

Tonbridge and Malling Parish Charter

PURPOSE

This revised Charter has been drawn up jointly by Tonbridge and Malling Borough Council (TMBC) and the Kent Association of Local Councils (KALC) who represent the twenty seven Town and Parish Councils within Tonbridge and Malling.

Its key purpose is to set out how the Borough Council and local Town and Parish Councils (**named Local Councils for the purposes of this Charter**) agree to work together to deliver efficient services that meet local needs. By working in partnership, all parties, which includes Members, Councillors, Officers and their staff, will aim to avoid duplication of effort, achieve close co-operation over issues of mutual concern and develop a shared focus on addressing and resolving issues of most importance to our residents, local businesses and visitors.

Within such a partnership, the parties will recognise that each has statutory and other duties it will need to fulfil. Where possible the parties will strive towards agreed outcomes on a range of issues of common interest.

THE PARISH PARTNERSHIP PANEL

The main forum for formal discussions between the parties will be via the Parish Partnership Panel, which will normally meet every three months. If there is insufficient business, the meeting will be cancelled. However, extra meetings might be called if there are urgent matters for discussion.

The Borough Council will give sufficient notice to Local Councils (normally six weeks) to enable them to put forward agenda items. The Borough Council will also ensure any items relating to Borough Council business of relevance to Local Councils will also be placed on the agenda. All agenda items must be of relevance to at least two Local Councils, or where there is a resolution by T&M KALC that it wants the item to go forward. The Panel will be chaired by the Leader of TMBC supported by other senior Members and Officers as required. Local Councils should each nominate at least one representative, normally a councillor, to attend Panel meetings or provide an alternative representative if he/she is unable to attend.

The format of Panel meetings will be kept under review to ensure there continues to be an effective exchange of views and information and that all participants feel able to take a full part in Panel discussions.

In addition to meetings of the Parish Partnership Panel, the Borough Council may attend meetings of the main KALC Area Committee for Tonbridge and Malling when invited to do so.

INFORMAL COMMUNICATIONS AND INFORMATION SHARING

In addition to formal /statutory consultations, both parties will undertake to share information on an informal basis and to provide mutual assistance when the need arises and whenever practicable. Where relevant, Members of the Borough Council will be encouraged to attend meetings of their Local Council.

FORMAL CONSULTATIONS

Critical to the success of the Parish Charter arrangement is a culture of mutual trust and openness between the Borough and Local Councils and agreement that the structures and processes for working together are reasonable and effective. At the time of ratifying this Charter, there is general agreement that, for the most part, the relationship works well.

To retain those effective relationships, the Borough and Local Councils will ensure that any significant changes to existing arrangements have the benefit of prior consultation and discussion. To facilitate this, the Borough Council will undertake to involve Local Councils in assessing options for change prior to any formal decision being taken.

When either party decides there is a need for formal consultation, or a statutory duty to consult arises, they will endeavour to ensure that sufficient time is allowed for the other party to consider and respond fully to such consultations, either by way of statutory timetable or, where none exists, a period of normally at least 6 weeks. If a shorter period is required then the party undertaking the consultation will explain the reasons why.

When undertaking a formal consultation with Local Councils, the Borough Council will acknowledge all responses received, (within two working days) liaise with Local Councils over any issues that need to be clarified, and will inform Local Councils of the decisions within seven days of the decision being taken. Similarly, Local Councils should aim to adopt a similar approach to any formal consultations of their own which require a formal response from the Borough Council.

All parties recognise that there will be other formal consultations that need to follow statutory processes and time scales, such as consultation on planning applications and Traffic Regulation Orders (TROs).

The Borough Council undertakes to produce and regularly update, a diagrammatic organisational structure showing direct contact details of relevant Borough officers and staff to assist timely priority access for Local Councillors and their Clerks.

STANDARDS AND CODE OF CONDUCT

The Borough Council and Local Councils share a joint legal responsibility to ensuring that the highest standards of conduct are promoted and maintained for both elected and co-opted Members and to this end have formed a Joint Standards Committee. The statutory responsibilities in relation to the investigation and determination of standards complaints rest with the Borough Council. The Borough Council will, however, engage with Local Councils on how to discharge this function. The Borough Council and Local Councils will each be responsible for adopting and reviewing their own individual codes of conduct.

RESOURCES AND LEGAL ISSUES

On-going cuts to Local Government funding will mean that financial resources available are likely to be significantly reduced year-on-year. This will affect both the Borough Council and Local Councils. All parties should therefore work together to address such issues and respect the financial challenges faced by all. Funding arrangements between the Borough Council and Local Councils will

therefore need to be kept under review and any proposed changes will be the subject of full and open consultation between the parties prior to any formal changes being agreed.

The Borough Council and Local Councils will be responsible for dealing separately with their own legal issues. However, each party may from time to time wish to share examples of best practice via the Parish Partnership Panel with regard to common legal issues which might arise.

MONITORING AND REVIEW OF CHARTER

This Charter will be kept under review to ensure it remains relevant to the issues that need to be addressed jointly by the Borough Council and Local Councils. A review of the Charter will initially be undertaken after twelve months and subsequently be undertaken every four years, or earlier should this be necessary. Reviews will be jointly led by KALC on behalf of Local Councils and by the Leader of Tonbridge and Malling. The KALC will consult all Local Councils on any review in accordance with the terms as set out above.