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Our Ref: TDC & Parish/Town Councils Collaboration WP/Agenda
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TDC & PARISH/TOWN COUNCILS COLLABORATION WORKING PARTY

24 NOVEMBER 2022

A meeting of the TDC & Parish/Town Councils Collaboration Working Party will be held at **5.30 pm on Thursday, 24 November 2022** in the Austen Room, Council Offices, Cecil Street, Margate, Kent.

Membership:

Councillor Currie (Chair); Councillors: Austin, Bailey and Fellows

AGENDA

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATION OF INTERESTS** (Pages 3 - 4)
To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the [Declaration of Interest Form](#)
3. **TDC AND PARISH/TOWN COUNCILS COLLABORATION - DRAFTING THE REPORT TO THE PANEL** (Pages 5 - 14)

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Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or
Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Committee Services Manager well in advance of the meeting.

If you need to declare an interest then please complete the declaration of [interest form](#).

TDC and Parish/Town Councils Collaboration - Drafting the report to the Panel

TDC & Parish/Town Councils Collaboration Working Party	24 November 2022
Report Author	Charles Hungwe, Senior Democratic Services Officer
Portfolio Holder	Councillor Ashbee, Leader of Council
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	Thanet Wide

Executive Summary:

The purpose of this report is to initiate a discussion within the working party regarding how they wish to create their report to the Overview & Scrutiny Panel. The working party would now need to consider all the views shared by the witnesses during the various sessions as well as the questionnaire responses submitted by TDC cabinet members, officers, parish/town councils chairs and clerks.

Recommendation(s):

Members are asked to draft the report to be submitted to the Panel.

Corporate Implications

Financial and Value for Money

There were no financial implications arising directly from this report.

Legal

The role of scrutiny is set out in section 9F of the Local Government Act 2000. The council must also have regard to the statutory guidance on Overview and Scrutiny from the ministry of Housing, Communities and Local Government when exercising its functions.

Risk Management

There are risks arising directly from this report.

Corporate

The review of coastal waste collection would come up with recommendations for consideration by the executive. However such recommendations would need to be put in the

context of the current limited resources available to the council.

Equality Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

This report relates to the following aim of the equality duty: -
(Delete as appropriate)

- To eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.
- To advance equality of opportunity between people who share a protected characteristic and people who do not share it
- To foster good relations between people who share a protected characteristic and people who do not share it.

No implications arise directly but the Council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure service delivery matches these.

It was important to be aware of the Council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration has been given to the equalities impact that may be brought upon communities by the decisions made by Council.

Corporate Priorities

This report relates to the following corporate priorities: -

- Growth
- Environment
- Communities

1.0 Introduction and Background

1.1 The Overview and Scrutiny Panel set up the TDC and Parish/Town Councils Collaboration Review Working Party at its meeting on 26 May 2022 to investigate and report on the potential for closer working between Thanet District Council and the Parish and Town Councils in order for improved services to Thanet residents. It is hoped that from this review, the working party could come up with recommendations for consideration by the Panel and subsequently the Executive.

- 1.2 This piece of work has come out of the comments and feedback received by TDC through the just ended work by the Coastal Waste Review Working Party. Parish and Town Council representatives who took part in this review expressed the view that the district could experience improved service delivery especially with regards to managing litter through improved collaborative working between these two structures of local government.
- 1.3 Since evidence gathering has been completed, Members would now need to draft the report to be presented to the Overview and Scrutiny Panel.

2.0 Collecting Evidence for the review

- 2.1 A questionnaire was sent out to TDC cabinet members, officers, parish/town council chairs and clerks requesting their views on the best way to increase collaborative working between the district and parishes. A number of responses were received and considered at three separate sessions between the working party and the respondents. The key questions that were used in the survey document were as detailed below:
 1. How do you view the current working relationship between Thanet District Council and parish/town councils?
 2. How does this current working relationship affect the way services are delivered in the district?
 3. Do you have any suggestions for how collaborative working between Thanet District Council and parish/town councils could be improved; and if yes what are they?
 4. From your experience working with parishes, do you think they have the capacity to take on additional roles on a long-term, sustained basis?
- 2.2 Members would now need to go through the responses and in particular the key points raised in the three meetings that were recorded in the working party minutes that are attached as annex 1 to Annex 3 to this report..

3.0 Current Arrangements between TDC and Parishes

- 3.1 Currently TDC interacts with Parish and Town Councils through virtual meetings; the Parish Conference Calls. These are informal sessions where the CEx meets with Parish and Town Clerks and Chairs to get updates on and discuss topical issues affecting the district. Initially this was a forum where the CEx and senior TDC officers would provide updates about Covid 19.
- 3.2 There is also a Parish Forum that is hosted by TDC where the Leader of Council chairs two sessions in a year where Town and Parish Clerks and Chairs attend to discuss matters of interest to the district. Discussion topics are sought from the parish and town councils. These sessions are supported by the CEx and senior officers.
- 3.3 Parish Forums have not been held for quite some time as they seem to have been replaced by Parish Conference Calls. The Conference Calls were held fortnightly at

the height of the covid pandemic, but they have since been moved to monthly sessions.

4.0 Options

- 4.1 Members may wish to use the comments and suggestions recorded in the minutes, in Annexes 1-3 to the report.
- 4.2 Members could task officers to draft a skeletal report using the key points in the working party minutes.

5.0 Next Steps

- 5.1 The working party report could be submitted to the Panel meeting in the early part of 2023.

Contact Officer: (Charles Hungwe, Senior Democratic Services Officer)
Reporting to: (Nick Hughes, Committee Services Manager)

Annex List

Annex 1 - Collaboration Working Party minutes - 27 October 2022
Annex 2 - Collaboration Working Party minutes - 03 November 2022
Annex 3 - Collaboration Working Party minutes - 09 November 2022

Background Papers

None

Corporate Consultation

Finance: *(Insert name and job title)*

Legal: *(Insert name and job title)*

TDC & PARISH/TOWN COUNCILS COLLABORATION WORKING PARTY

Minutes of the meeting held on 27 October 2022 at 5.30 pm in the Online Meeting Only.

Present: Councillor Alan Currie (Chair); Councillors Austin and Fellows

In Attendance: Councillors Ashbee, J Bayford, R Bayford, Matthews and D Saunders

4. TDC AND PARISH/TOWN COUNCILS COLLABORATION WP QUESTIONNAIRE - TDC CABINET MEMBER RESPONSES

The Chair introduced the subject for discussion and asked members of the working party to ask questions or make comments in relation to the responses they received from cabinet members through the survey questionnaire.

Working Party Members made comments and asked questions as follows:

- In your view as cabinet members, how do parish and town councils expect to fund any additional services if they were handed over additional functions by the district council?
- Could parishes co-manage some of these functions with the district council; for example by managing the toilets facilities around the district?
- The district would only come in if there was an emergency (i.e. if the bill was too high for a parish to pay);
- A parish/town council could offer to take on a service. However the issue is about having a transparent relationship between the parishes and TDC in sharing these services;
- The principal council should know what it wants from this proposed relationship with parishes;
- One way of collaborative working was for TDC to host the Member training programme that would include parish and town councillors, particularly for the induction of newly elected Members in May 2023;
- There is a need to hold regular meetings between TDC and parish and town councils. These meetings would be attended by parish and town clerks and chairs representing parishes;
- If there was going to be a handover of functions and assets that need to be done in a structured way for such arrangements;
- It might be that the precepts presentation could be restructured;
- There is also a need to understand the risks involved for any services that would be handed down to parishes;
- Should the Parish Forum be restored? It might be that this recommendation could be formally presented to cabinet;
- The re-established Parish Forum could have new terms of reference;
- These meetings could be held bi monthly;
- There is a need to come up with an updated list of town and parish clerks;
- Information on the newly created Parish Forum could then be circulated to all parishes.

Cabinet Member responded to sub group comments and questions as follows:

- Parish and town councils could raise a precept to fund additional functions if functions were handed down to them;
- Parishes could take over parking. Birchington ground was now managed by the parish council. This had provided an opportunity for local participation;

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- This enhances connectivity between the parishes and district council;
- Parishes could be handed over some of the non statutory functions and share such responsibilities as the management of toilets;
- Parishes and the district council could co manage some functions with the TDC coming in on emergency matters lie in instances where there was huge bill to be paid;
- As the pressures on the district council budget increases the council will need to come to decide to let go of some non statutory functions;
- Parish and Town Councils could run commercially as they do not have as many responsibilities as the district council;
- They could provide a better service for some of the non statutory functions;
- The district council could link the management of toilets to beach huts;
- KCC could lead and manage the discussions for handing over some of the car parks to parish and town councils;
- There was a need to agree the mechanics for collaborative working and it was important to create a workable arrangement that also included identifying where the supervisory role lay;
- Joint ventures on managing some of the functions would be a good idea but there was a need to agree on the decision making would lie. It might be that TDC could have a cabinet member for engagement to supervise this collaborative arrangement;
- There could be an officer to manage the collaborative arrangement. Such a role would reduce the time taken to resolve issues being raised by parishes;
- The length of time it took to resolve issues raised by parishes with TDC could be resolved through a designated officer who could take on this role on a part time basis;
- Coming up with a more formal forum which was structured; where TDC and parishes engaged regularly would improve collaborative working;
- Once there was an agreement on how TDC and parishes would work collaboratively, there could be a joint communications message to residents on the new way of working;
- The working party could recommend to OSP that Cabinet considered re-establishing the Parish Forum with new terms of reference. Attendees would be the parish chairs and clerks, TDC leader and cabinet Members and Senior TDC Officers;
- The new Parish Forum should have a controlled agenda and strong Chair and could meet bi-monthly.

The Chair thanked cabinet members for attending this session.

Meeting concluded: 6.40 pm

TDC & PARISH/TOWN COUNCILS COLLABORATION WORKING PARTY

Minutes of the meeting held on 3 November 2022 at 5.30 pm in the Online Only.

Present: Councillor Alan Currie (Chair); Councillors Austin, Bailey and Fellows

In Attendance: Parish Councillor Hudson

Town Clerks Laura Fidler, Gill Gray and Kirsty Holroyd

5. APOLOGIES FOR ABSENCE

There were no apologies made at the meeting.

6. DECLARATION OF INTERESTS

There were no declarations of interest made at the meeting.

7. TDC AND PARISH/TOWN COUNCILS COLLABORATION WP QUESTIONNAIRE - PARISH AND TOWN COUNCIL RESPONSES

The Chair welcomes Parish and Town Chairs and Clerks to the meeting and thanked them for responding to the questions that were sent out to them by officers on behalf of the working party. The Chair then invited members of the working party to comment and ask follow up questions to the responses that were attached as Annex 1 to the report.

Members asked questions and made comments as follows:

- There was a common theme that ran through the questionnaire responses received. The main comment was that the district council could do better and there was a need for lots of improvement;
- The above comments could be viewed as there being a need to improve the lines of communication between TDC and parishes;
- There was a need to have an updated list of TDC officers' contact details so that members know the name for the different roles that interact with parishes;
- There should be a single designated officer to handle queries from parish and town councils;
- What was your view as parishes to the idea of taking on extra responsibilities?
- The Parish Forum could be revived. However it was important to be clear about what issues could be discussed at such meetings; e.g. discussing an approach for handing over functions from the district to parishes;
- The Forum should have a structured and controlled agenda with designated attendees;
- Collaborative working could be on such functions as the hosting of Events in the district, with town and parish councils being asked hosts Events;
- Good communication between the TDC and parishes for hosting such events was important;
- Having a shared schedule for hosting these events would help improve the coordination and communication;
- There was a need for a discussion on the size of the responsibilities to be shared. These could include the management of toilet facilities, open spaces and soft landscaping around the district;
- Due to the challenges being faced by TDC in delivering statutory duties, the district could hand over some of the discretionary functions to parishes;

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- Could parishes agree to raise their precepts?
- Residents needed clarity on what were TDC functions and what were parish ones before consideration was given to raising precepts to fund additional responsibilities;
- There was also a need to consider the circumstances of each parish rather than a one size fits all approach;
- All those issues that include asset transfer could be discussed as topics at a newly structured Parish Forum;
- An approach where a Parish Charter which spells out how parishes would be working with TDC could be drafted;
- KCC could be invited into these discussions;
- TDC could be asked to consider adding into the circulation all parish and town councillors into some of the appropriate communication that usually is sent to district councillors;
- Parish and Town Clerks could be added to the Your Voice circulation.

Parish and Town Council representatives responded and made comments as follows:

- The previous Parish Forum meetings used to be regular and were very useful;
- These meetings needed to be planned for in advance so that parishes could also plan ahead of time to enable maximum attendance;
- Parish and town councils would welcome the additional responsibilities provided they came with additional funding;
- It might be worth considering coming up with an agency agreement between parishes and TDC over the functions and resources to be given to parishes;
- There should be a improved way of sharing information between parishes the district council;
- There was a foundation on which to build on a stronger and closer working relationship between the two tiers;
- Residents felt that there were being taxed twice; for the council tax and the precepts;
- There would also be a need to agree on the delivery dates for the functions to be handed over to parishes;
- Currently there was a Thanet Area Committee that could be attended by a TDC officer to share information.

The Chair thanked the parish representatives for attending this meeting and said that once the working party held the last session with TDC officers, members would then produce a report for consideration by the Overview & Scrutiny Panel.

Meeting concluded: 6.10 pm

TDC & PARISH/TOWN COUNCILS COLLABORATION WORKING PARTY

Minutes of the meeting held on 9 November 2022 at 5.30 pm in the Online Only.

Present: Councillor Alan Currie (Chair); Councillors Austin, Bailey and Fellows

In Attendance: Officers: Chris Blundell, Penny Button, Greening and Hannah Thorpe

8. APOLOGIES FOR ABSENCE

There were no apologies received at the meeting.

9. DECLARATION OF INTERESTS

There were no declarations of interest made at the meeting.

10. TDC AND PARISH/TOWN COUNCILS COLLABORATION WP QUESTIONNAIRE - TDC OFFICER RESPONSES

The Chair invited Members to comment and seek clarifications on the questionnaire responses.

Members made comments and asked questions as follows:

- It was important for information to be provide to residents so that they understand the different responsibilities between TDC and the parish and town councils; particularly that extra services would be given to parishes that paid for those extra services;
- Clarity on what the precept was used for;
- The district Council comms team could provide that level of support for putting together information to share with residents;
- A skills audit could be done for all parish and town councils and then identify where the support could be provided to parishes;
- Asset transfer processes seem to be taking too long;
- There was also a suggestion at one of the sessions for a return of the Parish Forum;
- It had been suggested that a strictly controlled and controlled agenda could be established for a new Parish Forum if it was to be set up;
- A developmental role for a middle level TDC officer(s) could be established for Corporate Director's representative(s) and that role would be interacting with parish and town councils;
- There was a suggestion for more generic circulation similar to The Loop that could be produced for parishes;
- After every Local Government election, the district council could identify areas where newly parish and town councils could take part in induction training, for example planning training;
- Opening up to parish and town councils to what is already available would be a positive way forward;
- For collaborative working to work well, there is a need for buy in by the parishes and the district council needed to be clear about what it wanted out of this collaborative arrangement;
- It was important for TDC to listen to the feedback coning form the parishes and building a transparent relationship between the two tiers.

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Officers responded to Member comments and questions as follows:

- The annual residents survey is usually used to explain the various services being provided by the council;
- Residents have largely shown interest in getting their bins collected and keeping their areas safe;
- The parishes that asked for the extra precept could also take the lead in explaining to residents what they were using that for;
- Having a dedicated officer as the contact between TDC and parishes was in principle a good idea, but the big issue was resourcing such a role;
- The Waste Collection department held weekly meetings with town councils and the main areas of interest for these councils were waste collection and open spaces;
- These sessions could be extended to other parish councils if they wished to take part in such an arrangement;
- Town and Parish Clerks could attend and discuss other areas of interest to the parishes;
- Enforcement and Open Spaces teams were also represented at these meetings;

- Town Clerks could request representatives from other TDC services to attend on an ad hoc basis;
- During covid, TDC hosted weekly meetings with parishes (Parish Conference Calls) and there was a google document that officers produced that contained queries from parish and town councils which officers would complete with responses to those queries;
- A similar document could be used for the Waste Collection meetings;
- It would be a good idea to come up with ideas for supporting newly elected parish and town councillor as part of the induction process;
- Officers could identify top ten transactions that take place between TDC and the parishes and develop notes for sign posting parishes and residents;
- A circulation similar to The Loop but trimmed down could be produced for parishes. However in the meantime parishes could subscribe to The Wave.
- There used to be PACT meetings with parishes that TDC officers would attend.

The Chair thanked officers and Members for attending the meeting and said that a report drafting session was now scheduled for 24 November.

Meeting concluded: 6.05 pm