

ROYAL BOROUGH OF WINDSOR & MAIDENHEAD CHARTER WITH PARISH & TOWN COUNCILS

Aim

To create a framework for the Royal Borough of Windsor & Maidenhead Council and Parish/Town Councils to work in partnership to improve the economic, social and environmental well-being of the area and its residents, businesses and visitors. We will work in partnership for the benefit of the local community while respecting mutual rights as separate democratic bodies.

1. PROMOTING THE ROLE OF PARISH AND TOWN COUNCILS

Royal Borough of Windsor & Maidenhead Council will:

- Recognise the importance of Parish/Town Councils as a tier of local government, and will work closely with them to promote active engagement/participation.
- Provide information/briefings to its staff and members to ensure they have a good understanding of the role and function of the Parish/Town Councils.
- Recognise and understand that there are differing resources available within Parish/Town Councils and therefore their ability to handle information will vary.
- Hold regular liaison meetings with Parish/Town Councils in addition to the Parish Conference.

Parish/Town councils will:

- Share their work and achievements with residents, businesses and visitors, the Borough and other Parish/Town Councils.
- Encourage active engagement/participation across all groups.
- Identify local needs and consult with local communities and share where appropriate with the Borough.
- Provide the Borough with information on the services and facilities provided by the Parish/Town Council.

2. EFFECTIVE COMMUNICATION

Royal Borough of Windsor & Maidenhead Council will:

- Agree with each Parish/Town Council the best communication channels to use for quick, proactive and efficient communication.
- Produce a regularly updated contact list of Borough Officers and Members and provide this on the website.
- Provide direct access to Parish/Town Councils via the phone, email and digital channels.
- Use plain English in written communication.
- Make every effort to attend Parish/Town Council meetings when invited.
- Provide access to Parish/Town councils in the use of survey tools.

Parish/Town Councils will:

- Agree with the Borough best communication channels to use for quick, proactive and efficient communication.

- Make every effort to attend meetings/events run by the Borough in which they have an interest.
- Initiate the Council's formal complaints procedure if they are dissatisfied with Borough actions, their response to a request for information or their failure to consult, after all other avenues of communication have been exhausted.

3. CONSULTATION

Royal Borough of Windsor & Maidenhead Council will:

- Consult Parish/Town Councils on all issues which are likely to affect their area prior to a decision.
- Allow six weeks for Parish/Town Councils to respond to a consultation. If this is not possible the Parish/Town Council will be given an explanation. (This does not apply to planning applications. These are covered in Appendix 1).
- Provide a summary report/brief for complex consultations.
- Provide briefing sessions/workshops to Parish/Town Councils on complex consultation issues.
- Make specific arrangements for consultation on Planning (see Appendix 1).
- Have regard to the views of the Parish/Town Councils when making decisions and in areas of disagreement provide explanations to assist understanding.
- Produce an annual list of key consultations to give Parish/Town councils advance notice.
- Review all feedback from consultations to improve their quality.

Parish/Town Councils will:

- Take part in consultation exercises and respond within the given period.
- Notify the Borough if they cannot respond to a consultation within the given period.
- Work with the Borough to seek the views of residents and businesses on issues of common interest.
- Make available agendas and papers to Borough Ward councillors. Officers and Councillors of the Borough will be given an opportunity to speak at local Parish/Town Council meetings on matters of mutual interest.
- Make available copies of Parish/Town Council consultations and invite the Borough to respond.

4. SERVICE PROVISION AND MONITORING

Royal Borough of Windsor & Maidenhead Council will:

- Provide detailed responses to requests for information from Parish/Town Councils within 10-working days.
- Provide comprehensive information to allow Parish/Town Councils to decide whether they wish to take or wish the Borough to provide functions/services on request.
- On request, provide service specifications against which monitoring can take place along with procedures for reporting service failures or any developing service delivery problems.
- Consult and respond to issues raised by Parish/Town Councils concerning new service delivery models or changes to existing ways of working.

- Allow access to Borough support services (e.g. printing, graphics, mapping, purchasing, training, surveys) at the same cost as they are offered to Borough.

Parish/Town Councils will:

- Make available to the Borough their meeting places for public, community or partnership meetings in which they have an interest.
- Consider whether they wish to take on or have the Borough provide any functions/services based on the information as detailed in the second bullet point above.
- Provide monitoring feedback on services provided by the Borough directly or through their partners/contractors.

5. TRAINING

Royal Borough of Windsor & Maidenhead Council will:

- Ensure new staff and councillor induction includes this Charter.
- Give Parish/Town Councils access to the Borough's relevant training courses.
- Offer briefings on central and local government policies and initiatives which have an impact on Parish/Town Councils, in conjunction with DALC.

Parish/Town Councils will:

- Ensure new staff and councillor induction includes this Charter.
- Encourage staff and members to attend relevant training courses and briefings.
- Offer Borough staff access to Parish/Town Councils to learn more about the roles and responsibilities.

6. STATUS, IMPLEMENTATION, REVIEW AND IMPROVEMENT

The status of this Charter is that of operational best practice, which sets out the reasonable expectations of the parties for a good working relationship. It is not a legally binding agreement but is a Code of Practice that should be adhered to by both parties.

Notwithstanding the above, all parties to this agreement shall endeavour to apply the principles contained herein by ensuring that all relevant Members and Staff are guided by this Charter's operational expectations.

The Charter shall be reviewed annually with amendments being formalised by the Charter Working Group and approved at the Parish/Borough Conference after due consultation between the parties to this Charter. (*Appendix 5*)

APPENDIX 1 - PLANNING

Royal Borough of Windsor & Maidenhead Council will:

- Where the Parish Council has indicated in writing it wishes to be consulted, consult Parish/Town Councils on all planning applications within the relevant Parish area.
- Allow 28 days for the submission of representations by Parish/Town Councils.
- Notify Parish/Town Councils of any significant amendment to a planning application and allow a further period for representations to be made before a decision is taken on the amended plan where it is considered material by Officers. (Significant amendments are those considered by the case officer to materially affect the planning application to the extent re-consultation is required, but not to require a new application).
- Report the views of Parish/Town Councils in Officer Reports, either at the relevant Development Management Panel or applications considered at a delegated level, whichever is relevant in accordance with the Council's scheme of delegation.
- Notify Parish/Town Councils of all planning decisions within the relevant area.
- Notify Parish/Town Councils that applications on which representations have been made by them are coming to panel.
- Allow a Parish/Town Council representative to address the panel providing he/she has registered to speak in line with the process and the parish has made comments on the application.
- Provide confirmation of receipt of Planning Enforcement enquiries, indicative likely timescales for investigation, updates on progress when requested and information on final outcomes, acknowledging that Enforcement resources are limited and they will be allocated to higher priority cases first as set out in the Enforcement Policy.
- Provide periodic training courses for local Parish/Town Councillors and/or Parish/Town Clerks to aid an understanding of the planning process and the matters, which have a material bearing upon the determination of a planning application.

Parish/Town Councils will:

- Acknowledge that the Borough will not always agree with matters contained in Parish/Town Council planning representations and may come to a different conclusion on applications.
- Respond promptly to all planning applications received from the Borough.
- Comment on planning applications on planning grounds, and specify as fully as possible the planning reasons for an objection to, or support for, a particular application.
- Create a mechanism whereby the Parish/Town Councils can respond to any amended plans received from the Borough.
- Assist the Borough by reporting local breaches of Town and Country Planning Legislation.
- Attend meetings, briefings and training to gain a better understanding of the planning process.

APPENDIX 2 - INFORMATION TECHNOLOGY

Greater usage of technology by the Borough and the parish/town council is guided by:

- Co-operation to provide joined up government for residents and businesses.
- Utilisation of digital/electronic methods of circulation to minimise delay and reduce paper wherever practicable.
- The acknowledgment that access to the Borough's internal intranet will not be available to Parish/Town Councils for reasons of confidentiality and data protection, however methods for greater information sharing will be explored.

APPENDIX 3 - FINANCIAL ARRANGEMENTS

The financial arrangements between the Royal Borough of Windsor & Maidenhead Council and the Parish/Town Councils should be governed by the principles which are, in effect, among those underlying the concept of Best Value including fairness, simplicity, transparency and accountability.

Double Taxation

Double taxation is where residents in certain local council areas are paying twice for various public services. It can happen because many local services are 'concurrent functions' - that is, they can be managed and delivered by either a Parish/Town Council or the Council. All Local Councillors have a legal duty to act in the best interests of their taxpayers. With an ever-greater emphasis on localism, the potential for double taxation may increase.

Therefore, the parties to this Charter agree to work together to investigate areas of double taxation with a view to agreeing a mechanism to address or eliminate them in the interests of fairness and accountability for all council tax payers.

Notwithstanding the above, it is acknowledged that Parish/Town Councils may use their precepting powers to enhance the standard of services which would otherwise be provided. Similarly, the Council may do so in non-parished areas utilising the 'Special Expenses' mechanism.

Parish Equalisation Grant

It is acknowledged that the Council provides a compensating grant to Parish/Town Councils as part of its Council Tax Support Scheme. It is agreed that, in accordance with Central Government guidance, the parties will work collaboratively together if any changes to this support funding are to be considered.

APPENDIX 4 - DEMOCRATIC REPRESENTATION

Dual Hatted Members

It is recognised that 'Dual-Hatted Members' (i.e. a Councillor that is both a Member of the Borough and Parish/Town Councils) may encounter factors that impact upon their ability to fully represent their electors.

Such factors may include:

- Clarity for electors with regards to whether direct communication is with a Borough or Parish/Town Councillor.
- Perception of impartiality.
- Potential for restricted participation due to a required confidentiality from either Council.
- Potential for conflicts of interest between the Councils.

Therefore, notwithstanding the applicable electoral legislation, the parties to this agreement shall not actively encourage dual membership of Councils.

Engaging in Local Government

Participation at elections has traditionally been comparatively low, whilst many factors may influence this, better communication may be beneficial. Therefore the parties to this agreement will work together to produce a plan to actively promote and encourage increased participation in Local Government.

Unparished Areas

To assist with the expansion of democratic representation to areas currently unparished, Parish/Town Councils will assist the Council in promoting the creation of new Parishes within the Borough.

APPENDIX 5 - CHARTER IMPLEMENTATION, MONITORING AND REVIEW MECHANISM

This Charter shall be deemed to be operative once signed by the relevant parties following adoption by formal resolution at each Council's respective meeting. Thereafter to be reconfirmed at the Annual Council meeting of the parties following each ordinary election (usually every four years). All parties to this agreement shall place a copy of the current Charter on its public website.

Monitoring and review of this Charter is an essential element of its effectiveness for all parties, therefore a Charter Working Group (CWG) shall be tasked with undertaking a periodic review. It is agreed that the following mechanism will be followed:

- The first meeting of the Parish Conference following the start of the municipal year shall agree the membership of the CWG (such membership to include, as a minimum, 1 x Parish/Town Councillor, 1 x Parish/Town Council Officer, 1 x Borough Councillor and 1 x Borough Council Officer)
- All parties to this agreement will be invited to submit comments regarding the operation of the Charter as well as suggested amendments/additions to the CWG by 31st August each year.
- The CWG will meet in September to consider all representations, reporting its findings and recommendations to the next meeting of the Parish Conference.

For clarity, the CWG is not expected to resolve specific disputes, its role is to assess the effectiveness of the Charter, its operation and relevance as well as considering improvements.

APPENDIX 7 - DOCUMENT CONTROL

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Document Authors	2018 Charter Working Group (CWG): Stephen Hedges, Cox Green Parish Council Chris Graham, Bray Parish Council Jane Dawson, Old Windsor Parish Council Anne-Catherine Buxton, Sunningdale Parish Council Ruth Davies, Sunningdale Parish Council Joanne Stickland, Datchet Parish Council Martin Coker, Cookham Parish Council Cllr Christine Bateson, Royal Borough of Windsor & Maidenhead Andy Jeffs, Royal Borough of Windsor & Maidenhead David Scott, Royal Borough of Windsor & Maidenhead		
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