



Joint Working Agreement

between Rotherham Metropolitan Borough Council
and Rotherham's parish and town councils



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1. Introduction

- 1.1 Rotherham Metropolitan Borough Council (RMBC) and the parish and town councils of Rotherham have agreed to publish a Joint Working Agreement which sets out best practice and how they aim to work together to benefit local people.
- 1.2 The Agreement is intended to be a starting point, a commitment to work together and a statement of principles by which RMBC and parish and town councils can approach their work together.
- 1.3 RMBC acknowledges that parish and town councils are the level of local government closest to the community and recognises the valuable role they have in providing services and representing their communities.
- 1.4 In turn, parish and town councils recognise the role of RMBC as “Principal” authority.

2. Effective Joint Working and an Influencing Role

- 2.2 The main consultative group between RMBC and parish and town councils will be the Joint Working Group. The group will consist of elected representatives from parish and town councils, relevant RMBC officers and be chaired by the Cabinet Member with the associated portfolio responsibility. The group will aim to meet every six weeks.
- 2.3 During the course of the year Parish Network meetings will take place to which all parish and town councils are invited to send representatives. The Parish Network will discuss issues of mutual interest with RMBC and be a forum for exchanging good practice and undertaking any relevant training.
- 2.5 RMBC is committed to providing appropriate training to officers and members about the roles and functions of parish and town councils to widen their understanding of issues affecting them.
- 2.6 RMBC asks that parish and town councils consider making representatives available for committee places or working groups when invited to do so.
- 2.7 RMBC member training will be opened up to parish councillors and clerks as appropriate.



3. Communication

- 3.1 RMBC and parish and town councils are committed to improving the quality and flow of information between the two local government tiers.
- 3.2 RMBC and the parish and town councils will acknowledge letters/emails sent by the other party and provide substantive answers to letters/emails that need a reply.
- 3.3 A full substantive reply RMBC or the parish and town council within 10 working days. If an acknowledgement is sent, the full substantive reply will be sent within 28 days unless there are reasons for a longer period.
- 3.4 RMBC will notify parish and town councils of programmed maintenance and improvement schemes due to be undertaken within a parish.
- 3.5 Wherever possible parish and town councils are asked to use the RMBC website (**www.rotherham.gov.uk**) to find information about services and news updates including road and footpath closures, temporary traffic lights and diversions. The website contains a number of online forms which can be used for service requests or, alternatively, use the Streetpride Connect number **01709 336003** or email **Connect-Streetpride@rotherham.gov.uk**
- 3.6 If a parish or town council is dissatisfied in the response to a request for information or a failure to consult a complaint can be made through the RMBC complaints procedure: **http://www.rotherham.gov.uk/info/200025/complaints/516/complain_about_council_services/2**



4. Engagement

- 4.1 RMBC asks that RMBC members and officers be invited to attend parish and town council meetings where appropriate.
- 4.2 RMBC will aim, where appropriate, to provide a reasonable consultation period to allow parish and town councils the opportunity to comment before making a decision which affects the local community.
- 4.3 Parish and town councils will aim, wherever possible, to provide responses to consultation requests within the requested guidelines.
- 4.4 To ensure that communications are channelled effectively, contact between RMBC and any parish and town council will be focused through the Parish Clerk; or Parish Chairperson in the case of Parish Meetings. Contact within the principal authority will normally be through the main contact details for each Directorate listed in the Appendix to this document.
- 4.5 RMBC will support the parish and town council liaison function and a senior manager from the Council will be nominated to act as the responsible officer, this is: Zafar Saleem, Neighbourhood Partnerships Manager, Housing & Neighbourhood Services, Adult Care & Housing Directorate, 01709 822757. Email: zafar.saleem@rotherham.gov.uk.
- 4.6 RMBC will positively encourage those communities who wish to create Parish and Town Councils to do so.

5. Monitoring the Agreement

- 5.1 The Agreement is a flexible and adaptable document so as to keep pace with changing circumstances and arrangements for local government.
- 5.2 This will be achieved by an annual review and through the regular meetings of the Joint Working Group.
- 5.3 Any concerns regarding the implementation of the document will be directed to the responsible Cabinet Member to ensure the relevant issues are raised at the meetings of the Joint Working Group.

6. Standards Committee

- 6.1 Both RMBC and parish and town councils have adopted Codes of Conduct, based on the national model of Code of Conduct. Parish and town councils will work with RMBC's Standards Committee to promote and maintain high standards of conduct.

7. Shared Services

- 7.1 If a parish or town council (or group of parish and town councils) wishes to take on shared responsibility for service delivery, RMBC will consider this where it is Best Value (taking account of cost, quality, local preferences and practicality).
- 7.2 This will exclude a range of services which cannot be delegated because of their statutory nature.





8 Parish Plans

- 8.1 RMBC recognises that where a parish or town council has prepared a parish plan this allows local people to have their say on what is needed or wanted and how this may be achieved. Given this RMBC will take account, wherever possible, of its proposals and priorities.
- 8.2 A parish plan should be sent to the responsible officer in the Neighbourhood Partnerships team to consider if there are areas of the plan where RMBC can provide help.

9 Election Costs

- 9.1 RMBC will provide support in the administration of the holding of parish and town council elections. The respective authorities will work together to limit the costs of holding such elections.

10 National Guidance

- 10.1 This Agreement will reflect the latest legislation, guidance and duties emerging from central government. Such legislation evolves and changes over time and the Charter will be updated annually to reflect this and any policy response from RMBC.
- 10.2 The 2011 Localism Act brought new powers and opportunities for parish and town councils including:

Community Right to Bid

This allows community groups and parish and town councils a chance to prepare a business plan and secure funding to bid to buy facilities or buildings that are important to them. Examples could be a local pub, village shop, allotment, library or community centre etc.

If a Parish or Town Council considers that a particular asset is or would be valuable to the local community it can nominate the asset to RMBC with a request to get it listed. RMBC can refuse to list the asset but if they do they must explain their reasons to the Parish or Town Council. There is no right of appeal for Parish / Town Councils but owners do have the right of appeal against the asset being listed. Once listed, if the asset comes up for sale, the owner must tell RMBC who will impose a moratorium on the sale. There is a six week moratorium to allow the parish or town council to express an interest, if they do, then the moratorium period is extended to six months to allow the parish or town council to prepare a bid, however, once all bids are in, the owner can sell the asset to the bidder of their choice.

Community Asset Transfer

Community Asset Transfer is not the same as Community Right to Bid. Community Asset Transfer deals with an asset that is already in public ownership and allows for transfer of that asset to communities (parish or town councils) at less than its market value if this can be agreed between those participating. RMBC agrees to enter into this voluntary process with all parish and town councils in the Borough.

Community Right to Challenge

This community right gives parish and town councils, either as a single parish or a cluster of parishes the opportunity to “express an interest” in running a service currently provided by RMBC.

Expressions of interest that comply with the requirements set out in the Act will trigger a procurement exercise conducted by RMBC in compliance with the Act and its own procurement procedures. RMBC undertakes to communicate the outcome of the procurement exercise to involved parish and town councils and explain the reasons for any unsuccessful challenge.

Neighbourhood Planning

Neighbourhood planning provides a statutory right for local people and businesses to plan for the future of their places in a sustainable and fair way. It is designed to enable local people and communities to strongly influence how development will occur locally. When a Neighbourhood Plan is completed it goes to referendum, and if passed, becomes part of RMBC’s Local Plan.

In a neighbourhood which contains all or part of the administrative area of a town or parish council, the town or parish council has lead responsibility for neighbourhood planning. The parish or town council has to let RMBC know of its interest in developing a Neighbourhood Plan, and then submit an application to designate a neighbourhood area. Within this application a statement is required that the organisation is a relevant body under section 61G of the Town and Country Planning Act 1990.

This begins the process. For further information see the link:

http://www.rotherham.gov.uk/homepage/353/neighbourhood_planning

10 National Guidance *Continued*

General Power of Competence (GPC)

The General Power of Competence, Localism Act 2011 Sec 1 (1) gives eligible local councils, “the power to do anything that individuals generally may do” as long as they do not break other laws. It is intended to be a power of first, not last, resort.

There are 2 criteria for a local council to be eligible to use the GPC (Statutory Instrument, Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012) these are:

- **ELECTED COUNCILLORS**

At the precise moment that the council resolves that it meets the criteria, the number of councillors elected at the last ordinary election, or at a subsequent by-election, must equal or exceed two thirds of its total number of councillors.

- **THE QUALIFIED CLERK**

The clerk must hold at least one of the sector-specific qualifications and should have completed the relevant training designed as part of the National Training Strategy for local councils.

For further information on this see:

www.legislation.gov.uk/ukdsi/2012/9780111519868/contents



Appendix 1:

Parish Council contacts October 17

PARISH COUNCILS

ANSTON

Ms. Anna Bownes-Webster
Clerk to Anston Parish Council
Tel. 01909 560922
Email: clerk@anston.gov.uk

ASTON-CUM-AUGHTON

Mr. A. Hodkin
Clerk to Aston-cum-Aughton Parish Council
Tel: 0114 2879008
Email: info@aston-cum-aughton-pc.gov.uk

BRAMLEY

Mr. R. Foulds
Clerk to Bramley Parish Council
Email: rob@rofos.net

BRAMPTON BIERLOW

Mr. D. Hudson
Clerk to Brampton Bierlow Parish Council
Email: bramptonbierlowpc@btinternet.com

BRINSWORTH

Ms Gail Blank
Clerk to Brinsworth Parish Council
Tel. Office 01709 364199
Email: brinsworthpc@hotmail.co.uk

CATCLIFFE

Ms Sarah Youngman
Clerk to Catcliffe Parish Council
Tel. 01709 837550
Email: catcliffepcouncil@gmail.com

DALTON

Mrs. Sue Lewis
Clerk to Dalton Parish Council
Email: daltonparishcouncil@outlook.com

DINNINGTON

Mr Alistair Evans
Town Clerk and Finance Officer
Tel: 01909 564169
Email: dsjtc@hotmail.co.uk

FIRBECK

Mr Alistair Evans
Clerk to Firbeck Parish Council
Email: clerk.firbeckpc@hotmail.co.uk

GILDINGWELLS

Mr Mike Farnsworth
Chairman of Guildingwells Parish Meeting
Mike.farnsworth@tesco.net

HARTHILL-WITH-WOODALL

Mrs Caroline Havenhand,
Clerk to Harthill with Woodall Parish Council
Email: clerk_harthillwithwoodallpc@outlook.com

HELLABY

Mr Andrew Towlerton
Clerk to Hellaby Parish Council
Email: hellabyparishcouncil@hotmail.co.uk

HOOTON LEVITT

Mr. S. G. Bedford
Chairman of Hooton Levitt Parish Meeting

HOOTON ROBERTS

Mr. D. Kiggin,
Chairman of Hooton Roberts Parish Meeting

LAUGHTON-EN-LE-MORTHEN

Ms. Caroline Havenhand
Email: clerk@laughtonparishcouncil.org.uk

LETWELL

Mr. M. D. Sharpe
Clerk to Letwell Parish Council
Email: Martyndsharpe@aol.com

MALTBY

Mrs. Kate Butler
Clerk to Maltby Town Council
Tel: 01709 814060
Email: maltby.town@btconnect.com

ORGREAVE

Mrs. Deborah Morris
Clerk to Orgreave Parish Council
Email: orgreavepc@tiscali.co.uk

RAVENFIELD

Ms Gemma O'Carroll
Clerk to Ravenfield Parish Council,
Email: ravenfieldparishcouncil@yahoo.com

THORPE SALVIN

Ms Rachel Graham
Clerk to Thorpe Salvin Parish Council
Tel: 07792 186519
Email: tspc01@outlook.com

THRYBERGH

Mr. Paul Hindle
Clerk to Thrybergh Parish Council
Tel. 01709 546805 / Mobile 07833392976
Email: phindle@sky.com

THURCROFT

Mr. A. West
Clerk to Thurcroft Parish Council
Email: thurcroftpc@gmail.com

TODWICK

Mr. J. R. Walker
Clerk to Todwick Parish Council
Email: jrw1947@btinternet.com

TREETON

Mr. C. J. Brown
Clerk to Treeton Parish Council
Email: treetonpc@aol.com

ULLEY

Ms Emma Taylor
Clerk to Ulley Parish Council
Mobile: 07764948960
Email: clerk.ulleypc@outlook.com

WALES

Richard Waller
Clerk to the Council
Wales Parish Council Office
Tel: 01909 515784
Email: wales.pc@onetel.net

WENTWORTH

Mrs. Jane Hutchings,
Wentworth Parish Council
Tel. 01226 744486 (evenings)
Email: wentworthclerk@aol.com

WHISTON

Ms. Angela Harrison
Tel.07712305729
Email: whistonparish@hotmail.co.uk

WICKERSLEY

Ms Rachel Chico
Telephone and Fax 01709 703270
Email: wickersleypc@btconnect.com

WOODSETTS

Mr. Brian W Smyth
Clerk to Woodsetts Parish Council
Email: clerk@woodsettsparishcouncil.gov.uk

Appendix 2:

RMBC Contacts

Directorate/Service	Contact (October 17)
Chief Executives Office	01709 822771
Assistant Chief Executive's office	01709 822773
<ul style="list-style-type: none">• Democratic Services	01709 822477
Adult Care and Housing	01709 822397 / 554954
<ul style="list-style-type: none">• Adult social Care	01709 254875
<ul style="list-style-type: none">• Neighbourhood Partnerships Service	01709 822757
<ul style="list-style-type: none">• Housing and Estates Service	01709 334954
<ul style="list-style-type: none">• Learning Disability Service	01709 302834
<ul style="list-style-type: none">• Housing Contact Centre	01709 336009
<ul style="list-style-type: none">• Adult Social Safe Care safeguarding team	01709 822330
Children and Young People's Services	01709 822677
Safeguarding, Children's and Families	
<ul style="list-style-type: none">• Prevention and Early Interventions	01709 254160
<ul style="list-style-type: none">• Safeguarding CYPS-SafeguardingBoard@rotherham.gcsx.gov.uk	
<ul style="list-style-type: none">• Childrens Social Care out of hours team	01709 336080
Schools and Lifelong Learning	
<ul style="list-style-type: none">• Integrated Youth Support Services	01709 822565
Finance and Customer Services	01709 822046
<ul style="list-style-type: none">• Customer, information and digital	01709 254524
<ul style="list-style-type: none">• Legal and Democratic Services	01709 255768
<ul style="list-style-type: none">• Corporate Procurement Service	01709 334755

**Regeneration and Environment Services
Planning, Regeneration and Culture**

01709 823815 / 822971

- Planning and Building Control 01709 823866
- Regeneration 01709 823828
- Business Retail and Investment 01709 254563
- Transportation and Highways 01709 822825
- Leisure and community services 01709 822483
- Community Safety and Street-scene 01709 822025
- Street Cleaning/Waste Management 01709 822223
- Transportation and Highways 01709 822828
- Emergency and Safety Team 01709 823877
- Regulation and Enforcement 01709 823117
- Streetpride 01709 336003
- Community Safety and Anti-Social Behaviour Unit 01709 334565

Public Health

01709 255840

- Healthcare Public Health, including health intelligence
- Health Protection
- Health Improvement

