

Report for: Cabinet

Date of Meeting: 9 July 2024

Subject: Town and Parish Charter Review

Cabinet Member: Councillor Gwen DuChesne
Cabinet Member for Parish and Community
Engagement

Responsible Officer: David Parker Democratic Services Officer and
Town and Parish Liaison Officer

Exempt: None

which are Exempt from publication under paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)

Wards Affected: All

Enclosures: (i) Charter between Mid Devon District Council and the Town and Parish Councils
(ii) Annexe 1 – Planning Charter
(iii) Parish Charter responses
(iv) State of the District Debate responses

Section 1 – Summary and Recommendation(s)

To present to the Scrutiny Committee a revised Charter between Mid Devon District Council and the Town and Parish Councils in Mid Devon having undertaken a thorough review.

Recommendation(s):

That Cabinet adopt the Town and Parish Charter.

Section 2 – Report

2.0 Introduction

- 2.1 The Town and Parish Charter was originally approved in December 2010, following this the Charter was circulated to parishes for adoption at the Annual Meeting of the Town and Parish Council Clerks in March 2011. As of May 2012, of the 48 Town and Parish Councils in Mid Devon 37 had adopted the Charter.
- 2.2 As agreed at that time, the Charter was to be reviewed after 12 months and thereafter on a 3 yearly basis.
- 2.3 In May 2012, a review duly took place and amendments were made to the document providing clarity and in line with changes to legislation.
- 2.4 A further review took place in 2016/2017 meaning that a review was due during 2020. This review commenced but, with the ongoing effects of covid-19 and changes within the organisation, the review was not completed.
- 2.5 A review was therefore required in order to reflect on the current effectiveness of the Charter and ensure it is fit for purpose in accommodating the needs and working practices of both the District Council and Parish and Town Councils.

3.0 2024 Consultation and Review

- 3.1 The review was led by the Town and Parish Liaison Officer, and involved engagement with the Development Management (Planning) and Forward Planning (policy) teams in order to ensure that both the Charter and the Planning Charter reflect current legislation, best practice and working practices.
- 3.2 The draft Charter with the Towns and Parishes is attached for review and consideration. The document including the annex has been sent to all Towns and Parishes for their comment. 22 Towns and Parishes responded, all but one approving the proposed changes although some Parishes made comments on the text and some made general comments for the Council to take note of.
- 3.3 The working group looking at this document, considered all the suggestions and made changes as appropriate.
- 3.4 In considering the suggested amendments, it is considered important to make specific reference to the following points to allow full consideration of the proposed changes:
 - 3.4.1 The Town and Parish newsletter stopped being published during Covid. Now that the Communications Team send out regular press releases with any items of interest it is considered to be unnecessary to recommence the Town and Parish newsletter especially when considering the historical difficulty of finding enough content to fill its pages.

3.4.2 Since Covid, the District Council and many Town and Parish Councils have become much more technologically agile so that many meetings are now held virtually, facilitating and enabling increased public participation.

3.4.3 Resources: Council finances continue to be squeezed meaning that the District Council is, along with many other Councils, needing to find efficiencies and financial savings wherever practicable in order to ensure that it can continue to meet its statutory obligations. Although the changes proposed through the document are considered minor and are not considered to fundamentally affect the operation or intent of the Charter, it is necessary to understand that some of the proposed changes seek to reflect working practices which have been adopted in order to ensure the Council is achieving more efficient ways of working and managing operational cost savings.

4.0 Next Steps

4.1 A similar report will be presented to the Community, People and Equalities PDG to recommend to Cabinet that the revised Charter and its annex be adopted.

Financial Implications: As set out within the main body of the report; direct financial implications to the Council are minimal. However, it should be noted that some of the proposed changes do reflect current working practices which have been adopted in order to ensure the efficient use of financial resources. Should any of the proposed changes not be accepted, it is therefore possible that financial implications would accrue to the District which would place pressures on existing budgets.

Legal Implications: Community engagement and empowerment is one of the key implications of the Localism Act 2011. Good working relationships with the Town and Parish Councils will build mutual trust and support, leading to more effective local government. By contrast, poor relationships may lead to a breakdown in trust, communication and ethical standards.

Risk Assessment: Failure to work effectively with Town and Parish Councils could lead to a breakdown in the relationship which could ultimately impact on our community.

Impact on Climate Change: No direct impact, although there is a link with ensuring effective communication with Town and Parish Councils in planning matters and ensuring that the Council (the LPA) fully discharges its obligations on planning consultation and in the achievement of climate/carbon/biodiversity objectives and requirements.

Equalities Impact Assessment: No equality issues have been identified.

Relationship to Corporate Plan: Strengthening the relationships with Town and Parish Councils assists in the delivery of the 'empowering our communities' policy.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 11th June 2024

Statutory Officer: Maria DeLeiburne

Agreed on behalf of the Monitoring Officer

Date: 11th June 2024

Chief Officer: Richard Marsh

Agreed by or on behalf of the Corporate Director

Date: 11th June 2024

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 07 June 2024

Cabinet member notified: no

Section 4 - Contact Details and Background Papers

Contact: David Parker, Democratic Services Officer and Parish Liaison Officer

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Background papers: Town and Parish Charter (Version 3 – June 2024)

Annex 1 – Planning Charter

Parish Charter responses

State of the District Debate responses