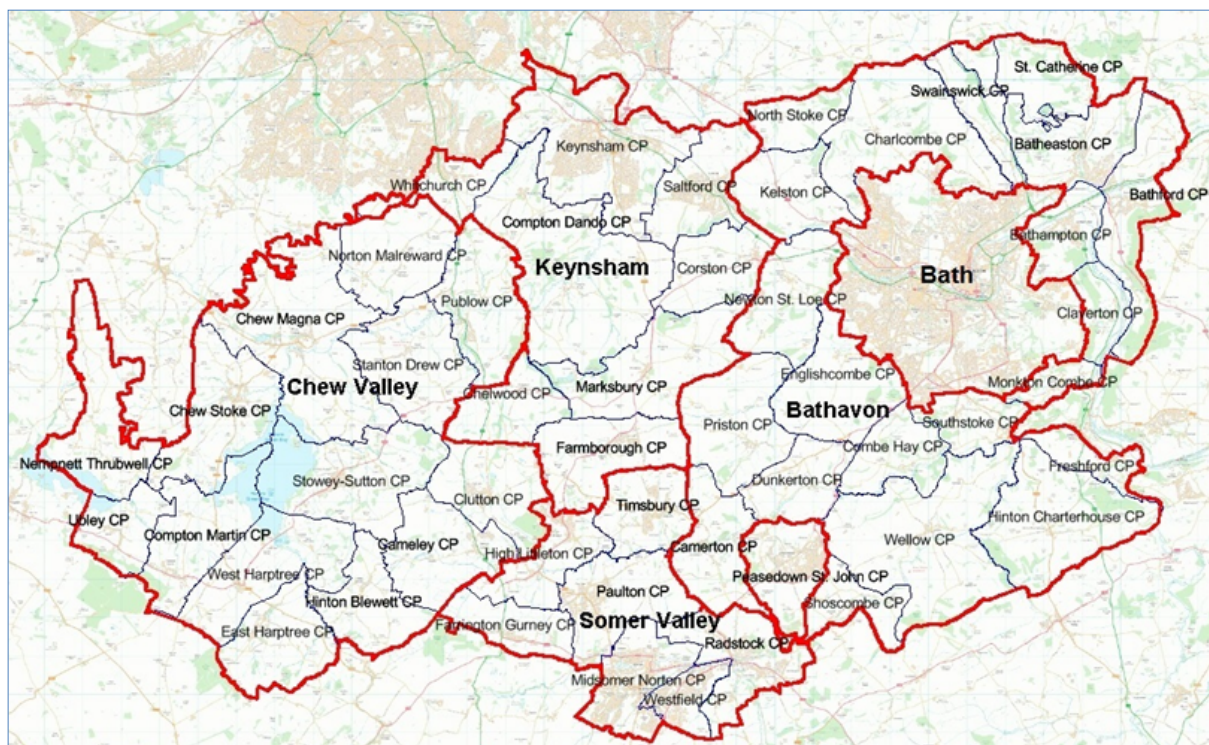


# DRAFT PARISH CHARTER

Between Bath & North East Somerset Council and Town, Parish  
and Village Councils



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# 1. Summary - What you need to know about the Parish Charter

The Charter has one simple aim - to provide a framework for us to work together to serve the people of Bath and North East Somerset. We have a common purpose to promote the wellbeing of Bath and North East Somerset, and we serve the same residents. This is the foundation of our Charter.

The Charter sets out how we will achieve this, by:

- ✓ Maintaining high ethical standards, **respecting and valuing each other**
- ✓ Being good partners and continuously **strengthening relationships**
- ✓ Providing **practical support** and helping each other out
- ✓ Being clear on **who does what**

The main document sets out what the Charter's signatories will do to deliver these aims. You will find this useful if you are in a B&NES Council service area or are a parish clerk or elected member (whether from B&NES or a parish council). We also hope this will be of more general interest - for example to voluntary groups who wish to work with parish councils.

Our Charter does not include everything. There are additional details – for example on Development Control and Highways - in the Charter's appendices. More information on protocols and standards (including B&NES Council's Customer Service Standards) is available on the B&NES Council website and through the Toolkit which will accompany the Charter. This information will change over time, particularly as Bath & North East Somerset Council involves parish and town councils in the development of our website.

The Charter also sets out how we will manage the relationship – putting things right when they go wrong as well as celebrating the things that go well. Finally, we set out the next steps and the process for future review.

Please send your feedback on this Charter to [parishcharter@bathnes.gov.uk](mailto:parishcharter@bathnes.gov.uk)

## 2. Introduction

**Since its creation, Bath & North East Somerset Council and the parish and town councils in our area have built a tradition of strong joint working, leading to the creation in 2006 of a “Parish Charter”. This has provided a firm foundation for our work.**

However, much has changed since the Charter was adopted over a decade ago. For example:

- Financial constraints on local services have increased, as have demographic pressures such as an ageing population. These are shared challenges for us all. We will need a joint focus on getting better value for money and delivering the savings we need to live within our means. Communities will need to be supported to do more for themselves as Bath & North East Somerset Council’s resources reduce.
- Communications have been transformed by digital technology, smartphones and social media. This increasingly provides opportunities to transform the way we work and communicate with each other through “smart” working and use of digital technology.
- Following a Community Governance Review, three new parish councils (Westfield, Midsomer Norton and Radstock) have been created. There are now 44 parish councils, 3 town councils, 3 parish meetings and one village council<sup>1</sup> in Bath and North East Somerset. For full designations see Appendix 2.

The key strengths of our parish councils – and the principles of effective partnership working – remain. Clear communications are central to successful collaboration. For this Charter to work, it needs to be picked up, read, understood and referred to at all levels of our local democracy. In creating this new Charter we have focused on making the document helpful to the people who will use it, including:

- Parish councillors and clerks
- Bath & North East Somerset Council elected members, including those who do not have parish councils in their areas
- Bath & North East Somerset Council staff, particularly those whose work brings them into contact with parish councils

The Charter sets out:

- The commitments we are making- both at a high level and also specific actions.
- What we do well, and the challenges facing us. We also include specific examples of good practice locally we can build on.
- How we would know if we have succeeded.

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<sup>1</sup> In the Charter, we have used the phrases “parishes” or “parish councils” for simplicity throughout, although allowance needs to be made for the differing legal framework of parish meeting areas.

# 3. Our Aim: Together to serve the people of Bath and North East Somerset

## Our Core Commitments

The Charter has one simple aim - to serve the people of Bath and North East Somerset. This aim is underpinned by the following core commitments.

*"We'll have been successful when we really understand each other's objectives and can contribute to their delivery"*

*Parish Charter Review Workshop*

**Together**, we will:

- ✓ ***work together to promote local economic, social and environmental well-being. We will value the roles, responsibilities, and opinions of our respective councils, but be aware at all times that we have a common purpose to serve the public of Bath & North East Somerset and that we serve the same residents. (This is the foundation of our Charter and is reflected in the Parish Charter Certificate set out in Appendix 8.)***
- ✓ **respect the democratic mandates of all our individual councils within their legal and service remits, recognising that B&NES Council and parish councils exist as separate bodies and have separate tax raising powers. (For more information on parish council functions see Appendix 1).**
- ✓ **work together to address the significant challenges facing our area. As resources tighten we will collaborate in supporting communities to do more for their local areas and make the best use of new ways of working such as digital technology.**
- ✓ **work together to try and answer residents' queries at the first point of contact, signposting as necessary, regardless of whether the query is to a parish or to B&NES Council.**
- ✓ **use the following joint principles for the devolution of services to parish and town councils:**
  - **"By choice, not imposed"**
  - **"One size doesn't fit all"**
  - **"All liabilities to be declared openly on both sides"**
  - **"Give proper notice of changes"**
  - **"Be clear on what is being transferred, and over what timescales"**
  - **"Encourage parishes to cluster"**
  - **"Set up a 'support' offer"- e.g. training/equipment"**

**As individual bodies**, we make the following core commitments regarding consultation:

- ✓ **B&NES Council will consult specific parishes on matters when a planned decision would have a direct or significant impact on the local council or its area or inhabitants. B&NES Council will provide adequate time for a response to be made, appropriate to the issue under discussion and explain why it matters to respond. A longer period of time and more detailed engagement will take place where there is a potential high impact/financial implication for a specific parish or group of parishes.**
- ✓ **Parish councils will consult B&NES Council on matters when a planned decision would have a direct or significant impact on B&NES Council or on the wider Bath and North East Somerset area or its inhabitants.**
- ✓ **Parish councils will respond to consultations in a timely manner and as appropriate will call special meetings. In doing this they will seek to reflect the view of local people. Parish councils will also respond as appropriate to general consultations (eg where these have been placed online).**

In adopting these commitments that drive our Charter, we can build on a wide range of good practice examples in our area, ranging from work on local traffic issues to support for local community facilities and play areas. We have the space to highlight only a small number of these in this document.

**Our specific commitments are:**

<b>FROM B&amp;NES COUNCIL</b>	<b>FROM PARISH AND TOWN COUNCILS</b>
We will involve parish councils in the setting of our long-term corporate strategies and other priorities.	We will identify local objectives and priorities and work with B&NES Council to identify the best way of delivering them.
We will champion local democracy and encourage local residents to participate fully in the local democratic process.	
We will use Parish Liaison and the Connecting Communities Forums to put in place shared projects and identify key local priorities.	
We recognise a shared interest in support for local community facilities and will work together within legal and policy constraints to achieve this where possible.	
We will collaborate on digital projects to improve how we work together, communicate and deliver services.	
We will work together to protect the most vulnerable in our community.	



## 4. Making it Happen

In the next four sections we set out in more detail **how** we will work together to meet our aims. We will do this by:

- a) Respecting and valuing each other
- b) Strengthening relationships
- c) Providing practical support
- d) Making the best of our skills and resources

### 4a) Making it Happen: Respecting and valuing each other

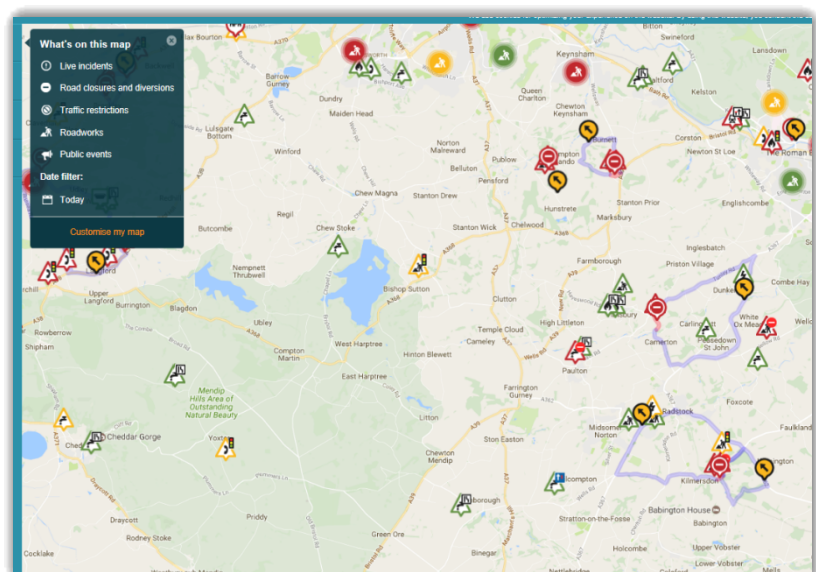
#### What we do well:

- In general, officers, councillors and other partners involved in joint working value the helpfulness and professionalism of their colleagues. Information received on road closures, recycling, etc. is all valued. Websites and social media are useful tools for parish councils to disseminate information e.g. Keynsham Town Council's Facebook page.
- B&NES Council officers are becoming more confident about engaging with communities on challenging issues at the Connecting Communities Forums.
- There is openness and a willingness to work together.

#### BUT

- There are sometimes different expectations and language used on both “sides”.
- There is a perception of parish councils being seen as the “junior partner”.
- We have not acknowledged the impact of behaviour in building our relationship.

**Good practice:** All parishes now receive regular ‘street works’ e-mails alerting them to roadworks and traffic interruptions in the district, with links to the [roadworks.org](http://roadworks.org) website (pictured right) for further detail.



## So our Core Commitment is:

**We will respect the democratic mandates of all our individual councils within their legal and service remits, recognising that B&NES Council and parish councils exist as separate bodies and have separate tax raising powers.**

## Our Specific Commitments are:

FROM B&NES COUNCIL	FROM PARISH AND TOWN COUNCILS
We will <ul style="list-style-type: none"><li>• <b>listen</b> – always being open to ideas.</li><li>• <b>prioritise</b> – making sure local needs come first wherever we can.</li><li>• <b>join up</b> – working in partnership with our local communities.</li><li>• <b>work collaboratively</b> – helping communities find the best way to tackle local issues.</li><li>• <b>share ideas</b> – building on what works.</li><li>• treat each other with <b>respect</b>.</li><li>• work <b>openly</b> and transparently.</li><li>• recognise the impacts of our <b>behaviours</b> on others.</li></ul>	
We will work together to develop our people, including coaching, secondments and understanding the competencies we need to thrive.	
We will follow the relevant codes in regard to the publication of parish council members' interests	
B&NES Council through its Monitoring Officer will support the Standards Committee in the investigation of complaints relating to parish councils.	
B&NES Council and ALCA will work together to improve governance standards in parish councils as appropriate.	

We need to reinforce these behaviours through effective partnership structures, and above all this means communication. In the next section we will set out how we will work in partnership.

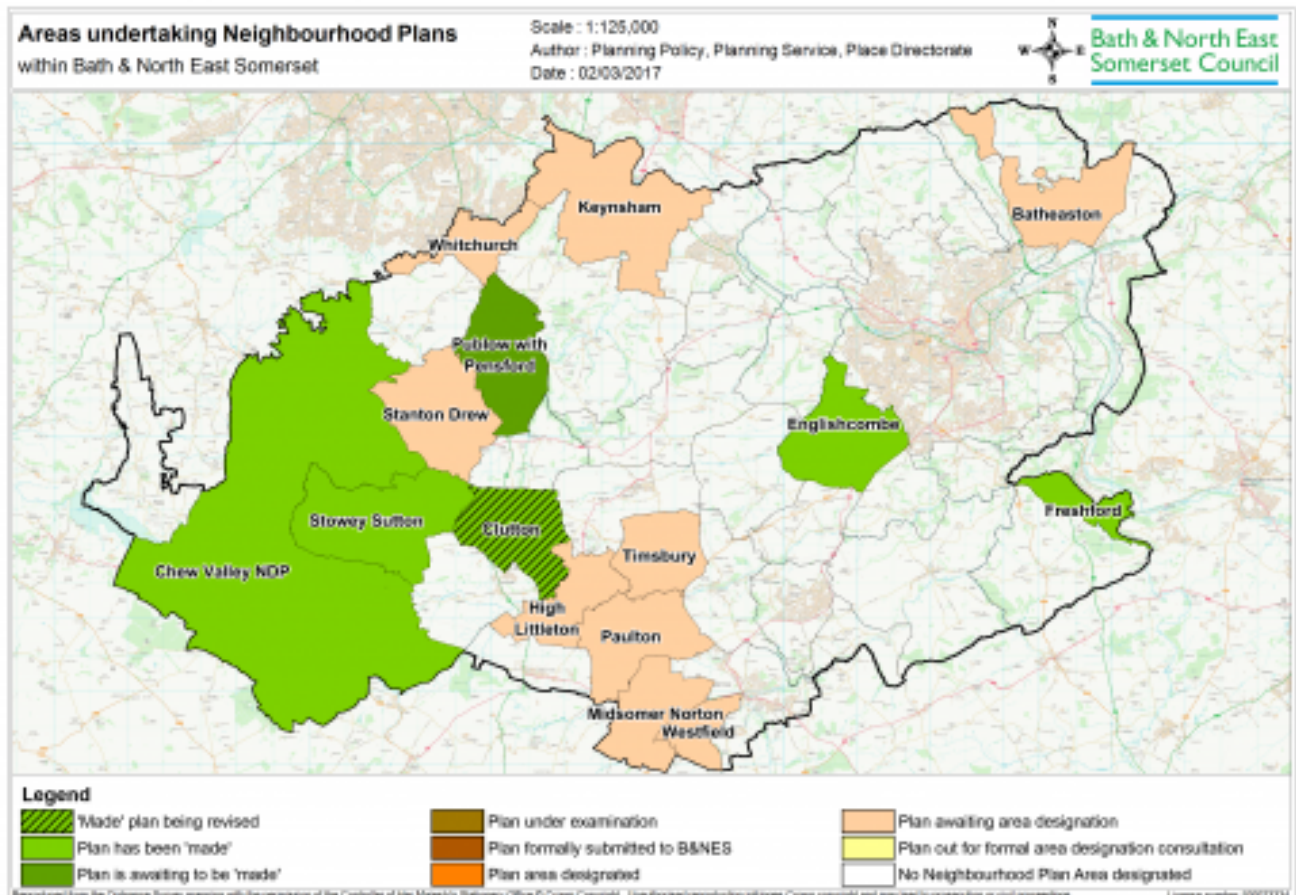


## 4b) Making it Happen: Strengthening relationships

### What we do well:

- Through the Connecting Communities Forums and our long-established Parishes Liaison meeting we have regular conversations about key issues facing our localities
- The process of developing the Parish Charter has helped strengthen relationships

### Good practice



*The map above shows the progress we've made on developing Neighbourhood Plans including the Chew Valley plan which brings together 7 parishes and the Freshford and Limley Stoke Plan which sees cross-border co-operation with Wiltshire.*

### BUT

- Sometimes consultation times are too short and the channels through which consultation takes place, or the importance of a parish council response, are unclear.
- Not all parishes engage in what's available.
- There is overlap between Parishes Liaison and Connecting Communities.
- There are few shared programmes between parish councils and B&NES Council.

## So our Core Commitments are:

**We will work together to address the significant challenges facing our area. As resources tighten we will collaborate in supporting communities to do more for their local areas and make the best use of new ways of working such as digital technology.**

**B&NES Council will consult specific parishes on matters when a planned decision would have a direct or significant impact on the local council or its area or inhabitants. B&NES Council will provide adequate time for a response to be made, appropriate to the issue under discussion and explain why it matters to respond. A longer period of time and more detailed engagement will take place where there is a potential high impact/financial implication for a specific parish or group of parishes.**

**Parish councils will consult B&NES Council on matters when a planned decision would have a direct or significant impact on B&NES Council or on the wider Bath and North East Somerset area or inhabitants.**

**Parish councils will respond to consultations in a timely manner and as appropriate will call special meetings. In doing this they will seek to reflect the view of local people. Parish councils will also respond as appropriate to general consultations (eg where these have been placed online).**

## Our Specific Commitments are:

<b>FROM B&amp;NES COUNCIL</b>	<b>FROM PARISH AND TOWN COUNCILS</b>
We will provide the framework for Parish Liaison (using the Terms of Reference set out in Appendix 6) and Connecting Communities (using the Protocol set out in Appendix 5).	We will participate in and contribute to Parish Liaison and Connecting Communities Forums.
We will deliver regular e-bulletins to parish councils covering learning and development; funding opportunities; events and other up to date information.	We will use our local newsletters and websites as appropriate to disseminate information and consultations to local communities.
We will use the Council magazine to promote partnership work and local community activity.	We will advise the Council of any good practice or successes we wish to highlight through its meetings or publications.
We will work in partnership to manage communications and expectations on key schemes that impact on local communities - particularly Highways (e.g. road closures) and Planning issues, building effective working relationships.	We will work closely with Council service areas to manage the impact of these schemes and build working relationships to manage any local concerns.
Every year we will work together to identify a number of shared "Parish Charter" projects which we will jointly sponsor to deliver the Review in partnership.	

FROM B&NES COUNCIL	FROM PARISH AND TOWN COUNCILS
We will empower and develop parishes to become as appropriate trusted partners to enable better and more streamlined reporting e.g. of highways matters.	We will seek to report issues such as potholes on a “do it once, do it right” basis.
We will ‘signpost’ to specific service standards and protocols for highways. planning and other services.	

Partnership working means mutual support and only works if we can give clear, practical help to each other. The next section sets this out in more detail.

## 4c) Making it Happen: Providing practical support

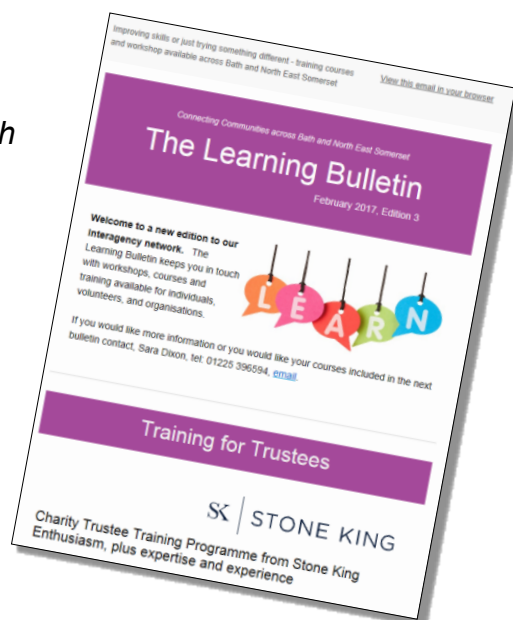
### What we do well:

- Day-to-day support from B&NES officers to clerks and other parish representatives is good. The Parish Clerks’ Survey contains useful information.
- Council Connect is a reliable means of logging issues. The Cleansing Team are an excellent model particularly in relation to reporting back. Parishes cascade information effectively through their newsletters, social media and websites.
- Specialist support – e.g., when undertaking a Neighbourhood Plan - is positive.

**Good practice:** *The Learning Bulletin goes to all parish councils and includes opportunities for training.*

### BUT

- More support is needed for clerks to collaborate.
- More information on procedures relating to Planning (particularly enforcement) and Highways would be welcome.
- We need to think of all parties as a ‘customer’; aiming for excellence and understanding how to help others get there.



### So our Core Commitment is:

**We will work together to try and answer residents’ queries at the first point of contact, signposting as necessary, regardless of whether the query is to a parish or to B&NES Council.**

**Our specific commitments are:**

<b>FROM B&amp;NES COUNCIL</b>	<b>FROM PARISH AND TOWN COUNCILS</b>
B&NES Council, through its locality management, will provide a point of contact to parish councils who need support. When changing key personnel we will update parishes with the new contact details and summary structure charts/line management information.	We will inform B&NES Council of changes to clerks, councillors and other contact details. We will ensure it is clear who the appropriate planning contact is within our council.
We will fulfil our statutory duties in relation to planning consultation and set service standards for how we work with parishes. (See Appendix 4 for sample standards).	We will utilise the processes set out in the service standards, escalating where appropriate.
We will promote Council Connect services through our website and provide various ways for reporting issues (see Appendix 4 and Toolkit). We will be clear on what timescales can be expected.	We will use Council Connect as the primary reporting tool.
<p>We will work to develop a Training/Continuous Professional Development offer- e.g. on:</p> <ul style="list-style-type: none"> <li>• Community Infrastructure Levy (CIL) / Section 106</li> <li>• Planning/highways updates</li> <li>• IT/digital</li> </ul> <p>Where appropriate, Council and other training will be opened out to parishes.</p>	We will undertake our own due diligence on all projects, recognising that local authorities and parish councils are different legal entities. We will encourage all parish clerks to become qualified and parish councils to work towards the Local Council Awards Scheme.
We will seek to secure bespoke support to parish councils where they wish to develop a project which helps deliver this Parish Charter.	We will publicise our own skills, experience and training/development offer and where appropriate open this to others.
We will keep our websites up to date as far as is practicable and use all forms of media to gain and disseminate information.	
We will use our powers under the Local Government Act to help parishes achieve their local priorities (e.g. powers, naming).	We will secure local support for schemes we put forward as well as undertaking due diligence.
We will work with parish councils on local community and volunteering projects.	We will build effective partnerships in our local communities.

FROM B&NES COUNCIL	FROM PARISH AND TOWN COUNCILS
So far as practicable, we will share meeting rooms and use events as appropriate to publicise consultations, projects and services.	
<p>We will keep up to date information available to the parishes in relation to the following:</p> <ul style="list-style-type: none"> <li>• Emergency planning</li> <li>• Local data through the research web pages</li> <li>• Parish Online</li> </ul>	We will contribute our local knowledge to (e.g. on localised flooding).
<p>We will work together to share information and approaches as appropriate to:</p> <ul style="list-style-type: none"> <li>• Procurement/bulk buying of equipment</li> <li>• Availability/sharing of ICT</li> <li>• Specialist training</li> </ul>	
We will work together to improve community resilience, for example on Places of Safety.	

## 4d) Making it Happen: Making the best of our skills and resources

### What we do well:

- There are good, effective parish councils in our area.
- Bath & North East Somerset Council has robust financial planning and is an effective partner.
- Together, this presents a solid basis for joint working.

**Good practice:** *The Packhorse pub (pictured below) is now owned by local community, supported by South Stoke Parish Council. This follows Bath & North East Somerset Council agreeing its status as an Asset of Community Value. There are nine Assets of Community Value in our area.*





## BUT

- There remains duplication of services and inconsistencies of approach, and the precise allocation of roles is sometimes unclear.
- There is sometimes a lack of understanding of the constraints we are all operating under – e.g. the legal frameworks, and how different councils work.
- There are concerns that more will be expected of the parish councils without any assistance from B&NES Council.
- There is no specific framework for devolution of services to parish councils.

## So Our Core Commitment is:

**We will use the following joint principles for the devolution of services to parish councils:**

- ✓ **“By choice, not imposed”**
- ✓ **“One size doesn’t fit all”**
- ✓ **“All liabilities to be declared openly on both sides”**
- ✓ **“Give proper notice of changes”**
- ✓ **“Be clear on what is being transferred, and over what timescales”**
- ✓ **“Encourage parishes to cluster”**
- ✓ **“Set up a ‘support’ offer” - e.g. training/equipment”**

## Our Specific Commitments are:

<b>FROM B&amp;NES COUNCIL</b>	<b>FROM PARISH AND TOWN COUNCILS</b>
We recognise that there are a number of concurrent functions with parish councils. Parish council functions are set out in Appendix 1. We will pay particular attention to seeking to remove duplication and streamline these ways of working wherever possible.	We will keep B&NES Council updated on the detail of our service operations where there is the potential for joint working or where this would enhance efficiency and reduce duplication.
We will support to parish councils offering training, advice and sharing resources as appropriate to help them use local capacity to improve services. We will provide appropriate equipment and support for litter picks and similar voluntary initiatives.	We will utilise local volunteer and other capacity to improve our areas - e.g. through litter picking, snow wardens, farmers helping with hedge cutting, etc.
We will make all communications to parish councils through the clerk (see exception below with regard to specific planning contact).	We will respond to communications within reasonable timescales.



<b>FROM B&amp;NES COUNCIL</b>	<b>FROM PARISH AND TOWN COUNCILS</b>
We will support B&NES Council ward councillors in representing their local community and they will be encouraged to work with parish councils.	We will work closely with B&NES ward councillors as community leaders and problem-solvers.
We recognise that parish councils operate through working parties as well as sub-committees.	We will invite B&NES Council representatives to be involved in working groups and to Full Council meetings as appropriate.
We will publicise the various roles and accountabilities within B&NES Council as set out in the Council's Constitution and other documents. These include Cabinet members; Directors; Customer Services/Council Connect; the Community Engagement team; and specialist/case officers. We will also implement public speaking schemes for Council bodies as appropriate, including a general scheme and one specifically for Development Management.	We will seek to direct queries to the most appropriate role. They may seek advice at any time from their named Community Engagement team contact as to the best route to follow to get things done.
We will work together to create a Parishes Toolkit on information available and where to access it. B&NES Council will provide information on parish councils and their roles as part of its induction for new staff.	

## 5. Next Steps

To ensure the Parish Charter is effective we need to monitor and review it. We will encourage formal and informal events to celebrate and share our work and build relationships.



*The Chairman's Community Awards (pictured left) celebrate the people who work in our localities. The Lifetime Achievement Award is named after Peter Duppa-Miller, who did so much to champion the work of parish councils in our area. We will look at ways to incorporate the work of parish councils into the Awards.*

To monitor the Charter we will establish a Parish Charter Steering Group which will examine progress, particularly assessing the measures of success set out in the table below.

✓	Parish councils feel engaged with Bath and North East Somerset and that their voices are being heard.
✓	Parish councils have succeeded in getting the improvements they want in issues such as grounds maintenance, verges, potholes and broadband.
✓	More parish councils have contested elections.
✓	More parish councils receive NALC Award status.
✓	Smart use of IT improves communications with clerks.
✓	More joint projects to address common themes - e.g. affordable housing, youth provision, transport and cross-boundary infrastructure issues.
✓	Parishes are doing more for their communities - but within the right framework and getting the help they need.
✓	We have shared responses to the challenges and opportunities facing our area – eg West of England devolution, demographic change and financial pressures.

We will follow up the Parish Clerks Survey. We will jointly agree a dispute resolution process, to be used where it is thought that specific aspects of the Charter are not being delivered. We will keep the document a “live” one and undertake a light touch “refresh” every year, with a full review every 4 years.

## 6. Jargon Buster

Access Land	Land with public right of access mapped as 'open country' (mountain, moor, heath and down) or registered common land.
ALCA	Avon Local Councils Association.
Asset of Community Value	An amenity or public building which has been put forward by a community under the Localism Act for inclusion on a register held by their local authority. If it is included, it may not be sold without the opportunity for the public to raise funds to buy it.
Chairman's Community Awards	Annual Awards organised by Bath & North East Somerset Council to recognise volunteers, community leaders and businesses that make a positive contribution to the local community, putting people first and inspiring others to get involved.
Community Infrastructure Levy (CIL)	A planning charge, introduced by the Planning Act 2008, as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area.
Connecting Communities	The Council's framework for engaging with local communities.
Community Governance Review	A change to parish governance arrangements which Principal Councils (district or unitary) have the power to carry out. A review can consider whether to create a new parish; alter the boundary of an existing parish or to group a number of parishes together. Local people can petition a Principal Council to undertake a Community Governance Review and it must be undertaken if the relevant conditions are met.
General Power of Competence	The General Power of Competence, Localism Act 2011 Sec 1 (1) gives local authorities, including eligible local councils, "the power to do anything that individuals generally may do" as long as they do not break other laws. It is intended to be a power of first, not last, resort. However, there remain constraints and in particular this does not give any additional fund raising powers. A parish council wishing to use the power must formally resolve that it is an 'eligible council'. The qualifications for eligibility are that the clerk has completed a course in local administration, and that at least two-thirds of councillors have been elected (i.e. not co-opted). <sup>14</sup> The general power of competence is available in England only.

Local Council	A parish, town, village, neighbourhood or community council.
Local Council Award Scheme	Run by the National Association of Local Councils, the scheme is designed to celebrate the successes of the very best Local Councils, and to provide a framework to support all Local Councils to improve and develop to meet their full potential.
NALC	National Association of Local Councils – the national membership body for Local Councils working to support, promote and improve them.
Neighbourhood Planning	A right for communities introduced through the Localism Act 2011 enabling communities to shape development in their areas.
Quality Parish	An Award scheme operated by NALC which demonstrates that a Council achieves good practice in governance, community engagement and Council improvement.
Parish Charter Working Group	A small group of representatives from Bath and North East Somerset Council and local town and parish councils to review the Parish Charter.
Parish On-line	Online mapping software for town, community and parish councils used, for example, to view maps, datasets and record assets.
Parishes Liaison	The Parishes Liaison Meeting is a joint consultative body set up to consider issues of common interest between the parish/town councils (individually or collectively) and Bath and North East Somerset Council, that are relevant for discussion in this forum.
Place of Safety	A temporary shelter to be used in an emergency (eg gas leak; flood; – generally a community venue where people will feel comfortable and safe.
Section 106 (S106)	Legal agreements between Local Authorities and developers. These are linked to planning permissions and can also be known as planning obligations.

## **Appendix 1**

### **List of Parish Council functions**

<b>Function</b>	<b>Powers &amp; Duties</b>	<b>Statutory Provisions</b>
Access land	Power to enforce byelaws made by another authority.	Countryside and Rights of Way Act 2000, s. 17
Allotments	Duty to provide allotments. Power to improve and adapt land for allotments, and to let grazing rights.	Small Holdings & Allotments Act 1908, ss. 23, 26, and 42
Baths and washhouses	Powers relating to provision of public baths, washhouses and bathing huts.	Public Health Act 1936, ss. 221 - 223 and 225 - 227
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to provide Power to agree to maintain monuments and memorials Power to contribute towards expenses of cemeteries.	Open Spaces Act 1906, Ss 9 and 10; Local Government Act 1972, s. 214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s. 1 Local Government Act 1972, s. 214(6)
Bus shelters	Power to provide and maintain shelters.	Local Government (Miscellaneous Provisions) Act 1953, s. 4
Bye-laws	Power to make bye-laws in regard to pleasure grounds Cycle parks Baths and washhouses Open spaces and burial grounds Mortuaries and post-mortem rooms Public Conveniences	Public Health Act 1875, s. 164 Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, ss.15 and 12 Public Health Act 1936, s.198 Public Health Act 1936, s. 87
Clocks	Power to provide public clocks.	Parish Councils Act 1957, s.2
Closed churchyards	Powers as to maintenance.	Local Government Act 1972, s.215
Commons	Power for parish councils to contribute to	Commons Act 1899, s.5

	expense relating to scheme for the regulation and management of a common.	
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Function	Powers & Duties	Statutory Provisions
Common pastures	Powers in relation to providing common pasture.	Smallholdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage the use of facilities.	Local Government Act 1972, s.144
Community centres	Power to provide and equip buildings for use of clubs having athletic, social or recreational objectives.	Local Government (Miscellaneous Provisions) Act 1976 s.19
Crime prevention	Powers to install and maintain equipment and establish and maintain a scheme for detection or prevention of crime.	Local Government and Rating Act 1997, s.31
Drainage	Power to deal with ponds and ditches.	Public Health Act 1936, s.260
Entertainment and the arts	Provision of entertainment and support of the arts.	Local Government Act 1972, s.145
Financial assistance	Duty to require information.	Local Government Act 1972, s.137A
General powers	Power to incur expenditure not otherwise authorised on anything which in the council's opinion is in the interests of the area or part of it or all or some of the inhabitants. Note that in 2016/17 this figure is prescribed as a maximum of £7.42 per elector.	Local Government Act 1972, s. 137
General Power of Competence	The General Power of Competence, Localism Act 2011 Sec 1 (1) gives local authorities, including eligible local councils, "the power to do anything that individuals generally may do" as long as they do not break other laws. It is intended to be a power of first, not last, resort. However, there remain constraints and in particular this does not give any additional fund raising powers. A parish council wishing to use the power must formally resolve that it is an 'eligible council'. The qualifications for eligibility are that the clerk has completed a course in local administration, and that at least two-thirds of councillors have been	Localism Act 2011, s. 1 (1)  The conditions for eligibility are set out in the Statutory Instrument, Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012



	elected (i.e. not co-opted). <sup>14</sup> The general power of competence is available in England only.	
Function	Powers & Duties	Statutory Provisions
Gifts	Power to accept.	Local Government Act 1972, s.139
Highways	Power to maintain footpaths and bridle-ways Power to light roads and public places Provision of litter bins Powers to provide parking places for bicycles and motor-cycles, and other vehicles Power to enter into agreement as to Highways Act 1980, ss.43,50 Parish Councils Act 1957, s.3; Highways Act 1980, s.301 Litter Act 1983, ss.5,6 Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72 Parish Councils Act 1957, s.1 dedication and widening Power to provide roadside seats and shelters Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway Power to complain to Highway Authority as to unlawful stopping up or obstruction of highway or unlawful encroachment on roadside wastes Power to provide traffic signs and other objects or devices warning of danger Power to plant trees and lay out grass verges etc. and to maintain them	Highways Act 1980, ss.47,116 Highways Act 1980, s.130 Road Traffic Regulation Act 1984, s.72 Highways Act 1980, s.96
Investments	Power to participate in schemes of collective investment.	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land.	Local Government Act 1972, ss.124, 126, 127 Local Government Act 1972, s.139
Litter	Provision of receptacles.	Litter Act 1983, ss.5,6
Lotteries	Powers to promote.	Lotteries and Amusements Act 1976, s.7
Mortuaries and post mortem rooms	Powers to provide mortuaries and post mortem rooms.	Public Health Act 1936, s.198
Open spaces	Power to acquire land and maintain.	Public Health Act 1875, s.164 Open Spaces Act

		1906, ss.9 and 10
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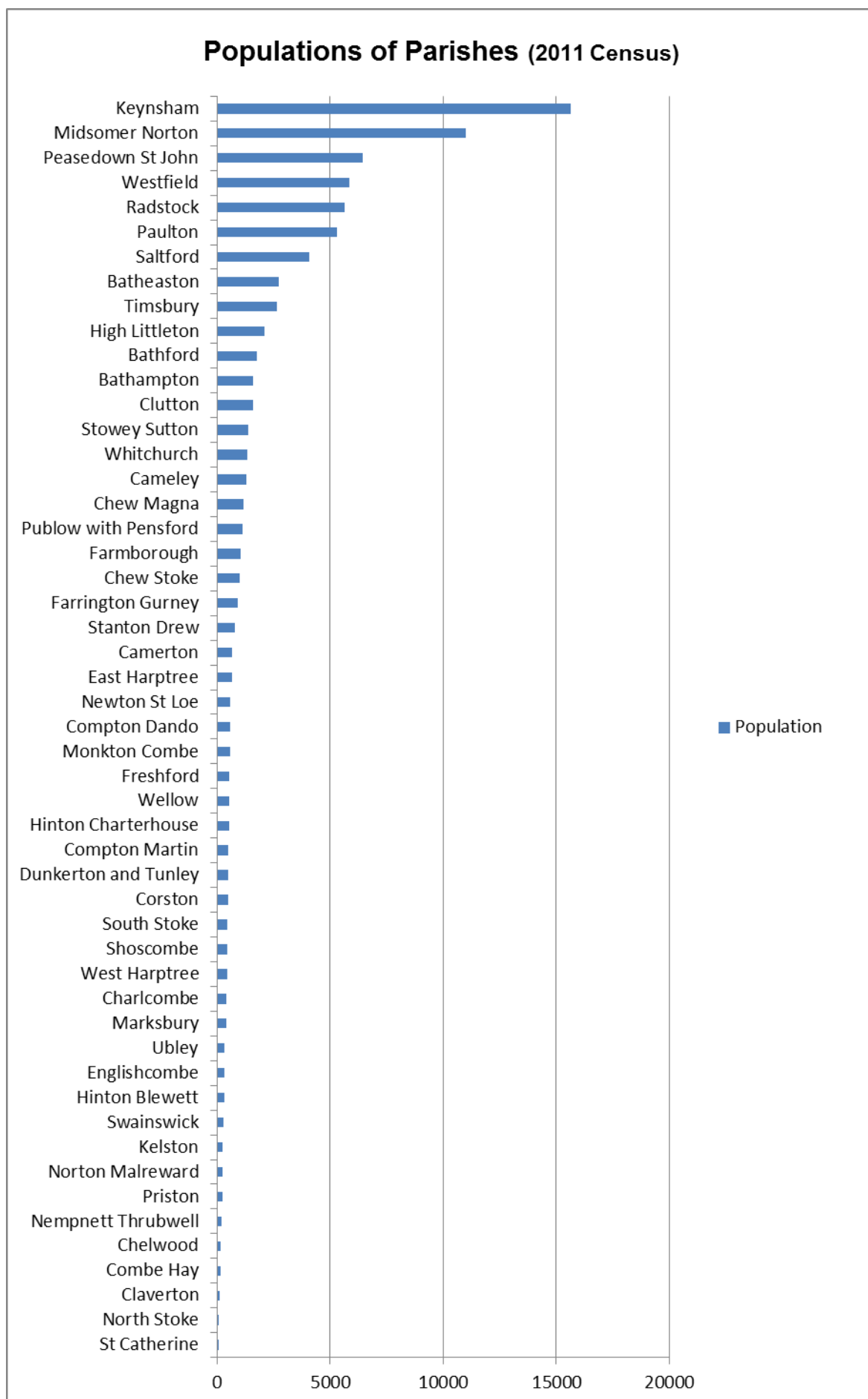
Function	Powers & Duties	Statutory Provisions
Parish documents	Powers to direct as to their custody Local Government Act 1972, s.226 Public buildings and village hall Power to provide buildings for public meetings and assemblies.	Local Government Act 1972, s.133
Public conveniences	Powers relating to provision of public conveniences.	Public Health Act 1936, s.87
Recreation	Power to acquire land for or to provide public walks, pleasure grounds and open spaces and to manage and control them.  Power to provide gymnasiums, playing fields, holiday camps Provision of boating pools.	(see Local Government Act 1972, Sched.14 para.27) Public Health Act 1875, s.164 Public Health Acts Amendment Act 1890 s.44 Open Spaces Act 1906, ss.9 and 10 Local Government (Miscellaneous Provisions) Act 1976, s.19 Public Health Act 1961, s.54 Town and Country planning Right to be notified of planning applications Town and Country Planning Act 1990, Sched.1, para.8
Tourism	Power to encourage visitors and provide conference and other facilities.	Local Government Act 1972, s.144
Traffic calming	Powers to contribute financially to traffic calming schemes.	Highways Act 1980, s.274A
Transport	Powers in relation to car-sharing schemes, taxi fare concessions and information about transport Powers to make grants for bus services.	Local Government and Rating Act 1997, s.26, 28 and 29  Transport Act 1985, s.106A
War memorials	Power to maintain, repair, protect and alter war memorials.	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133
Water supply	Power to utilise well, spring or stream and to provide facilities for obtaining water from them.	Public Health Act 1936, s.125

## **Appendix 2**

### **List of parishes (including town and village councils and parish meetings) in Bath & North East Somerset**

Bathampton Parish Council	Marksbury Parish Council
Batheaston Parish Council	Midsomer Norton Town Council
Bathford Parish Council	Monkton Combe Parish Council
Cameley Parish Council	Nempnett Thrubwell Parish Council
Camerton Parish Council	Newton St Loe Parish Council
Charlcombe Parish Council	North Stoke Parish Meeting
Chelwood Parish Council	Norton Malreward Parish Council
Chew Magna Parish Council	Paulton Parish Council
Chew Stoke Parish Council	Peasedown St John Parish Council
Claverton Parish Council	Priston Parish Council
Clutton Parish Council	Publow and Pensford Parish Council
Combe Hay Parish Council	Radstock Town Council
Compton Dando Parish Council	Saltford Parish Council
Compton Martin Parish Council	Shoscombe Parish Council
Corston Parish Council	South Stoke Parish Council
Dunkerton & Tunley Parish Council	St Catherine Parish Meeting
East Harptree Parish Council	Stanton Drew Parish Council
Englishcombe Parish Council	Stowey Sutton Parish Council
Farmborough Parish Council	Swainswick Parish Council
Farrington Gurney Parish Council	Timsbury Parish Council
Freshford Parish Council	Ubley Parish Council
High Littleton Parish Council	Wellow Parish Council
Hinton Blewett Parish Council	West Harptree Parish Council
Hinton Charterhouse Parish Council	Westfield Parish Council
Kelston Parish Meeting	Whitchurch Village Council
Keynsham Town Council	

## Appendix 3



## **Appendix 4: Draft Service Standards and Protocols**

### **A: Development Control Service Standards**

<b>B&amp;NES Action – Development Control Case Officer</b>	<b>Parish Council Development Control Lead</b>
We will identify named Case Officers.	We will contact Planning Case Officers in the first instance if we need advice.
We will be as flexible as possible re consultation timescales.	We will contact the Case Officer if we need to extend.
We will prepare notes to Clerks re major changes to Planning law/police.	We will use the national planning portal to keep updated on national policy.
We will consult parish and town councils electronically following the registration of planning applications.	
We will maintain a webpage giving advice and support to parish and town councils.	

Further information on the Council's approach to Section 106/CIL Planning Obligations are set out in the toolkit and [here](#).

### **B: Highways/Environmental Services Locality Matrix (Draft)**

<b>Type</b>	<b>B&amp;NES role</b>	<b>Parish role</b>
Hyper- Local (eg pothole, overhanging vegetation).	Prioritise re safety and other criteria.	Report; encourage local effort/resources as appropriate if seen as local priority.
Local (eg road closure of residential road).	Prioritise re safety and other criteria; consult on scheme detail with parish.	Report, prioritise, assist with consultation; resource if seen as priority within parish.
Local Plus (eg work in shopping street, impact on main routes).	Work with B&NES to build consensus on scheme; capital programme criteria.	Work with B&NES to build consensus on scheme; potential scheme contributions.
Forum or corridor-level (eg traffic calming schemes, trunk routes).	Weigh up impacts across whole area following consultation/input.	Contribute to "bigger picture" across area (eg A37 corridor).
District Wide (eg major road diversion/major schemes).	Major scheme criteria- keep parishes informed.	Understanding and highlighting of any local impacts/unforeseen consequences.
Strategic (eg cross-UA boundaries).		

### ***C: B&NES Council Customer Vision and Aims***

All our services operate to Bath & North East Somerset Council's Customer Care Standards. This means that customers are given a consistent level of service across the entire Council, however they choose to contact us. When dealing with our customers, we aim to:

- Make our services easy to access.
- Be helpful, polite and accessible, identifying and addressing specific needs sensitively and fairly
- Respect privacy and confidentiality
- Deal with your enquiries promptly and give timely information that is accurate, comprehensive and complete
- Actively encourage and welcome customer feedback

### ***D: B&NES Council Connect***

Council Connect can help you with a range of enquiries including waste and recycling, roads and highways, and general library and planning enquiries.

#### **Email, telephone and web enquiries**

- Web: [www.bathnes.gov.uk/reportit](http://www.bathnes.gov.uk/reportit)
- Email: [councilconnect@bathnes.gov.uk](mailto:councilconnect@bathnes.gov.uk)
- Twitter: [@ccbathnes](https://twitter.com/ccbathnes)
- Telephone: 01225 39 40 41
- Text (SMS): 07797 806545



## **Appendix 5**

### **Draft Protocol for joint working between Parish Liaison and Connecting Communities Forums**

The differing remits are set out in schematic form below.

We will maximise the potential to:

- Review what has taken place in the previous cycle
- Look forward to what we can do together to improve our area
- Reduce duplication of agenda items and discussions

<b>PARISH LIAISON</b>	<b>CONNECTING COMMUNITIES FORUMS</b>
<b>AIM</b>	
Connecting levels of local government.	Connecting the wider community.
<b>WHO ATTENDS</b>	
Parish councils, ALCA representatives, B&NES Council members, officers of the B&NES Council.	B&NES members, parish councils, representatives of public services (eg officers of B&NES Council, police, fire etc), community groups, public.
<b>AGENDA</b>	
Issues that affect all parish councils in Bath & North East Somerset.	Issues that affect communities within a locality.
Legislative changes and impacts on levels of local government and powers.	Consultation / discussions on services.
Engagement between B&NES and parish councils.	Wider engagement with all public service partners.
Devolution of services and collaborative working.	Supporting communities to do more for themselves.

## **Appendix 6**

### **PARISH LIAISON MEETING - Draft Terms of Reference**

#### **Membership**

1. Bath & North East Somerset Council will appoint representatives to the Parish Liaison meetings in such numbers as it decides. One of its representatives (usually the Chair of Council) will chair each meeting.
2. The parish and town councils will each be entitled to send their nominated representative and Clerk to the meetings.
3. The Local Councils Association for the Council's area will be entitled to send representation to the meetings in their own right.
4. Officers of Bath & North East Somerset Council will attend meetings as necessary to advise and assist discussion.

#### **Purpose**

5. The Liaison Meeting will provide an opportunity for the discussion of issues of common interest, identified by the Council or by parish/town Councils (individually or collectively), that are relevant for discussion in this forum
6. Items of relevance are likely to be those:
  - That have direct impact on all, or a significant number of, parish/town Councils
  - That support an effective working partnership between tiers of local government
  - Relating to the Parish Charter
  - Where a collective view from Local Councils would be helpful
7. Items that are not likely to be relevant for the Liaison meeting include:
  - Those that relate to a single, or small number of, parish/town area(s)
  - Those for which other effective channels of communication exist (including issues that are already the subject of detailed consultation)
8. The infrequency of Liaison Meetings means that it is not a practical forum through which to engage in routine consultation.

#### **Working arrangements**

9. There will be three meetings each year.
10. One of the meetings will likely to be a 'Conference style' meeting for networking, and provide training, updates, briefings and presentations on good practice from parish councils. Where appropriate these will also be provided at other meetings in the cycle.

## **Agenda setting**

11. The agendas will be set by the Parish Charter Steering Group.
12. The Steering Group will take account of other forums interests in discussions on topics and will avoid duplication where possible. Further information on protocols are found in Appendix 5 of the Parish Charter.

## **Public Speaking Scheme**

13. The Parish Liaison meeting is a partnership meeting which is heard in open session. Membership is open to invitees only i.e. councillors and clerks from the parish and town councils within B&NES. It is not a statutory meeting of the Council and is not a B&NES member-led meeting. Therefore it is not required to conform to the normal rules regarding agenda content and despatch. Agenda items are mutually agreed beforehand by the parishes and B&NES.
14. It has not been felt necessary to have a separate public speaking item on the agenda because this is a partnership body with clearly defined areas for discussion and restricted membership. The general public may only attend as observers – they have no automatic right to speak or make statements.
15. However, as with most public meetings, the Chair may exercise his/her discretion if notified that a member of the public has given notice that they wish to raise an item of general interest and relevance to the membership. Please contact the Democratic Services Officer if you require more information.

## **Appendix 7**

### **The Process for developing our Parish Charter**

The original working document between B&NES Council and the parishes was created in 1999 and revised in 2006 as the Parish Charter. By 2016, the Charter needed to be revised again.

On 19<sup>th</sup> July 2016 the B&NES branch of Avon Local Councils Association (ALCA) held a special meeting to which all town and parish councils and parish meetings in B&NES were invited, to discuss the process for reviewing the Parish Charter, and to identify the strengths and weaknesses of the existing charter.

From that meeting representatives of the parishes were appointed to serve on the review group. With a total of 51 local councils and meetings, with population spreads of 69 to 15,641, and precepts ranging from £0 to £501,100, it was important to ensure that the review group was representative. It therefore consisted of qualified clerks and parish councillors, from small, medium and large councils, ALCA members and from all the parished Connecting Communities Forum areas.

The review group meetings included a workshop to examine the issues in more depth, together with invited cabinet members and senior officers representing a range of B&NES Council services.

<b>Permanent review group Members</b>	<b>B&amp;NES</b>	<b>Town or Parish Council</b>	<b>Connecting Communities Forum area</b>
Cllr Paul Myers	Cabinet Member for Policy, Localism & Partnerships (Chair)		
Cllr Rosemary Naish		Chair - Clutton Parish Council ( <i>ALCA Member</i> )	Chew Valley
Cllr Judith Chubb-Whittle		Chair - Stanton Drew Parish Council ( <i>ALCA Member</i> )	Chew Valley
Cllr Nick Stevens		Vice Chair - Freshford Parish Council ( <i>ALCA Member</i> )	Bathavon
Cllr Tony Crouch		Keynsham Town Council ( <i>ALCA Member</i> )	Keynsham
Lesley Welch		Westfield Parish Council (Qualified Clerk) ( <i>ALCA Member</i> )	Somer Valley
Cllr Dawn Drury		Deputy Clerk Keynsham Town Council (Qualified Clerk) Chair - Compton Dando Parish Council ( <i>ALCA Member</i> )	Keynsham
Andrew Pate	Strategic Director – Resources		
Andy Thomas	Strategic Manager, Communities		
Alison Wells	Community Engagement Officer		

<b>Attendees at specific meetings</b>	
Cllr Liz Richardson	B&NES Cabinet Member for Homes and Planning
Lisa Bartlett	Divisional Director - Development, Planning and Transport Development - Development Management Team, B&NES
Cllr Anthony Clarke	B&NES Cabinet Member for Transport
Kelvin Packer	Group Manager - Highways & Traffic, B&NES
Martin Shields	Divisional Director - Environmental Services, B&NES
Carol Maclellan	Group Manager - Neighbourhood Environmental Services, B&NES
Angela Parratt	Head of Transformation, B&NES
Mark Hayward	Business Support Manager, Strategy & Performance, B&NES
Daniel Hilton	Technical Architect - Digital, B&NES
Maria Lucas	Head of Legal & Democratic Services, B&NES

Review group meetings were held as follows:

November 2016	Agree the terms of reference and working programme
December 2016	Review and compare existing B&NES charter against other Parish Charters
January 2017	Planning issues
February 2017	Environmental Services and Highways issued
March 2017	Digital Strategy and IT issues
April 2017	Legal aspects
April 2017	Drafting of Charter document
May 2017	Agreeing next steps

**Appendix 8:**

**Draft wording: Parish Charter Certificate**

Bath and North East Somerset Council and (insert here)  
Parish/Town/Village Council agree to honour the commitments set out in our  
Parish Charter

**We will:**

work together to promote local economic, social and environmental  
well-being

value the roles, responsibilities, and opinions of our respective  
councils

be aware at all times that we have a common purpose to serve the  
public of Bath & North East Somerset and that we both serve the  
residents of (insert here)

Signed

For Bath & North East Somerset Council

Signed

For (insert here) Town/Parish/Village Council

Dated



