

# Cheltenham Borough Council

## Cabinet – 5 February

### Refresh of the Cheltenham Charter with the 5 Parish Councils

<b>Accountable member</b>	<b>Leader, Councillor Steve Jordan</b>
<b>Accountable officer</b>	<b>Jane Griffiths, Director, Commissioning</b>
<b>Ward(s) affected</b>	<b>Up Hatherley, Warden Hill, Leckhampton, Charlton Park ,Charlton Kings, Battledown, Prestbury, Swindon Village</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>Cheltenham Borough Council endorsed the first version of the Cheltenham Charter in 2008. The charter formalises the long standing working relationship between the borough council and Cheltenham's five parish councils through a series of commitments from the borough council to the parish councils and vice versa.</p> <p>It has been updated in line with the Gloucestershire Charter between the County Council and Gloucestershire's parish councils which was refreshed in 2012.</p> <p>The refreshed draft charter, attached as appendix 2, has been developed and endorsed by the C5 Parish Councils Group, which consists of members from each parish council, the Leader of the Council and officers from the Strategy and Engagement team. The wording of the commitments has been agreed in consultation with other relevant officers.</p>
<b>Recommendations</b>	<b>That Cabinet endorses the charter (attached as appendix 2) and agrees to adhere to the commitments within it.</b>

<b>Financial implications</b>	<p>No financial implications are identified as a result of this report. The financial implications of any requests from parish councils under this charter will be considered as and when they arise.</p> <p><b>Contact officer: Des Knight, Accountant (GO Shared Services)</b> <b>des.knight@cheltenham.gov.uk, 01242 775032</b></p>
<b>Legal implications</b>	<p>The charter is not intended to give rise to formal legal obligations. There are no direct legal implications arising from the recommendation in this report. Any requests from parish councils resulting from the charter will be considered in the context of legal and other implications.</p> <p><b>Contact officer: Peter Lewis, peter.lewis@tewkesbury.gov.uk</b></p>

<b>HR implications (including learning and organisational development)</b>	<p>The charter does not commit to new responsibilities, as the work identified is already in place.</p> <p>There is a commitment to provide advice and information and work with parish councils on neighbourhood plans where parish councils wish to undertake them which the Strategic Land Use team is prepared for. Requests from parish councils involving officer time would need to be considered in light of the implications on staff resources.</p> <p><b>Contact officer: Richard Hall, <a href="mailto:Richard.hall@fdean.gov.uk">Richard.hall@fdean.gov.uk</a></b></p> <p><b>01594 812634</b></p>
<b>Key risks</b>	<b>None</b>
<b>Corporate and community plan Implications</b>	<p>Residents enjoy a strong sense of community and are involved in resolving local issues.</p>
<b>Environmental and climate change implications</b>	<p>A strong working relationship with the parish councils is beneficial for residents when emergencies arise, for example where parish councillors act as flood wardens and keep the council informed of flooding and risk of flooding.</p>

## **1. Background**

- 1.1** The draft charter (attached as appendix 2) sets out the commitments that Cheltenham Borough Council will make to the five parish councils and vice versa. On the whole, it details the relationship we already have with the parish councils.
- 1.2** The main updates which have been made since the previous version of the charter, which was agreed in 2008, are around the Localism Act and the addition of the commitment to providing advice and information for parish councils wanting to undertake a neighbourhood plan. We commit to working with parish councils that want to act upon the community right to challenge and the community right to bid.
- 1.3** The refreshed charter also reflects the new partnership structure and includes sign up to the nine aspirations of Cheltenham Partnership. Parish councils are invited to be part of the partnership through a seat on the Positive Participation Partnership.
- 1.4** The charter includes the terms of reference for the C5 Parish Councils Group and the council's commitment to continue to facilitate the quarterly meetings.
- 1.5** Some of the parish councils were keen for the borough council to commit to a time frame for responding to correspondence, but this was felt to be difficult since the time scale often depends on the amount of work involved. The commitment made is that we will respond to all correspondence as quickly as possible and that we will keep the parish council informed. If there are issues with lack of information about progress with an inquiry, it can be brought to the C5 Group.
- 1.6** Through the charter, borough councillors will endeavour to attend parish council annual meetings in their ward and to try and attend regular meetings as far as possible or to make contact if they are unable to.
- 1.7** The parish councils in return make commitments to the borough council, including the appointment of flood wardens where possible, to notify the borough council of any flooding or potential flood risks. They also commit to working with the borough council on community or neighbourhood plans and to maintain professional working relationships with other parish councils.

## **2. Reasons for recommendations**

- 2.1** The draft has been approved by the C5 Parish Councils Group and relevant officers have agreed to the wording of the commitments made. The charter supports a good working relationship with the parish councils and the spirit of goodwill between the tiers of local government. The document is valued by the parish councils and all five are prepared to sign up to it. They have already signed the countywide version, the Gloucestershire Charter.

## **3. Alternative options considered**

- 3.1** When the Gloucestershire Charter was refreshed in 2012, there was the opportunity to produce a joint charter between the three tiers of local government. Unfortunately, it wasn't possible to get all of the districts to sign up to a joint charter, so the Gloucestershire Charter continues to be between the county council and the parish councils. The Cheltenham parish councils also felt that the countywide charter wouldn't allow enough detail about the relationship between the borough and parish councils and were keen to continue with a separate charter.

#### **4. Consultation and feedback**

- 4.1** The C5 Group discussed a first draft of the revised charter in October 2012 and members discussed it with their individual parish councils. Their responses were used to update the draft in consultation with officers and the C5 Group endorsed the final draft in January 2013.
- 4.2** The draft has been circulated to relevant officers for their input into the commitments to be made by the borough council.
- 4.3** We will also be consulting with relevant ward members and wider staff members to ensure that they are aware of it prior to its launch.

#### **5. Performance management –monitoring and review**

- 5.1** The charter will be reviewed and updated every two years. Any feedback about whether the commitments are working can be brought to the C5 Parish Councils Group.

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<b>Appendices</b>	1. Risk Assessment 2. Draft Cheltenham Charter 2013
<b>Background information</b>	1. Gloucestershire Charter 2012

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If we fail to deliver on any of our commitments, this could be damaging to our relations with parish councils	HD	15.1.13	1	1	1		The commitments on both sides have been written in such a way as to convey that the charter is a statement of good intent. Any issues can be brought to the C5 Group.		HD	
<p><b>Explanatory notes</b></p> <p><b>Impact</b> – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p><b>Likelihood</b> – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p><b>Control</b> - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											