

***Tonbridge & Malling Borough Council***

***Parish Charter***

***Parish Partnership Panel***

**D R A F T**

***Effective Borough and Parish Partnerships in Tonbridge & Malling***

*Tonbridge & Malling Borough  
Parish Charter*

## **1. Introduction**

1.1 This Parish Charter sets out a series of principles which we hope will characterise and underpin working relationships between the Borough and Town/Parish Councils in Tonbridge and Malling. Effective joint working between all tiers of local government, including County, District and local (Town and Parish) Councils is recognised as a fundamental part of local democracy. In particular, Town/Parish Councils have a key role to play in representing the views, and promoting the needs, of our local communities and neighbourhoods. Every opportunity will therefore be afforded to them to express such views to the Borough Council, prior to any decisions being taken which might affect local circumstances. Whilst there may be differences of view, the commitment to work together will ensure that all parties serve, to the best of their abilities, the interests of the respective local communities.

1.2. The purpose of this Charter is to set out the relative expectations of the Borough and Town/Parish Councils in their respective dealings with each other, both as organisations and as individuals.

1.3 It is suggested that this statement should be subject to a twelve month working review in the first instance, with agreed review periods thereafter.

1.4 The Borough, Town and Parish Councils will work together to provide services that will satisfy the needs and aspirations of local communities, always with due consideration being given to all legal and budgetary constraints.

## **2. Our Joint Commitments**

2.1 The Borough and Town/Parish Councils jointly undertake to recognise:

the legitimacy and potential contribution of each partner in the effective local governance of their area;

the need for effective consultation, partnership working and collaboration on all matters of joint interest;

the need for accountability to the appropriate electorate for decisions which affect them, and

the differing aspirations and capacities amongst local communities, the need to strike a proper balance between local opinion and other significant factors in coming to decisions on matters of policy and practice.

2.2 In pursuance of this Charter, the Borough and Town/Parish Councils will make strenuous attempts to adhere to the **specific** commitments set out below.

### **3. Consultation**

3.1 In undertaking consultation with Town/Parish Councils, the Borough Council agrees to:

Comply with the procedures and timescales for consultation set out below, until and unless they are amended by legislation, by changes to statutory timescales or by a superior authority;

Clearly state when, in what format, and to whom the response is to be made;

Provide a named Borough Council contact point and, on request, provide an appropriate representative to a relevant meeting of the Town/Parish Council; in order to provide factual information on any matter other than those related to individual planning applications;

Provide any explanation (or further information) to the Town/Parish Council(s), on request, to assist with the consideration of the issues under discussion;

Take into account any properly submitted views and opinions expressed from consultation, prior to a decision being made;

Wherever feasible, work to achieve a mutually satisfactory solution; and

Notify the decision made to the Town/Parish Council within a reasonable period after the confirmation of that decision.

3.2 Where decisions reached that are at variance with the Town/Parish Council submission, a copy of the relevant report will be provided to explain the basis upon which that decision was made.

3.3 In circumstances other than where statutory timescales are in force, the following timescale for consultation with Town/Parish Councils are applicable:

A minimum of 6 weeks will be given to enable Town/Parish Councils to respond to consultations, with the ability to extend / exceed this length of time whenever practicable;

Where such a period of consultation is not able to be offered, the Borough Council will provide a written explanation of the reason for this;

Where a Town/Parish Council is unable to respond within the specified timescale, it should request an extension of time from the Borough Council which, unless there is good reason for not so doing, will be agreed between the parties concerned.

### **4. Service Standards**

4.1 As representatives of local communities and neighbourhoods, Town/Parish Councils have a key role to play in assisting with the effective delivery of statutory services by their informal monitoring and reporting of witnessed degradation of service levels. In this connection, the following commitments will assist this process:

Members should be prepared to act as local information gatherers, monitor the Borough Council supplied services and report any issues or problems via the appropriate channel e.g. littering / fly-tipping to be reported to the Council's "Street-Line" number, or as advised from time-to-time by the Borough Council;

The Borough Council will deliver provision of the appropriate channels of communication to enable all Town/Parish Councils to report issues and problems effectively, and ensure that such comments are recorded and actioned in accordance with agreed service level standards;

Borough Council individual services will be as specified on the Borough Council website.

## **5. Local planning and development control**

5.1 It is perceived that the consultation process, across the Borough, works well especially in comparison with other districts. In order for Town/Parish Councils to comment effectively the Borough will provide List B and copies of planning applications and plans, together with information on any significant amendments to a planning application. The Borough Council will provide sufficient opportunity, within statutory timescales, to enable Town/Parish Councils to make comment on planning applications and plans.

5.2 Where or when opportunities exist, the Borough Council will endeavour to provide support to any Town/Parish Council to enable them to understand the context and background to any planning matter prior to their formal consideration of a planning application or plan. In particular, the Borough Council will assist Town/Parish Councils with the processes of consultation related to the Local Development Framework and Local Development Documents. Town/Parish Councils will be kept fully informed where or when public consultation is to be undertaken by the Borough Council, to enable full participation in such processes.

5.3 Town/Parish Councils should likewise endeavour to respond to planning applications and plan consultations within prescribes timetables. Their formal "objection" responses should be clear and relate to planning issues only. Additional information in the form of "observations" may also be included when they reflect a specific view of the residents and/or parishioners in any singular matter, particularly where this has especially been brought to the notice of the Town/Parish Council as a matter of local concern, with a request to forward the information. Town/Parish Councils can also assist the Borough Council via joint involvement with local public consultation exercises, in particular those related to the Local Development Framework and Local Development documents.

5.4 The Borough Council encourages Town/Parish Councils to develop their own design statements for their local communities by offering assistance with any preparatory work required. Such statements will remain as informal guidance only, and will not be considered as binding on the Borough Council as Local Planning Authority. However, they are particularly useful in giving guidance on local development and assisting the Town/Parish Council in commenting on applications for development locally.

5.5 The Borough Council, in partnership with Town/Parish Councils, will monitor arrangements to ensure the continuing effective consultation on local planning and development issues.

## **6. Liaison Arrangements**

6.1 The principal formal means through which the Borough and Town/Parish Councils liaise, will be via the medium of the Parish Partnership Panel.

6.2 The Borough Council will take responsibility for organising meetings of the Panel; liaising with Town/Parish Councils over appropriate agenda items and endeavouring, where appropriate, to organise presentations from external partners on issues of direct relevance to Town /Parish Councils.

6.3 Town / Parish Councils will support the Panel by providing a representative to attend each meeting and by suggesting agenda items for consideration by the Panel. Suggested items need to be of general interest to all parishes. Any issues of more specific local concern would be best dealt with by direct contact between the Town/Parish and the Borough Council through the usual channels as a matter of daily routine.

6.4 In addition to Parish Partnership Panel meetings, there is a joint commitment to ensuring regular informal contact between Members and Officers of the respective authorities. Town / Parish Councils are welcome to attend any public meeting of the Borough Council and Borough Council members will on occasion attend public meetings of Town/Parish Councils to hear issues of local concern and the discussions held about them. There will always be scope for informal and regular member contact between leading Town/Parish and Borough Ward councillors.

6.5 Should any Town/Parish wish to resolve a complaint concerning any of the Borough Council's actions, the communications should be in accordance with the Borough Council formal complaints procedure.

## **7. Functions and Resources**

7.1 A joint commitment to maximum co-operation, between respective authorities, will be engendered in following "best-practice" to provide services to best meet the needs of the area.

7.2 Whilst there is no current intention to alter the existing level of delegated functions, any Town/Parish Council wishing to take-up such delegated functions should first prepare a business plan to demonstrate competence, capacity and cost-effectiveness. In considering those proposals, the Borough Council will need to be assured that the extension of functions would not adversely impact on the cost-effectiveness of service provision across the Borough as a whole. In general terms; the introduction of additional delegated functions can only be considered where service quality will be maintained or enhanced, and with no additional cost above those of "direct" provision.

7.3 Consideration will be given to the potential benefits of sharing non-financial resources (e.g. public offices) between Councils, in order to improve access to public

services. There is a similar joint commitment to Town/Parish Councils using Borough Council rooms and meeting facilities with reciprocal availability of Town/Parish facilities to the Borough Council for meetings and events such as exhibitions and public meetings.

7.4 The Borough Council remains committed, subject to any future budgetary constraints, to financial arrangements (including grant) to support Town/Parish activities on concurrent functions. These arrangements will need amending in the light of the bases adopted within the area for the problem of “double rating” in respect of concurrent services provided in the un-parished part of the Borough.

7.5 Where appropriate, Town/Parish Councils will assist the Borough Council with arrangements for national and local elections. It will be preferable and desirable to hold elections to differing levels of government simultaneously, in order to minimise expenditure and stimulate turnout.

## **8. Community Planning**

8.1 The Borough Council has a statutory duty to prepare a community strategy for the whole Borough which will promote the economic, social and environmental well-being of the area. In undertaking these functions, it will involve Town/Parish Councils as appropriate.

8.2 In addition to providing design statements for their local community, Town/Parish Councils can also prepare a local village plan, covering the whole Parish, or specific parts of it. Village plans are very useful in involving the community in setting its own local priorities thus enabling efforts to be directed to the issues that are of greatest concern. The Borough Council is willing to assist with the preparation of such plans, where appropriate.

## **9. Monitoring the Charter**

9.1 The content of this Charter will be reviewed periodically to ensure that it continues to reflect “best practice”, promote effective joint working between the Borough and Town/Parish Councils, and provide a level of services which are consistently monitored to provide “best value”. The Parish Partnership Panel will be the responsible forum for discharging this monitoring role. Any of the parties subscribing to this Charter can request changes to the document, which will be considered by the Panel prior to their acceptance, adoption and incorporation.