voluntary, the standards embedded in it are recommended to all Parish Councils as part of developing future capability for the parish tier. The majority of the tests relate to effectiveness in communication and accountability, all of which are within the reach of most Parish Councils now. Thus, Parish Councils that aspire to Quality status or to improve their standards in line with the scheme are to be encouraged and supported.

8. Carlisle City Council will:

- Arrange meetings (at least once a year) between “Quality” Councils and the City Council’s relevant portfolio holder to discuss service delivery in the District
- Offer “Quality” councils the opportunity to receive a level of IT service similar to that received by City Councillors subject to terms being agreed
- Offer “Quality” councils and those councils that are actively working towards “Quality” accreditation, the opportunity to enter into joint/agency arrangements for the delivery of certain local functions and will monitor the effectiveness of any arrangements.

9. Cumbria County Council will:

- Arrange meetings (at least once a year) between “Quality” Councils and the County Council’s leadership to discuss service delivery
- Offer “Quality” councils and those councils that are actively working towards “Quality” accreditation, the opportunity to enter into joint/agency arrangements for the delivery of any of the following services:
 - i. minor maintenance works on highways land (following completion of a pilot scheme) – known as the ‘Parish Lengthsman Scheme’
 - ii. Allowing Parish Councils to undertake snow clearance on minor roads
 - iii. Allowing Parish Councils to undertake maintenance and monitoring of Public Rights of Way outside the Lake District

National Park (following completion of a pilot scheme)

- iv. Working together in the provision of as public information and access points
- v. Allowing parishes to undertake the maintenance of amenity and recreational land owned by the County Council.

10. Parish Councils will undertake to:

- Keep under review the opportunities presented under the Quality Parish Scheme and consider seeking ‘Quality’ status when national standards can be met

11. Joint working with others.

A joint Parish Council approach to a common problem or collaborative project can bring positive results by harnessing combined opinions, resources and finances. Groupings for such joint working can be changed or should be flexible to get the best results; other community or voluntary groups may be involved.

12. Cumbria County Council and Carlisle City Council undertake to:

- Promote the benefits of joint working via Neighbourhood Forums and the Carlisle Parish Councils Association.

13. Parish Councils undertake to:

- Consider and use the opportunities for joint working promoted via Neighbourhood Forums and the Carlisle Parish Council Association

-
- Consider collaboration with other Parish Councils to produce a Joint Parish Plan if appropriate
 - Seek a joint approach to other common problems or initiatives with neighbouring Parish Councils or other community or voluntary groups.

14. Devolved functions can be formally handed over to a Parish Council using Section 101 of the Local Government Act 1972. This devolves a function to a Parish Council through an ‘agency’ arrangement. Section 113 of the same Act gives Principal Authorities the power to provide staff in respect of devolved functions. All arrangements for the devolution of functions to Parish Councils require adequate financial provision in accordance with the principle “finance follows function”.

15. Cumbria County Council will:

- Maintain the current contractual arrangements with individual Parish Councils for the devolution of services
- Give consideration to requests from Parish Councils for other services to be devolved in appropriate circumstances and following consultation

16. Carlisle City Council will:

- Maintain the current arrangements with individual Parish Councils for the devolution of services.

J. Monitoring and Review

1. It is important that this document is maintained as an up-to-date statement of the partnership arrangements between the three tiers of local government in Carlisle. The following arrangements will be followed:
 - A report on the implementation and effectiveness of **Parish Charter for Carlisle District** will be on the agenda of the annual inter-Authority meetings described in B.2 on page 7. This report will be based on feedback obtained from Parish Councils, through the Carlisle Parish Councils Association, and Principal Authority departments. The Rural Support Group (which is an officer group made up of representatives from organisations working in rural Carlisle) should also be consulted as part of the report preparation.
 - Any complaints about the operation of this Charter (from either the Principal Authority or Parish Council side) are to be sent in the first instance to the relevant Parish Liaison Officer. If the matter is not resolved it will be placed on the agenda of the annual inter-Authority meetings (see B.2 on page 7)
 - **Parish Charter for Carlisle District** will be reviewed no later than 2011.

Annex 1

Protocol for written consultation documents prepared by Carlisle City Council and Cumbria County Council which are sent to Parish Councils.

- The document should be written in 'Plain English'
- Check whether statute or local content requires the document to be sent to all councils. Consider if CALC could provide the response on behalf of Parish Councils
- Check that the information required cannot be obtained by any other means or from another source
- Ensure that enough information is available to assist consultees in making comment
- Allow a 6 week minimum consultation period except where this is clearly impractical
- Prepare a summary document or covering letter not exceeding two sides of A4 highlighting issues likely to be of particular interest to parishes
- Provide an easy to use response proforma. Where appropriate use headings/questions to structure the response.
- Provide a freepost/prepaid envelope for the response
- Send a copy of the consultation to CALC
- If possible, make the consultation document and response forms available on a website
- In the covering letter explain how and when the results of the consultation will be considered and the decisions made. Explain how these results will be made available to those Parish Councils that wish to see them
- Produce a glossary where necessary.

Annex 2

Carlisle City Council and Parish Council concurrent functions and financial arrangements

All City Council expenditure is charged at the same level across all parishes, ignoring concurrent expenditure by some parishes. Parish precepts are notified to the City Council by each Parish Council that wishes to levy a precept by the end of November in each year. The precept demands can then be incorporated in the draft City Council budget which is produced in December in preparation for the new financial year commencing in the following 1st April. 'Double taxation' is overcome through a Concurrent Services Grant scheme and a Parish Council and Village Hall Capital Grant scheme for Parish Councils.

The Concurrent Services grant scheme (approximately £60,000 in 2006/07) is awarded to parishes on the basis of their

precepts the previous year. A grant of 40% of qualifying expenditure is given to the four parishes exercising burial functions. This is deducted from the total grant available and the residual is allocated to Parish Councils in proportion to the previous year's parish precept. The current scheme has been in operation for many years but is subject to review from time to time. Any scheme shall be agreed between the City Council and the Carlisle Parish Councils Association. The quantum of any scheme is a matter for the City Council to determine.

Parish Council and Village Hall Capital grants (approximately £20,000 and £10,000 respectively in 2006/07) are awarded to Parish Councils on the basis of applications and recommendations of the Executive of the Carlisle Parish Councils Association. The final decision on allocation of these grants is made by the Carlisle Parish Councils Association.



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Photographs courtesy of Cumbria County Council, Charlie Hedley and Jonathan Becker.