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**BASSETLAW**

DISTRICT COUNCIL  
NORTH NOTTINGHAMSHIRE

## PARISH COUNCILS LIAISON GROUP

# AGENDA

Meeting to be held in  
The Ceres Suite,  
Town Hall, Worksop,  
on  
Wednesday, 13<sup>th</sup> July 2011  
at  
7.00 p.m.

**(Please note time and venue)**

**(Please turn off mobile telephones during meetings.  
In case of emergency, Members/officers can be contacted on the Council's  
mobile telephone: 07702 670209)**

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*Bassetlaw - Serving North Nottinghamshire*

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**District Council Offices, Potter Street, Worksop, Notts. S80 2AH.**

## **PARISH COUNCILS LIAISON GROUP**

**Membership**                    2011/12

**Councillors**                    B. A. Bowles, H. M. Brand, G. Freeman, M. T. Gray, F. Hart,  
T. Rafferty, A. Rhodes, J. C. Shephard and Mrs. K. Sutton

**Substitute Members:**    Any Member

**Quorum:**                        3 Members

### **Lead Officer for this Meeting**

Mr. S. B. Brown - Ext. 3767

### **Administrator for this Meeting**

Mrs. J. A. Hamilton - Ext. 3146

## **PARISH COUNCILS LIAISON GROUP**

**Wednesday, 13<sup>th</sup> July 2011**

### **AGENDA**

1. NOMINATIONS FOR ELECTION OF CHAIRMAN
2. NOMINATIONS FOR APPOINTMENT OF VICE-CHAIRMAN
3. SUSPENSION OF COUNCIL PROCEDURE RULES FOR 15 MINUTES TO ALLOW QUESTIONS
4. APOLOGIES FOR ABSENCE
5. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS  
(Members' and Officers' attention is drawn to the attached notes and form)
  - (a) Members
  - (b) Officers
6. MINUTES OF MEETING HELD ON 19<sup>TH</sup> JANUARY 2011 \* (pages 1-4)
7. MINUTES FOR ACTION AND IMPLEMENTATION \* (pages 5-6)
8. OUTSTANDING MINUTES LIST \* (page 7)

### **SECTION A – ITEMS FOR DISCUSSION IN PUBLIC**

#### **Key Decisions**

None.

#### **Other Decisions**

9. ITEMS FROM PARISH COUNCILS +
  - (a) Flytipping – I Roebuck (submitted by Bothamsall)
  - (b) Cost of implementing the Charge Scheme – I Roebuck (submitted by Bothamsall)
  - (c) Grass Cutting Contracts – I Roebuck (submitted by Mattersey)
  - (d) Double Taxation – M Hill (submitted by Mattersey)
  - (e) Future of Youth Services – Nottinghamshire County Council (submitted by Mattersey)
  - (f) Update on the Parish Charter in improving the dialogue between District and Parish Councils (submitted by Sturton-le-Steeple)
10. ITEMS SUBMITTED BY BASSETLAW DISTRICT COUNCIL \*
  - (a) Street Lighting Initiative – R Miller, Project Manager, Nottinghamshire County Council +
  - (b) Update on Local Development Framework – R Schofield, Planning Policy and Conservation Manager, Bassetlaw District Council (page 9)
  - (c) Review of Parish Charter – S Brown, Senior Manager Support Services, Bassetlaw District Council (pages 11-23)

**Exempt Information Items**

*The press and public are likely to be excluded from the meeting during the consideration of the following items in accordance with Section 100A(4) of the Local Government Act 1972.*

**SECTION B - ITEMS FOR DISCUSSION IN PRIVATE**

**Key Decisions**

None

**Other Decisions**

None

11. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

- \* Report attached
- + Verbal report

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**NOTES:**

1. The papers enclosed with this Agenda are available in large print if required.
  2. Copies can be requested by contacting us on 01909-533146 or by e-mail [julie.hamilton@bassetlaw.gov.uk](mailto:julie.hamilton@bassetlaw.gov.uk)
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## DECLARATION OF INTERESTS

### *HOW TO USE THIS FORM*

There are now only two types of Declaration of Interest:

Level 1 – Personal	)	Details can be found in the Councillors
	)	Code of Conduct which is contained in
Level 2 – Personal and Prejudicial	)	the Council's Constitution (a summary is
	)	printed below)

Upon receipt of the attached form you will need to enter the name and date of the Committee and your own name. By looking at the Agenda you will no doubt know immediately which Agenda Items will require you to make a Declaration of Interest.

Fill in the Agenda Item number in the first column of the form.

Enter the subject matter and any explanations you may wish to add in the second column.

In the third column you will need to enter **either** level 1 if you are declaring a personal interest, **or** level 2 if you are declaring a personal and prejudicial interest.

The form must then be signed and dated. Please remember that if during the actual meeting you realise that you need to declare an interest on an additional Agenda Item number please simply amend the form during the meeting.

The form must be handed into the Committee Administrator at the end of the meeting.

NB. The following is a summary prepared to assist Members in deciding at the actual meetings their position on INTERESTS it is not a substitute for studying the full explanation regarding INTERESTS, which is contained in the Council's Constitution and the Code of Conduct for Councillors, which is legally binding.

Members and Officers are welcome to seek, PREFERABLY WELL IN ADVANCE of a meeting advice from the Council's Monitoring Officer on INTERESTS.

#### **Personal Interests**

May relate to employment or business interests  
May relate to property interests  
May relate to contents  
May relate to interests in other bodies  
**OR** if a decision on the matter to be discussed:  
**MIGHT REASONABLY BE REGARDED AS AFFECTING (A MEMBER OR OFFICER) TO A GREATER EXTENT THAN OTHER COUNCIL TAX PAYERS, RATEPAYERS OR INHABITANTS OF THE AUTHORITY'S AREA, the well being or financial position of himself, a relative or a friend or any employment, business, interest, etc. of such a person.**

#### **Action to be Taken – Personal Interests**

Must disclose to the meeting  
- existence of the interest  
- the nature of the interest

#### **Prejudicial Interests**

A Member with a personal interest ALSO has a prejudicial interest if a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the Members judgement of the public interest.  
(Note – there are special provisions which may exclude the above provisions in certain circumstances.)

#### **Action to be Taken – Personal and Prejudicial Interests**

**Must:-**  
- declare existence and nature  
- withdraw from the room  
- not seek improperly to influence a decision on the matter.  
(Note – there are some exceptions when acting in a scrutiny capacity.)

DRAFT

**PARISH COUNCILS LIAISON GROUP**

**Minutes of the meeting held on Wednesday, 19<sup>th</sup> January 2011 at Worksop Town Hall**

**Present :**

Councillors: F Hart (Chair)  
H M Brand, R B Carrington-Wilde, D Challinor, G Freeman, D A Hare,  
J B Rickells and Miss M Stokes.

Parish Council Representatives: H Burton, C Frasier, H Holdaway, E Jefferies, P Nicholson  
L Perry, P Potter, R Simpson, I Trosser, P Wilson,  
G Wratten and K Valentine.

Officers in attendance: S Brown, J Hamilton and K Tarburton.

Members of Standards Committee: Mr B Letherland.

Also present: Councillor Mrs A Simpson  
Councillor K Sutton – Cabinet Member

**24. SUSPENSION OF COUNCIL PROCEDURE RULES FOR 15 MINUTES TO ALLOW QUESTIONS**

There were no questions.

**25. APOLOGIES**

Apologies for absence were received from Councillor M Gray and Parish Representatives G Brown, D Langmead and W Davies.

**26. DECLARATIONS OF INTEREST BY MEMBERS AND OFFICERS**

**(a) Members**

There were no declarations of interest by Members.

**(b) Officers**

There were no declarations of interest by officers.

**27. MINUTES OF THE MEETING HELD ON 13<sup>TH</sup> OCTOBER 2010**

**RESOLVED** that the Minutes of the meeting held on 13<sup>th</sup> October 2010 be approved.

**28. MINUTES FOR ACTION**

**(a) Minute No 14(a) - Switching-off Street Lights**

An Elected Member asked for an update on this issue and the Senior Manager Support Services informed the Group that a presentation had been made the previous evening by Nottinghamshire County Council to a meeting of the North East Bassetlaw Forum. Pilots are proposed for the Misterton and Bingham County Division areas. Consultation is still in progress and will continue for the next year or so. Contact has been made with the parish councils regarding local information. Significant cost savings and reduction in CO<sub>2</sub> emissions are the likely outcomes, although certain criteria must still be met eg for the emergency services. The Nottinghamshire County Council website contains detailed documents and procedures.

**RESOLVED** that:

1. The Minutes for Action be received.
2. Nottinghamshire County Council be invited to the next meeting of the Group to give a presentation on its proposals to switch off street lights.
3. Nottinghamshire County Council be asked to produce street lighting costs per parish for the next meeting of the Group.
4. Parish councils collate lists of any street lights which they believe could be turned off safely for submission to the County Council.
5. Parish councils contact Stephen Brown, Senior Manager Support Services, on 01909 533767 or e-mail [stephen.brown@bassetlaw.gov.uk](mailto:stephen.brown@bassetlaw.gov.uk) if they have difficulty in accessing the Nottinghamshire County Council website for details.

#### 29. OUTSTANDING MINUTES LIST

Outstanding Minutes Nos 18(i) and 9 both refer to Safer Neighbourhood Groups and the Police, and the Senior Manager Support Services reported that their attendance at a future meeting would be now be dependent upon available resources.

**RESOLVED** that the Outstanding Minutes List be received.

#### SECTION A - ITEMS FOR DISCUSSION IN PUBLIC

##### Key Decisions

None.

##### Other Decisions

#### 30. ITEMS FROM PARISH COUNCILS

##### (a) Localism Bill – Impact for Parish Councils

The Senior Manager Support Services gave a presentation on the implications of the Localism Bill for parish councils, although legislation is still awaited. A summary of the Bill is available on the BBC website.

Elected Members and Parish Representatives asked questions/raised issues on: Safer Neighbourhoods; Standards Board; the legislative timescale; and the difficulty for smaller parishes to precept enough to buy community assets.

**AGREED** that:

1. The presentation be received.
2. Copies of the presentation be circulated with the draft Minutes to all parish council clerks.



(b) Parish Charter - Review

The Senior Manager Support Services informed the Group that 90% of parish councils in Bassetlaw have signed up to the Parish Charter. As yet, there are no proposals for a county-wide Charter and Bassetlaw is the only District in Nottinghamshire to have such a Charter. However, the Localism Bill could significantly alter parish councils' rights and therefore it was proposed that no further action would be taken with regard to the Charter until implications from the Localism Bill are known.

**AGREED** that:

1. The position be noted.
2. Implications from the Localism Bill on the Parish Charter be reported to a future meeting of the Group once known.

**31. ITEMS SUBMITTED BY BASSETLAW DISTRICT COUNCIL**

(a) Local Development Framework Update – January 2011

An update on the Core Strategy and Site Allocations Documents as at January 2011 was presented to the Group for information. Other recent government proposals which were outlined include: the Localism Bill 2010; New Homes Bonus; Community Infrastructure Levy; and the Rural Affordable Housing Programme.

**AGREED** that:

1. The update be received.
2. Parish councils contact Richard Schofield, Planning Policy and Conservation Manager, on 01909 533493 or email: [richard.schofield@bassetlaw.gov.uk](mailto:richard.schofield@bassetlaw.gov.uk) if further information or a presentation to their parish council is required.

**32. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT**

(a) Community Broadband

The Rural Officer for Bassetlaw/RCAN asked parish councils for their feedback on a community broadband initiative by NextGenUs which takes a Big Society, Social Enterprise approach to connecting the "Final Third" of the country, often technologically isolated and suffering from poor broadband speeds, to the internet at high speed via fibre optic cabling directly to the property where the current big players say it is uneconomical to do so. They define "high speed" as 100 Meg symmetric (same speed for upload and download) compared to the "no access up to 8 Meg" situation currently available and future proofed to 1,000 Meg and beyond. Instead of using "digital deadend" technology that isn't future proofed, like the incumbent operators, they connect each property in an area they deploy directly to fibre optics as this is the only true way to offer the fastest speeds and allow easy upgrade to faster speeds as they become available. They pioneered the first fully fibre to the premises deployment to a rural area in the country. Ashby de la Launde in Lincolnshire has seen speeds rocket from a maximum of 1 Meg via mobile broadband to 100 Meg via the NextGenUs fibre optic network in November 2010 and they are now working with other villages around the country to deploy the same technology. Details are available on NextGenUs' website: [www.nextgenus.net](http://www.nextgenus.net)

**AGREED** that interested parish councils contact Karen Tarburton on 01909 535563 or email: [karen.tarburton@bassetlaw.gov.uk](mailto:karen.tarburton@bassetlaw.gov.uk) or RCAN.

(b) Date of the Next Meeting

The next meeting of the Group is scheduled for Wednesday, 30<sup>th</sup> March 2011 at Retford Town Hall. However, concern was expressed at the lack of questions asked and issues raised by parish councils which are needed for the two-way process to be meaningful.

**AGREED** that parish councils submit any questions/issues in readiness for the next meeting so that the appropriate officers can be asked to attend to fully answer their concerns.

As there was no other business to be discussed the Chairman closed the meeting.

**MINUTES FOR ACTION AND IMPLEMENTATION SHEET**

**PARISH COUNCILS LIAISON GROUP**

19/01/11

FROM: Senior Democratic Services Officer TO: SDSO = Senior Democratic Services Officer  
SMSS = Senior Manager Support Services

The following decisions are brought to your attention for action by the appropriate officers within your Service:

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28. **MINUTES FOR ACTION**

(a) **Minute No 14(a) - Switching-off Street Lights**

**RESOLVED** that:

2. Nottinghamshire County Council be invited to the next meeting of the Group to give a presentation on its proposals to switch off street lights.  
SMSS
3. Nottinghamshire County Council be asked to produce street lighting costs per parish for the next meeting of the Group.  
SMSS
4. Parish councils collate lists of any street lights which they believe could be turned off safely for submission to the County Council.  
All parish councils
5. Parish councils contact Stephen Brown, Senior Manager Support Services, on 01909 533767 or e-mail [stephen.brown@bassetlaw.gov.uk](mailto:stephen.brown@bassetlaw.gov.uk) if they have difficulty in accessing the Nottinghamshire County Council website for details.  
All parish councils

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30. **ITEMS FROM PARISH COUNCILS**

(a) **Localism Bill – Impact for Parish Councils**

**AGREED** that:

2. Copies of the presentation be circulated with the draft Minutes to all parish council clerks.  
SDSO

(b) **Parish Charter - Review**

**AGREED** that:

2. Implications from the Localism Bill on the Parish Charter be reported to a future meeting of the Group once known.  
SMSS
-

31. ITEMS SUBMITTED BY BASSETLAW DISTRICT COUNCIL

(a) Local Development Framework Update – January 2011

**AGREED** that:

2. Parish councils contact Richard Schofield, Planning Policy and Conservation Manager, on 01909 533493 or email: [richard.schofield@bassetlaw.gov.uk](mailto:richard.schofield@bassetlaw.gov.uk) if further information or a presentation to their parish council is required.

All parish councils

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32. ANY OTHER BUSINESS WHICH THE CHAIRMAN CONSIDERS TO BE URGENT

(a) Community Broadband

**AGREED** that interested parish councils contact Karen Tarburton on 01909 535563 or email: [karen.tarburton@bassetlaw.gov.uk](mailto:karen.tarburton@bassetlaw.gov.uk) or RCAN.

All parish councils

(b) Date of the Next Meeting

**AGREED** that parish councils submit any questions/issues in readiness for the next meeting so that the appropriate officers can be asked to attend to fully answer their concerns.

All parish councils

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PARISH COUNCILS LIAISON GROUPWednesday, 30<sup>th</sup> March 2011OUTSTANDING MINUTES LIST

Members please note that the updated positions are shown in bold type following each item.  
(SMSS = Senior Manager Support Services)

<u>Min. No.</u>	<u>Date</u>	<u>Subject</u>	<u>Decision</u>	<u>Officer Responsible</u>
18(i)	14.10.09	Future of Safer Neighbourhood Groups	Agreed that the Community Safety Co-ordinator be invited to a future meeting to discuss the work of the Council's Community Safety Unit  <b>The Community Safety Co-ordinator be invited to a future meeting when the future direction of the Safer Neighbourhood Groups is known</b>	SMSS
9	14.7.10	Outstanding Minutes List	(2) The Police be invited to attend the next meeting of the Parish Councils Liaison Group to discuss the review of the Safer Neighbourhood Groups.  <b>The Police be invited to a future meeting when resources are available</b>	SMSS
28(a)	19.1.11	Switching-off Street Lights	(2) Nottinghamshire County Council be invited to the next meeting of the Group to give a presentation on its proposals to switch off street lights. (3) Nottinghamshire County Council be asked to produce street lighting costs per parish.  <b>See Agenda Item No 10(a)</b>	SMSS
30(b)	19.1.11	Parish Charter - Review	(2) Implications from the Localism Bill on the Parish Charter be reported to a future meeting of the Group once known.  <b>See Agenda Item No 10(c)</b>	SMSS



**BASSETLAW'S LOCAL DEVELOPMENT FRAMEWORK & RURAL AFFORDABLE  
HOUSING PROGRAMME**

**UPDATE FOR PARISH COUNCIL LIAISON GROUP  
13 JULY 2011**

**1. CORE STRATEGY & DEVELOPMENT MANAGEMENT POLICIES DOCUMENT**

As Councillors will be aware from previous updates to this Group, the Council's final Core Strategy document (which will replace the Local Plan by the end of this year) was the subject of formal public Examination, in front of a Planning Inspector, in the form of a number of 'Hearing' sessions between 17 and 25 May. Several Parish Councils were involved in the Hearings, or attended as observers, in relation to a range of local issues.

The Planning Policy team is now consulting on the changes that the Inspector has requested that it makes to the document. The most significant of these is the extension of the plan period from 2010 to 2028 (rather than 2026), which will mean an additional 700 houses will have to be allocated in the District, along with a series of minor changes that were agreed during the proceedings. This consultation period will last for six weeks, after which time the Inspector will produce his final Report, which he will submit to the Council, setting out any further changes that he believes to be necessary and whether he believes the Core Strategy to be 'sound'. If it is found to be sound, the Core Strategy will be adopted by full Council later in the year and will become the new planning framework for the District.

**2. SITE ALLOCATIONS DOCUMENT**

As many of you will be aware, the Planning Policy team recently sent out questionnaires to residents in all of the settlements classed as Rural Service Centres in the Core Strategy. These were designed to solicit initial views from residents about the scale and nature of new development that they may wish to see in their locality. The response rate was over 20% and the team has already held a number of feedback sessions for interested Parish Councils.

The next stage will be the production of an 'Issues & Options' consultation document, which will set out the initial range of potential development sites across the District for the public and other interested parties to comment on. It is hoped that this will be published in the autumn, following the adoption of the Core Strategy. A range of consultation events will take place to raise awareness of the options available, as this is likely to generate considerable local interest.

**3. RURAL AFFORDABLE HOUSING PROGRAMME**

As you will be aware, I recently invited all Parish and District Councillors to an event that was held in Worksop on 21 June to promote and explain the District Council's Rural Affordable Housing Programme. This was a successful evening and the Planning Policy team will be following up, over the coming months, with any Parish Councils interested in progressing affordable housing sites, for local people, in their villages.

**RICHARD SCHOFIELD**  
**PLANNING POLICY & CONSERVATION MANAGER**  
[richard.schofield@bassetlaw.gov.uk](mailto:richard.schofield@bassetlaw.gov.uk) or 01909 533493





**BASSETLAW DISTRICT COUNCIL**

**PARISH COUNCIL LIAISON GROUP**

**13<sup>th</sup> July 2011**

**REPORT OF THE DIRECTOR OF CORPORATE SERVICES**

**REVIEW OF THE PARISH CHARTER**

Cabinet: Policy  
Contact: Stephen Brown  
Ext: 3767

**1. Public Interest Test**

Stephen Brown has determined in preparing this report that the contents are not of a confidential nature.

**2. Purpose of the Report**

To provide an update on the Parish Charter.

**3. Background and Discussion**

- 3.1 The following question has been submitted – “Can you give an update on the status of the Parish Charter, particularly in improving the dialogue between BDC and the parishes?”.
- 3.2 Parish Charters are quite common in many shire areas of the country and often incorporate County, District/Borough and Parish issues in one countywide document. There has been nothing of a similar nature in Nottinghamshire. With the support of the Notts Association of Local Councils and this Liaison Group, Bassetlaw District Council set about developing a Charter in 2007.
- 3.3 The Charter (Appendix A) sets out the relationship between Parish and District Council. It acknowledges the position of Parishes as local authorities in their own right. It covers all Parishes, not just those with “Quality Status”. The Charter is the first of its kind in Nottinghamshire, by early 2010 almost 90% of Parishes within the District had signed the document.
- 3.4 The Charter covers the following areas:

**All Parish Councils**

Sustainability, Equality and Diversity, Community Strategies and Local Strategic Partnerships, Local Governance, Consultation, Information and Complaints, Standards Committee, Land Use and Development Planning, Delegating

Responsibility for Service Provision, Financial Arrangements, Local Community Life and Practical Support.

### Quality Parish Councils

Community Strategies, Information and Access Points and Delegation of Functions and Service Provision.

- 3.5 It has always been the intention that the Parish Charter would be kept under review, through the Parish Council Liaison Group. It has been recognised that the introduction of the Localism Bill could have a significant impact on relationships with Parishes and therefore it would be prudent to await the outcome of the resulting Act, prior to any review of the Charter.
- 3.6 The Localism Bill is currently at committee stage within the House of Lords and it is anticipated it could become an Act by the end of 2011. The Liaison Group has previously received a presentation on the Bill, but some of the key aspects that could impact on Parishes are:-
- i) **General Power of Competence** – the proposed default position is that local authorities have the power to act unless there is an express statutory provision preventing them from doing so. Unlike the well-being power, the exercise of the proposed General Power of Competence is not tied to the benefit of either a local authority's area or that of its residents. It appears that "eligible" parish councils – as designated by the Secretary of State, would be included.
  - ii) **Assets of community value** – although no exact definition exists in the Bill, local authorities would be required to maintain a list of such assets. This list can be added to in response to a community nomination e.g. via a Parish Council. This list would contain local amenities and buildings such as community centres, village shops, pubs and land etc. The owner would not be able to dispose of the asset unless they have notified the local authority, there would be a period during which community groups could submit a bid (market values would apply). Owners have the opportunity to dispute nomination to the list.
  - iii) **Community Right to Challenge** – this actually is a right to make an expression of interest in providing or assisting in providing a relevant service on behalf of the local authority. In essence, the right is given to the community which is defined to include voluntary, community and certain charitable bodies (Parish Councils are included). The right is also given to two or more employees of an authority.
  - iv) **Governance and Predetermination** – this covers many issues, amongst which is the issue of predetermination. The clause makes it clear that just because a Councillor has given a view of an issue, this does not show that the Councillor has a closed mind on the matter, so that if a Councillor had campaigned on an issue or made public statements about their approach to an item of Council business, he or she will be able to participate in discussion of that issue in the Council and to vote on it if it arises in an item of Council business requiring a decision.

- v) **Standards and Conduct** – whilst Councils will retain a duty to uphold Standards, the Standards Framework will disappear. Existing Codes of Conduct would be removed together with the Standards Board for England. Relevant local authorities (including Parish Councils) may adopt a code of conduct or revise existing ones. The authority must consider whether it is appropriate to investigate written allegations. The Secretary of State will have powers to make regulations on the register of interests.
  
- vi) **Local and Council Tax Referendums** – the provisions are complex, but exclude Parish Councils from having to hold referendums. Other Councils may (a) upon the receipt of a valid petition from local people, consider holding a referendum or (b) upon the request from one or more Members of the authority or (c) the authority passes a resolution. Clause 56 empowers the Secretary of State to make regulations about the holding of referendums by parish councils. Regulations could, for instance, be made to modify and update the existing parish polls. A Council Tax referendum would provide an opportunity to the Council to make its case to the electorate about whether it should be allowed to impose a council tax increase above the trigger limit. At present the Secretary of State can ‘cap’ an authority.
  
- vii) **Planning** – the reforms streamline the procedures for local plans. A system of neighbourhood planning is proposed. Under this, communities (to be represented by what is referred to as a ‘qualifying body’ comprising either a parish council, or an organisation or body designated as a ‘neighbourhood forum’ by a local authority where there are at least three members of that body living in the particular neighbourhood area) will be able to request that local authorities make neighbourhood development plans containing policies regarding development in particular neighbourhood areas. There is also provision for the making of Neighbourhood Development Orders on the back of these plans enabling development to be permitted in an area without the requirement for an application for planning permission. This could include a ‘community right to build order’ which will grant planning permission for a specific development proposal made by a community organisation. There will be a legal requirement for developers to consult local communities before submitting planning applications for what it refers to as “very large” developments. The bill proposes removing the right of developers to make a retrospective planning application and enforcement appeal simultaneously. The bill proposes reforming the Community Infrastructure Levy that passes on some of the receipts from developers to neighbourhoods.

3.7 As indicated earlier in the report, the Bill is making its way through the Lords and therefore may be the subject of amendment. It is clear that whatever finally emerges it will impact on both the existing Charter and on the relationship with the District Council. Once the detail is known, it will be prudent for the District Council and Parish Council representatives to consider these issues in more detail and to review the current dialogue between both parties.

#### 4. Implications

- a) For service users

The Charter aims to help provide guidance around the relationship between the District Council and Parishes and the provision of services.

b) Strategic & Policy

The existing Charter is in line with the Council's aim of joint work with its key partners.

c) Financial - Ref: 12/178

None.

d) Legal – Ref: 196/07/11

As contained within the report.

e) Human Resources

None.

f) Community Safety, Equalities, Environmental

As identified, the Localism Bill could impact on planning matters.

g) Whether this is a key decision, and if so the reference number.

**5. Options, Risks and Reasons for Recommendations**

The report is presented for information at this stage.

**6. Recommendations**

That the Liaison Group note the position on the Parish Council Charter and that a review will be commenced once the detail of the Localism Act is known.

**Background Papers**

**Location**

**Bassetlaw District Council**

**CHARTER BETWEEN**

**BASSETLAW DISTRICT  
COUNCIL**

**AND**

**PARISH COUNCILS WITHIN  
BASSETLAW DISTRICT**

Signed: \_\_\_\_\_

Signed: \_\_\_\_\_  
On behalf of Bassetlaw District Council

Dated:

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## INTRODUCTION

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## INTRODUCTION

1. Bassetlaw District Council acknowledges that Parish Councils are at the grass-roots level of local government. In their role as democratically accountable bodies, Parish Councils offer a means of shaping the decisions that affect their communities. They offer a means of decentralising the provision of certain services and of revitalising local communities. In turn, the Parishes recognise the strategic role of Bassetlaw District Council of balancing the needs of the wider community.
2. The District and Parish Councils are committed to the principles of democratic local government. They are keen to promote greater public participation and appreciation of the system and to seek improvements in its operation.
3. This Charter confirms existing good practice and encourages new ways of working where applicable. It reflects the increasing importance attached by Central Government to partnership working and the development of the “**Quality**” status for Parish Councils.

## **PART 1 – ALL PARISH COUNCILS**

### **Sustainability**

4. Together we will work in partnership to promote sustainable social, economic and environmental development within Bassetlaw and Nottinghamshire.

### **Equality and Diversity**

5. As public bodies, both Parish and District Councils share a commitment to promote equality and diversity issues within the community, where we work in partnership or have influence with other bodies.

### **Community Strategies and Local Strategic Partnerships (LSP)**

6. Parish Councils will be involved in the processes of preparing and implementing the Community Strategy which aims to improve the economic, social, and environmental well-being of the area. Where a Parish Plan has been prepared, Bassetlaw District Council will take account of its proposals and priorities in developing and implementing the community strategy. Parish Councils will be consulted through the LSP about the content and direction of the community strategy as it affects the local communities they represent. Parish Councils are encouraged to play their full part in the work of the LSP.

### **Local Governance**

7. Bassetlaw District Council will involve the Parish Councils in its local governance arrangements and will utilise the following methods:
  - a. Holding liaison meetings with Parish Councils.
  - b. Allow members of Parish Councils to attend and address those meetings of Bassetlaw District Council not already covered by the provisions of public access by virtue of the Local Government Act 1972, or the Council's own 'question time' arrangement. This will be where appropriate and agreed in advance.
  - c. Maintaining a close working relationship with the Nottinghamshire Association of Local Councils (Northern Area) representing Parish Councils, and utilising such mechanisms as the District Council's established "Parish Council Liaison Group".
  - d. We will continue to work with Parish Councils in established local area forums, and create new forums as required.
  - e. Parish Councils will invite District Councillors representing their area to their meetings. They will also invite other Councillors and officers as appropriate.
8. The District Council will continue to organise the administration of Parish Council elections.

### **Consultation**

9. Both District and Parish Councils will make sure that they consult and inform each other on issues of common interest.
10. Both District and Parish Councils will also provide information and their views on a matter when it is requested.



11. Parish Councils can expect from Bassetlaw District Council:
- (a) Relevant information on issues about which they are asked to form a view.
  - (b) Realistic time periods for consultation.
  - (c) Real and meaningful processes for parish views to be represented and taken into account when formal decisions are to be taken.
  - (d) Prompt notification of decisions taken, together with written explanations of significant variance from expressed parish views, where this is requested.
  - (e) The availability of appropriate officers or members to assist parish councils in discussion on significant issues.
  - (f) Respect for the formal democratic decision-making processes of Parish Councils.
  - (g) The opportunity to take part in regular parish council liaison meetings focusing on issues of community interest.
  - (h) A willingness to seek a mutually satisfactory solution in areas of difficulty.
  - (i) Access to Bassetlaw District Council policies, strategies, agendas and minutes via its website.
12. Bassetlaw District Council can expect from parish councils:
- (a) A realistic response to the matter being considered, taking into account relevant statutory and policy considerations.
  - (b) A considered response during consultation periods.
  - (c) Sharing of information on issues of common interest.
  - (d) Opportunities for local ward members to attend meetings of their parish and receive minutes, agendas and other relevant information in accordance with the legislation.
  - (e) Respect for the formal democratic decision-making processes of Bassetlaw District Council.
  - (f) Constructive participation from representatives at parish liaison meetings.
  - (g) A willingness to seek a mutually satisfactory solution in areas of difficulty.
  - (h) The ability to access modern technology for District Council minutes, policy documents and other information.

### **Information and Complaints**

13. We will both acknowledge letters and e-mails, and provide detailed answers to communications which need a reply, within realistic timescales.
14. If there is dissatisfaction with action or responses each Council's formal complaints procedure may be initiated.

### **Standards Committee**

15. Members of Bassetlaw District Council and Parish Councils abide by codes of conduct, based on the national "Model Code of Conduct." Parish Councils will work with the Standards Committee of Bassetlaw District Council to promote and maintain high standards of conduct.

### **Land Use and Development Planning**

16. A Parish Council (or group of Parish Councils) may prepare (in partnership with Bassetlaw District Council) a village plan which includes proposals concerning land use and development planning issues (e.g. a village design statement). In such cases the District Council may adopt this as a Supplementary Planning Document, subject to the provisions and/or requirements of relevant legislation. The village plan would need to meet the requirements set out in, and be supplementary to, national, regional and local planning policy.

17. A Supplementary Planning Document can only be adopted in accordance with the timetable set out in the Local Development Scheme. This is not likely to be until 2009 onwards when it is intended that the main development plan documents will be in place. Bassetlaw District Council will inform Parishes of this timetable and any changes to it.
18. Parish Councils will liaise with Bassetlaw District Council to discuss their proposals and make timetabling arrangements.
19. Where the village plan proposals imply some changes to the current development plan for the area, Bassetlaw District Council may consider and discuss the proposals with the Parish Council as part of its next review of that plan.

### **Delegating Responsibility for Service Provision**

20. Where a Parish Council (or group of Parish Councils) wishes to take on delegated responsibility for service delivery, Bassetlaw District Council will consider this, taking account of the requirements to ensure it represents "Best Value" (cost, quality, local preferences and practicability). Where this is not the case or not practicable, Bassetlaw District Council will, in consultation with the Parish Council (or group of Parish Councils), explore alternative solutions to encourage more local input into service delivery.

### **Financial Arrangements**

21. Bassetlaw District Council will undertake their financial arrangements with Parish Councils in accordance with the principles of good practice guidance as illustrated in **Appendix 1**.
22. Where a Parish Council takes on the provision of certain services, the level of funding will be agreed by Bassetlaw District Council and the Parish Council. A non-exhaustive list of possible functions which may be considered for delegation by mutual consent is given in **Appendix 2**.

### **Local Community Life**

23. Bassetlaw District Council will seek to actively promote local community life utilising the Local Strategic Partnership and through grant schemes and the provision of advice and assistance to Parish Councils.

### **Practical Support**

24. Bassetlaw District Council will consider, where practical, offering Parish Councils access to its own support services, to enable them to take advantage of facilities such as printing and purchasing, at a mutually agreed price.

## **PART 2 – QUALITY PARISH COUNCILS**

25. In addition to the above, Bassetlaw District Council has agreed to work in the following ways with those Parish Councils which are recognised as having attained the “**Quality mark**” as set and defined by government.

### **Community Strategies**

26. Where a “**Quality**” council (or group of “**Quality**” councils) has prepared a parish plan, Bassetlaw District Council will take account of its proposals and priorities in developing and implementing the community strategy as it affects the local areas concerned. Bassetlaw District Council will also seek to strengthen links between these Parish Councils and any local strategic partnerships (LSP’s) in order to improve delivery of local priorities.

### **Information and Access Points**

27. If a “**Quality**” Parish Council (or group of “**Quality**” Parish Councils) wishes to develop a local information and/or access point for services, Bassetlaw District Council will help it to do so where appropriate. In particular it will:
- Issue to the Parish Council (and up-date as necessary) relevant written information and application forms for its services;
  - Give electronic access to similar information and forms (where it provides these electronically) provided the Parish Council has appropriate technology;
  - Provide suitable briefing, training and support to staff of the Parish Council.

### **Delegation of Functions and Service Provision**

28. Bassetlaw District Council has agreed to offer a “**Quality**” Parish Council (or group of “**Quality**” Parish Councils) the opportunity, after full consultation, to take on services and functions within their capability. Such services are listed in **Appendix 2** which is an illustrative list and not exhaustive.
29. As part of their “Best Value” arrangements, Bassetlaw District Council will give a “**Quality**” Parish Council (or group of “**Quality**” Parish Councils) wishing to, the opportunity to put forward proposals to take on aspects of the delivery, management and/or monitoring of services provided by them.

### **Explanatory Notes**

1. Paragraphs 28 and 29 do not imply that ownership of assets or facilities will automatically be transferred to a Parish Council as part of any new arrangement. This can only be achieved through Bassetlaw District Council giving its specific consent.
2. In reaching a decision on the possible delegation of services and functions to Parish Councils Bassetlaw District Council will have regard to the wider interests of all District residents.
3. **This Charter is a working document which will be reviewed annually by the Parish Council Liaison Group.**

## Appendix 1

The financial arrangements between Bassetlaw District Council and Parish Councils are governed by the following principles:

- Fairness between council tax bills in parished and non-parished areas, and between different Parish Councils.
- Fairness in the provision of services (and access to them) by Bassetlaw District Council between different parts of their area.
- Simplicity - to keep administrative costs of operations to a minimum.
- Transparency – to help understanding.
- Democratic control and accountability - to let Parish Councils support additional services with additional expenditure whilst ensuring accountability to all those responsible for funding. This means distinguishing between funding by Bassetlaw District Council (for a service carried out by a Parish Council) and funding raised by Parish Councils themselves. (e.g. using their precepting powers).
- Finance following a function/service - where provision of a service is devolved or transferred from Bassetlaw District Council to a Parish Council, funding is also transferred, with the amount involved being agreed by Bassetlaw District Council and the Parish Council.

## Appendix 2

Illustrative list, not exhaustive, of possible functions which might be considered for delegation to all Parish Councils by the Bassetlaw District Council by mutual consent.

- Control of Markets
- Street Cleaning
- Maintenance of Highway Verges, footways and footpaths
- Litter Collection and Litter Control Measures
- Enforcement in relation to Envirocrime e.g. fixed penalty notices for littering and dog fouling
- Collection of stray dogs
- Street Lighting (other than principal routes)
- Recycling Provision
- Street Naming
- Parking Restrictions (and related matters)
- Issues of buss and rail passes
- Road Safety Measures
- Tree Preservation Orders
- Some aspects of the management of Libraries and Museums
- Some aspects of Leisure and Tourism Provision (e.g. bowling greens, playing fields, issue of Leisure permits)
- Public Conveniences
- Allotments
- Car Parking
- Cemeteries

