

Local (Parish and Town) Council Charter for the City of York

1. The City of York Council and the 31 local councils in the City of York have agreed to publish a Charter which sets out how they aim to work together. This Charter is the result of discussions across the City of York to establish improved ways of working and to confirm existing good practice.
2. The City of York Council and the 31 local councils are committed to the principles of democratic local government. They are keen to see continued efforts made to improve our system of local democracy and to see greater public participation in and appreciation of this system.
3. The City of York Council acknowledges and recognizes that parish and town councils are the grass roots level of local government. By working with local councils, the City of York Council aims to act in partnership with local communities, while balancing the needs of the wider locality.
4. Local councils offer a means of shaping the decisions that affect their communities. They offer a means of revitalizing or sustaining local communities. In turn, local councils recognise the strategic role of the principal council and the equitable distribution of services which it has to achieve.
5. This Charter will be formally reviewed after three years in operation.
6. The City of York Council will work with local councils to promote sustainable social, economic and environmental development in the area of the City of York.

Local Governance

7. Arrangements for engagement of local councils in principal authority local governance arrangements and for liaison between them
 - The Leader of the City of York Council will hold liaison meetings with local councils representatives at least two times a year.
 - The City of York Council will maintain its close working relationship with the York Branch of the Yorkshire Local Councils Association through an annual meeting between the Leader of City of York Council and YLCA Members.
 - Local councils will invite appropriate members and officers of the City of York Council to their meetings.
8. The City of York Council will help organise the administration of local council elections. The respective authorities will work together to limit the costs of holding such elections.

Consultation

9. The City of York Council will aim to give local councils the opportunity to comment before making a decision which affects the local community. In furtherance of this, the City of York Council will send the agendas of its executive meetings to local council clerks at the same time as they are sent to members of the Council. Any relevant reports to which the agenda refers will be sent to local councils on request so that the local council can respond directly or through their City of York ward councillor(s).

If consultation does not take place, a written explanation will be given on request to The Community Planning and Partnerships Group, Chief Executive's Department, 2 Blake Street, York YO1 8QG.

10. To help achieve the objectives laid down in this Charter, liaison and consultation (both formal and informal) will be further developed at local council level through regular meetings or specific service consultative groups and, at officer level, individually or through working parties and groups, as resources permit.
11. The City of York Council will attend meetings with local councils (or groups of local councils) at a mutually agreed time to discuss matters of common interest when requested to do so and given sufficient notice.
12. Local councils will send copies of their agendas and papers of their meetings to City of York Council and to local councillors. Officers and councillors of the City of York Council will be given an opportunity to speak at local council meetings on matters of mutual interest by prior arrangement and at the discretion of the local council.

Information and Complaints

13. When the City of York Council consults local councils, it will provide them with sufficient information to enable them to reach an informed view on the matter, and give them adequate time to respond in accordance with the statutory requirements where applicable.
14. The City of York Council will communicate with local councils and other communities by publishing ward based newsletters regularly and distributing them free of charge to all households. A copy of the ward newsletter will also be sent direct to the local council Clerk. Briefing on the operation of Parish Councils will be available to City Councillors who are unfamiliar with the role and procedures of Parish Councils, through the YLCA.
15. The City of York Council and local councils will acknowledge letters, and provide substantive answers to letters which need a reply. A full substantive reply or an acknowledgement will be sent by the City of York Council or local council within ten working days. If an acknowledgement is sent by City of York Council, the full substantive reply will be sent within 28 days. If an acknowledgement is sent by a local council, the full substantive reply will be

sent no more than 7 days after the next local council meeting. Letters concerning planning applications will remain subject to a different protocol.

16. If a local council is dissatisfied with the City of York Council's actions, their response to a request for information, or their failure to consult, the local council may initiate the Council's formal complaints procedure.

Standards Committee

17. Both the City of York Council and the local councils have adopted codes of conduct, based on the national model code of conduct. The local councils will work with the City of York Council's Standards Committee to promote and maintain high standards of conduct. The City of York Council has consulted and agreed with the local councils that one Councillor of a Local Council in the City of York Council area, who is not also a City Councillor, will be appointed to the Standards Committee. The local council member must be present when matters relating to local councils or their members are being considered.

Practical Support

18. The City of York Council will, where practical, offer local councils access to their own support services, to enable them to take advantage of facilities such as printing and purchasing, at a mutually agreed price. In particular, assistance will be offered to help local councils address the training needs of their members.

Financial arrangements

19. If a service is provided by the local council rather than the City of York Council, and the City of York Council charges taxpayers in the parish for the equivalent services it provides elsewhere, then "double taxation" does occur.
20. The City of York Council wants to ensure that residents of York do not have to pay council tax and a local precept for the same service. However, it believes that the existence of concurrent functions does not in itself mean that double taxation is occurring.
21. The City of York Council and local councils recognise that some of the services they provide are strategic and therefore not standard provision for each area of York.
22. Any Local Council that believes a service that it provides is funded through "double taxation" being levied on taxpayers in the parish will be invited to put a case for remedy to City of York Council.

23. In order for the case to be considered, the Local Council would need to provide the City of York Council with a written statement that outlines why the local council believes that;
- a) an **equivalent** service was being provided in **non parished wards** to the same **standard** or;
- b) based on the City of York Council's existing strategy, an **equivalent** service would otherwise be provided by the City of York Council.
24. That statement, together with a covering report to the Leader of City of York Council (meeting with Advisory Panel) would be prepared by Council Officers.
25. The report would recommend that the case was accepted or rejected based on the evidence submitted, any further evidence gathered by City of York Council Officers and also application of the following five tests:
- Fairness in the provision of services by the principal authority
 - Simplicity - to keep admin costs to a minimum
 - Transparency - to help understanding
 - Democratic control and accountability - who pays for what ?
 - Finance following function
26. If the case was rejected, the local council would be informed of the reasons for the decision taken. The same case would only be reconsidered if new evidence became available.
27. If the case was accepted, the Local Council would be offered a financial settlement or the opportunity to transfer the service to City of York Council. This will apply to the next and subsequent financial years and will not be retrospective.