



Commission for Rural Communities

Tackling rural disadvantage

Guidance note:

Service delegations
to parish and town
councils

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Introduction

Services often work best when they are designed, managed and delivered at the most local level possible, where they can more readily be attuned to local circumstances and local people's priorities. There is, therefore, considerable interest in principal authorities (unitary, county and district councils) delegating functions and services to parish and town councils within their area. This short guide aims to help those considering such delegations, by looking at the options, considerations and practical steps required.

Service delegations (which some call 'devolution') are not new. However, no substantive written guidance appears to exist on the topic. But as recent research by the authors found, there seems to be a growing interest in taking on service delegations and various national policy initiatives can be said to support that trend.

This guide has been produced as part of a project to help parish and town councils realise the opportunities that arise in areas which undergo local government reorganisation (as has happened in places such as Bedfordshire, Durham, Shropshire, and Wiltshire). It will, though, also be useful to those considering delegations in areas with two tiers of principal authority – district and county.

The guide has been written primarily for Parish and Town Councils (P&TCs) and their County Associations of Local Councils (CALCs). Principal authorities who are planning delegation schemes for some of their services should also find it of interest.

The next section of this guide gives some policy background, after which there is a section on the benefits and challenges of service delegation. Subsequent sections set out:

- the sorts of services that may be delegated;
- different types of delegation scheme;
- considerations for setting up a scheme;
- what is typically involved in taking on a service delegation; and
- some points for managing a delegation.

In the appendix, you will find three examples of delegation good practice.

It should be stressed that whilst every effort has been made to ensure accuracy, this document must not be seen as legal guidance about what can or cannot be done.

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Background and context

The policy context

Central Government policy statements over a number of years have encouraged principal authorities to engage with and empower their communities. In large part, this is so local people gain more of a say in the way that the services they most often use are designed and delivered. It was a key aim stated in the Government's 2008 community empowerment White Paper¹, which noted the important role of P&TCs.

Other specific recent policy developments should support service delegations. These include:

- giving P&TCs the power to spend on things which will improve their communities' well-being;
- placing a formal duty on principal authorities to involve communities in decisions about local services (the Duty to Involve); and
- encouraging the transfer of asset ownership to the local community level.

It is also clear that the creation of more unitary principal authorities has acted as a driver for new delegation schemes. Indeed, the Government expected those making a case for re-organisation into unitaries to explain how this would improve service delivery and community engagement.

Finally, it is worth recalling that the last Rural White Paper in 2000 saw P&TCs taking on more service delivery. Service delegation was a carrot on offer for parishes that achieved quality status under the Quality Parish Councils scheme, which was subsequently launched in 2001.

The statutory basis

Principal authorities must, of course, operate within the statutory framework that established them. Those parliamentary acts and regulations permit them to allow P&TCs to discharge certain functions (i.e. services) on their behalf. Relevant powers are to be found in Local Authority Regulations 2000 and Section 101 of the Local Government Act 1972. Councils will need to assure themselves that they have the power to delegate functions.

P&TCs have a wide range of existing powers to deliver services and in the majority of cases, there is no legal bar to them taking on services or managing assets. They and principal authorities frequently have concurrent powers where both can provide a service, so delegation from one to the other is possible. Those P&TCs which have earned Quality Parish Council status have slightly enhanced powers, associated with the power of social, economic and environmental well-being.

¹ *Communities in Control – Real People, Real Power*, published by the Department for Communities & Local Government (July 2008)

Equally, it should be stressed that P&TCs are under no obligation to take on a service delegation.

If P&TCs have particular doubts about the legal basis for delegations they are considering or about the terms of delegation schemes they should seek advice (either locally or from the legal team at the National Association of Local Councils).

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Background and context

Taking on a service delegation can be a fairly daunting step for a P&TC, particularly for a smaller parish or one without delegation experience. Some will be concerned they may be entering into an agreement that they find they cannot deliver or which costs more than expected and which they are then stuck with. In practice this is rarely the case. This situation is not in anyone's interest and all the principal authorities consulted say they work with P&TCs to try to ensure it doesn't arise. Delegations are also renewable (usually annually) if there are issues.

However, there are certainly a number of potential advantages and risks that need to be weighed by all parties involved – communities, P&TCs and principal authorities.

	Likely advantages	Potential risks
For communities	<p>Services more responsive to local needs</p> <p>Opportunities for more local employment</p> <p>Service standards usually improve with delegation</p>	<p>Those living in areas without delegations may view differing service standards as unfair</p> <p>The P&TC fails to live up to its delegation</p>
For P&TCs	<p>A chance to act on issues raised in parish or town plan</p> <p>Enhances role of the P&TC with its community</p> <p>Better monitoring of service delivery quality</p>	<p>May not have the necessary capacity or skills</p> <p>Service delivery may cost more than was expected</p> <p>Concerns about taking on extra responsibilities and accountability</p>
For principal authorities	<p>Brings more local satisfaction with services</p> <p>Encourages engagement with communities</p> <p>Greater community pride in the area</p> <p>Better flow of local intelligence from communities</p>	<p>Service delivery in the area becomes fragmented</p> <p>Overhead costs may not reduce as delegations happen</p> <p>Harder to collect consistent monitoring information</p>

New unitary principal authorities, resulting from local government reorganisation, may be particularly favourable towards service delegations, because:

- They cover a large geographic area, with their centre of power some distance from local communities where service delivery takes place;
- They recognise the scope to delegate, in particular, services previously delivered by district councils;
- They are likely to be establishing area boards, committees or forums to bring some decision-making closer to their communities;
- Assets (land, buildings and equipment) will have been transferred to them from the former districts and county, so an asset list may have been compiled. They may wish to rationalise them and hand over some;
- Reorganisation is leading to the creation of new large town councils (in previously unparished areas) who should have the capacity to manage delegations; and
- Reorganisation is a chance to make a fresh start and rethink how services are best delivered.

That said, service delegation may not be viewed as an immediate priority by a new unitary authority which still has basic issues, such as staffing, budgets and decision-making structures, to sort out.

One way of seeking to address the risks for P&TCs is by having the delegation made to a cluster of P&TCs. This joint working can help achieve economies of scale, as well as drawing upon the shared resources, skills and capacity of the group. It may be a particularly attractive model for smaller P&TCs. Different types of joint working or clustering models may be appropriate:

- Around a service centre or market town – may help smaller parishes piggyback on delegations given to a larger town council;
- Along a road or geographic feature e.g. river valley – may suit a delegation that relates to highway issues or the roadside environment;
- Aligning with area-based structures – delegation management may work well if matched up to a unit of governance adopted by the principal authority; and
- Ad hoc joint working – a straightforward coalition of adjoining smaller parishes seeking to achieve the same service delegations.

Typically one P&TC takes the lead and holds the main delegation contract with the principal authority which could be the largest or most active one. However, some principal authorities are willing to offer individual delegations to each P&TC within a service cluster and this may be most appropriate if the clustering arrangement is essentially just a shared parish clerk.

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Typical services and functions delegated

What types of principal authority service or function are appropriate for delegation to P&TCs? The list in the box below is not intended to be exhaustive but covers those which seem to be most frequently cited within delegation schemes.

Functions that might be considered for delegation:

Control of markets
Maintenance of highway verges, open spaces, footways and footpaths
Allotments
Tree preservation orders
Maintenance of closed churchyards
Street cleansing (such as litter picking, sweeping and graffiti removal)
Public conveniences
Noise and nuisance abatement
Recycling provision
Street naming
Street lighting (except on principal roads)
Parking restrictions
Off street car parking
Road safety measures
Issue of bus and rail passes or other transport voucher schemes
Licences for taxis, street trading of public entertainment
Some aspects of planning development control
Some aspects of library and museum management
Some aspects of leisure and tourism provision (e.g. permits, playing fields, play areas)

In practice, some services are much more frequently delegated than others. Probably the most common delegations are those covering services which maintain the local environment, such as:

- cutting grass verges;
- looking after local footpaths;
- clearing gullies; and
- managing council allotments.

These are more obvious delegations for a smaller parish council to receive. They are also very well suited to delegation, working best when the person delivering them knows the local patch in detail and can react quickly to any issues that arise.

Certain service delegations can be seen as more likely with larger town councils - either because they relate to services usually located there (e.g. control of markets) or because they require more capacity to manage. Principal authorities may also be more likely to agree a delegation to a larger P&TC. As noted elsewhere, capacity issues can be addressed and should not be seen as insurmountable.

It should also be noted that responsibility for some services cannot be delegated by principal authorities because of their particular statutory nature e.g. children's education, social care.

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Types of delegation

Delegations can take various forms and there can be different degrees of delegation. Those planning to develop or promote delegations will want to think about the approach that best suits their local circumstances. Indeed, a pragmatic approach is to offer a menu, where P&TCs can pick a level which suits their aspirations, capacity and skills.

Option 1 : delegation of operational tasking

At a basic level a delegation gives the P&TC some formal power to direct the operation of a local service and monitor performance. The P&TC adopts a contract management role, advising the principal authority on the performance of those delivering the service and how it could be improved. The principal authority retains full ownership and responsibility for the service. Some may not consider this a proper delegation. However, it can act as a useful stepping stone whilst a P&TC builds its capacity and considers whether to take on more responsibility.

Option 2 : delegation of service delivery

In this case the P&TC takes on a delivery role and effectively becomes the local contractor providing the service to an agreed frequency and standard. There would be some form of service contract, which would mean the P&TC being paid an agreed sum and meeting a service level agreement (or similar). If land or a building are involved the P&TC might lease them. However, the principal authority still retains ultimate responsibility and accountability for the delivery of such a service. This is the classic delegation model and the one to which most of this guidance refers.

Option 3 : delegation of service responsibility

This is the most ambitious option and is sometimes called service devolution. The principal authority ceases to have responsibility and accountability for the delivery of a service. That service and any land, buildings or assets required to run it in that locality (e.g. a recreation ground or community building) transfer across to the P&TC. A principal authority can only do this where it has a high degree of discretion about the provision of a service.

A number of variations can also be identified to this menu of options:

Variation i : augmenting service delivery

One variation is where a P&TC takes on a delegation for service delivery with funding from the principal authority that will meet the existing agreed standard, but it then chooses to augment that funding (perhaps from its precept) in order to improve service quality.

Variation ii : delegation to a trust

Another variation is to establish a trust, to which some responsibility for the service delivery and/or its assets are delegated by the principal authority. Some P&TCs may prefer this separation of roles between themselves and a local trust.

Variation iii : delegation to a cluster of P&TCs

As noted above, yet another variation is for the delegation to be to a cluster of P&TCs where, normally, one P&TC takes the lead and holds the formal delegation from the principal authority on behalf of the group.

A rather different distinction can be made between delegations which happen as a result of a specific 'delegation scheme' and those which come about in a more unstructured or ad hoc way. Many principal authorities set up a delegation scheme covering a particular service or basket of services. For example, a number have operated local environmental maintenance or "lengthsman" schemes (such as Herefordshire and Shropshire), offering delegation of particular services such as maintaining verges, clearing ditches and looking after signage. This structured way of delegating functions may be simpler for principal authorities to manage and provides good opportunities for P&TCs to learn from each other's experience.

The alternative approach is to invite P&TCs to come forward with proposals for delegations on services of their choosing (subject, of course, to there being no statutory bar). This flexible approach clearly has its own attractions, for the P&TC sector in particular, as it makes more allowance for local circumstances and means the more ambitious or better resourced can bid for a wider array of services. Even so, to avoid confusion principal authorities need to be clear which of their services they will and will not delegate (for whatever reason).

Again, these two approaches are not mutually exclusive. Some principal authorities operate a specific delegation scheme and will welcome individual bids for further delegations.

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Setting up a delegation

Developing a scheme

CALCs and P&TCs should try to engage with a principal authority as early as possible in their thinking about the scope for developing or extending a delegation scheme. Although principal authorities will generally drive the process, it is in everyone's interest if there is dialogue between the tiers at the initial planning stage when proposals are being drafted.

Indeed, the instigator for some delegation schemes has been the development of a much broader protocol or Parish Charter, setting out working arrangements between principal authorities and P&TCs. These offer a real opportunity for both tiers to encourage delegation. The 'model charter' produced as a template for Welsh councils² includes the following:

Unitary authority	Community ³ and town council
The unitary authority will give due consideration to all reasonably argued cases for the delegation of service delivery to community and town councils, basing its consideration primarily on the improvement of service delivery for citizens whilst ensuring value for money is retained or enhanced.	Community and town councils will recognise that there are certain instances where it is not appropriate or desirable for the unitary authority to delegate service delivery.
Where it is not appropriate or desirable to delegate service delivery, the unitary authority will seek ways in which local information from communities might be used to enhance service delivery to better meet the citizen needs.	Community and town councils will engage with the citizens in the communities they serve to understand their needs better and convey these needs in a coherent and constructive manner to the unitary authority, such that they can be taken account of in service design and delivery.

It is useful if principal authorities then test the market to see how many P&TCs have an interest in delegations. This will enable them to:

- gauge the likely success of the delegation scheme;
- measure which particular services are most popular for delegations;
- understand any major barriers for P&TCs; and
- identify how the proposed scheme could be amended to work better.

² *A shared community – relationship building and charters for unitary authorities and community and town councils: final guidance*, Welsh Assembly Government, One Voice Wales and Welsh Local Government Association (2008)

³ Community councils are the Welsh equivalent of a parish council

Additionally, it opens a dialogue and raises awareness of the forthcoming scheme. This market testing stage could involve workshops for P&TCs, presentations at individual P&TC meetings and asking for written expressions of interest. One new unitary principal authority ran an online discussion forum, where P&TCs could ask questions, with the answers available for others to see.

Setting the criteria for delegations

Most delegation schemes appear to be open to all P&TCs to apply. Some restrict applications to P&TCs which have been accredited on the Quality Parish Scheme (QPS). There are arguments either way - it can be used to encourage accreditation - though in practice P&TCs who are ready for delegations are also those most likely to meet the QPS criteria.

Similarly, a delegation scheme could favour P&TCs which have an agreed parish plan or market town plan, since this is evidence that a P&TC has developed a sound understanding of local community needs and priorities.

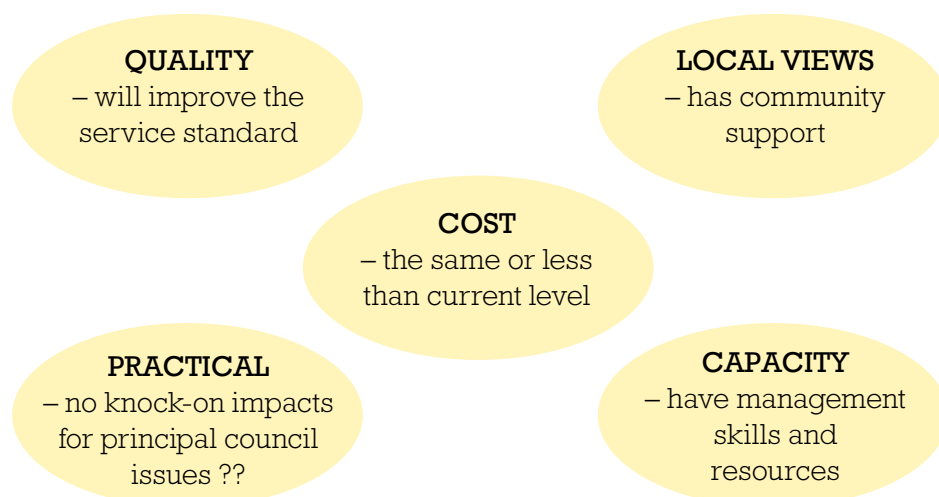
P&TCs vary enormously, so beyond such broad considerations a principal authority should consider each application on its merit, according to a set of defined criteria. It is important that the criteria to be used are clear, readily understood and applied consistently.

As would be expected, the detail of criteria used varies for one principal authority to another. However, one constant is that a delegation:

- should result in some *improvement to service delivery* for the local community; and
- it should do so at *no additional cost* (when compared with the current service provision).

This second point may seem tough, but principal authorities have a legal duty to secure 'best value' for their communities.

It is not unusual for the following five factors to be found within the mix of decision-making criteria.



Two examples of published criteria which are to be used by principal authorities are shown below.

Example A – draft criteria to be met as a condition of delegation in Wiltshire

1. The parish council can show that its proposed standards and method of delivery meet local needs.
2. It must demonstrate value for money compared with the existing service delivery.
3. It must have realistic funding profiles and avoid double taxation.
4. The transfer should not disproportionately skew the balance of services across a community area.
5. The parish must have (or plan to have) adequate staff capacity, knowledge and skills to manage the service.
6. It should show some willingness to take on liability for the service e.g. staff and insurance.

Example B – draft criteria to be met as a condition of delegation on the Isle of Wight

1. The parish council must be an accredited Quality Council.
2. They can demonstrate that they can make a difference or add value by delivering the service locally.
3. Transfer of the service will remain at least cost neutral to the principal authority.
4. The transfer will not adversely affect an existing principal authority service contract.
5. The transfer will not adversely affect the overall service to the rest of the council's area.
6. The parish council has the required competencies and skills to take responsibility for a service.

Promoting a scheme

When a delegation scheme goes live, principal authorities will want to ensure this is formally communicated to all P&TCs in the area. It seems usual for a letter to be circulated, most probably to P&TC clerks, which sets out:

- the scope of the scheme;
- the process for submitting a business case; and
- the criteria to be used to decide on applications.

This letter could come from the principal authority, but it could equally come from or be distributed by the CALC.

Other means should be exploited to get the message out to P&TCs and their communities which could include items in regular newsletters and meetings arranged with individual or groups of P&TCs.

Piloting a scheme

A possibility is to pilot a new delegation scheme with 2 or 3 P&TCs, before it is made more generally available. The downside is that this slows down the introduction of a scheme, probably by at least six months. However, it enables the process for establishing delegations to be properly tested and for any problems with it to be ironed out. If possible, pilots should take place with very different P&TCs e.g. taking two with different resource or skill levels.

Expectations of P&TCs

Delegation schemes should make clear their voluntary nature. Whilst it is appropriate to encourage delegations, there should be no expectation that P&TCs will take them on. P&TCs are by their nature very varied in terms of size, capacity, skills and aspirations. It is important they are ready to make the leap when they do so.

When new schemes are market tested or promoted it is nearly always the case that larger P&TCs show considerable enthusiasm, whereas most smaller parishes are initially wary.

CALCs and principal authorities may want to think how they can help more P&TCs in their area to reach a point where they are ready for delegations. This could involve:

- Asking P&TCs who successfully manage a delegation to present their experience to others;
- Ensuring P&TCs are aware of any delegation options, especially for simpler schemes;
- Pointing P&TCs towards suitable training and advice on offer from the principal authority;
- Encouraging P&TC joint-working or clustering arrangements as a means of building capacity.

For this reason it is unhelpful if new delegation schemes include a cut-off date for applications. They should remain open, so P&TCs can apply when they feel ready to do so, perhaps having watched and learned from other neighbouring P&TCs.

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Taking on delegations

The process by which principal authorities receive, assess and agree (or not) applications for service delegations tends to follow a similar broad approach. However, the detail of that process will vary and it is important that P&TCs understand how it works in their area. There may, indeed, be slightly differing processes for different delegation types e.g. those that do and don't involve asset transfer.

Ideally principal authorities should provide clear written guidance about the process. For example, the Isle of Wight Council is developing a comprehensive framework document which sets out eight decision-making steps that a P&TC and it must go through in order to complete a service delegation. The document includes the forms that a P&TC must complete at certain steps.

Principal authorities also typically provide a contact or advice point where P&TCs can go to ask questions and ensure they understand the process. Having set up a scheme, principal authorities will want to see it succeed.

First steps towards a delegation

Four questions that a P&TC should ask itself if considering applying for a service delegation are:

- *Why do we want to take on this service delegation?* It may seem a basic question but to make a watertight case to the principal authority and gain local support, it is important to know what you are offering or what you expect to improve.
- *Are we ready to take it on at this stage?* Think carefully about the effort, the skill needs and the responsibilities that will be required. If you haven't got them, can you acquire them e.g. through training?
- *What sort of delegation seems most suitable?* As explained above, there are different types of delegation (or devolution). What seems appropriate to the service and how ambitious do you want to be at this stage?
- *Do we have the support of local people?* Have you consulted the community? Do you have their backing and can you demonstrate that you understand their service needs? Some principal authorities make consultation a requirement before considering an application.

Pre-application

Some principal authorities operate a pre-application stage to check that a P&TC would, in their view, be eligible for a delegation. While this may sound like another hurdle, it can save wasted time and effort on a business case that won't be accepted. It might, for example, check basics such as whether the service is one the council is willing to delegate. Or it might include a feasibility check, to see if the P&TC is likely to match the expected budget for the delegation.

P&TCs should, anyway, spend sufficient time to find out about a service or its delegation scheme before moving further ahead with the business case. They may feel that they lack sufficient information to press ahead. For example, on a delegation for Tree Preservation Orders, what actually is involved in providing the service and what enforcement action would be required if someone refused to comply?

Making a business case

In all the delegation schemes examined, making a formal application involves the P&TC submitting a business case to the principal authority. Each principal authority will have its own proforma or expectation about the content of a business case. However, a common feature appears to be keeping it as simple as possible.

Typically a business case will require information that gives:

- A brief description of the delegation being requested;
- The service standards that will be met (frequency, quality of delivery, etc);
- The delegated budget being sought (and perhaps how that sum has been calculated);
- Plans for administering and monitoring the service; and
- Evidence of relevant capacity, experience and skills.

The principal authority will often be happy to sit down with the P&TC, in a “how to” session to help them complete their business case. As one delegating authority said: *“This is not a competitive process, but a partnership. We want the delegation scheme to succeed”*.

A business case will be considerably stronger if it can illustrate how the service will be improved and better meet local needs. This could be by delivering a higher frequency of service, but it could be

- by focussing on local people’s priorities for that service;
- by better co-ordination with other services; or
- through improved timings that suit local circumstances.

A business case will also look stronger if the applicant P&TC can cite existing successful running of a local service or, better still, how some existing service delivery has been improved. This need not refer to a delegated service. It could usefully illustrate that the P&TC has skills such as budget management, performance monitoring, risk assessment, health and safety and procurement. If a key skill is not currently held it would not normally damage a business case to identify this as something where training or development is being sought.

The bottom line is likely to be a business case which demonstrates how delegating the service will enable it to be delivered better for no additional cost.

If a business case is ultimately rejected by a principal authority, the P&TC should ensure they receive full feedback about that decision. It may well be that the decision is not actually final and that with some change or mitigating action (such as training to plug a skills gap) the

case would be accepted. Or it may be that there is an alternative way of giving the P&TC and local community some input to the way the service is run e.g. occasional consultation meetings with the relevant department in the principal authority.

Achieving value for money

When writing a business case it is important for P&TCs to be realistic about the costs they will incur. The most obvious elements are capital costs for any equipment required and running costs for staffing, maintenance and the like. Another cost to consider is the management overhead for the time and office costs needed to administer and monitor the delegation (which in a smaller parish will probably fall on the clerk). This is sometimes called the 'administrative fee'. P&TCs should also include any additional insurance costs they will face. This could be for public liability or employee liability insurance.

As noted above, principal authorities are unlikely to agree a delegation if that means a noticeable increase in the cost of service provision. In some cases they provide quite precise figures for the current cost of a service or a benchmark cost e.g. the average cost of grass cutting per hectare. In other cases, they may not hold such detailed information about their own services and may only be able to give indicative figures. Some new unitary authorities intend to calculate benchmark costs in order to progress their delegation schemes.

P&TCs may feel that they are unlikely to be able to match principal authorities on costs; that they simply cannot achieve the same economies of scale or they lack the negotiating power when making purchases. However, P&TCs may have a number of advantages:

- They may not need such expensive equipment e.g. can use smaller grass cutting machinery;
- They may have fewer overheads (without tiers of management and back office functions);
- They may have lower labour costs or use some voluntary staff;
- They may have lower travel costs and less downtime, not coming from a central depot;
- They may reduce the number of providers involved e.g. maintaining open spaces that were the responsibility of different council departments and public agencies.

The delegation contract

A delegation will require some form of contract between the principal authority and the P&TC concerned. These vary from one principal authority to another, but many operate a standard contract, which names the service(s) being delegated, shows the agreed sum or budget, and sets out all the terms and conditions. Although these are binding legal documents, it is clear that many principal authorities try to keep them as short and simple as possible.

Generally there will be, attached to the contract, something which sets out the service standards that have been accepted by the P&TC – sometimes called a service level agreement. This may be in an annex to the contract or it could simply attach the P&TC's business case application.

If there is to be a transfer of assets associated with the service, it is likely that the principal authority will draw up a transfer schedule to be agreed by both parties. P&TCs should check the principal authority's ownership of any land involved, in case there are complications such as leases or covenants. It should be noted that there may be a claw back arrangement, if any land or buildings transferred for the purpose of a service delegation cease to be used for that service.

A concern expressed by many P&TCs is that circumstances may change after they have taken on a delegation, leaving them unable to deliver or out of pocket. Some things to examine in contracts, therefore, include:

- The renewal period – is the delegation initially for one year or for much longer?
- Renegotiation – does the contract give scope for renegotiation at the renewal stage (rather than a simple roll forward)?
- Get out clauses – what does it say about either side giving notice if they wish to end the arrangement?
- Inflation uplift – does the contract provide for a budget uplift in line with inflation each year?

On the other hand, there can be advantages to a contract which lasts several years. It offers more certainty, especially if someone is employed locally by the P&TC to deliver the service.

Additional responsibilities

There is no getting away from the fact that with service delegation comes some additional responsibilities and accountabilities. These will appear in the contract with the principal authority.

Some typical areas are:

- Health and safety – P&TCs will need to become familiar with their responsibilities and ensure they take reasonable actions to mitigate any risks. They should talk to their insurance provider when looking at the costs of managing a delegated service. It may require additional cover on their public liability insurance. They may also need liability insurance or additional cover for employees, volunteers or contractors (unless the latter can be passed on to the contractor) who deliver the service, especially if the delegation involves potentially dangerous situations such as roadside working. The principal authority may want to see evidence of sufficient cover before finalising its delegation;
- Compliance – P&TCs should expect that they will need to comply with various pieces of legislation and regulation that are relevant to the provision of delegated services. As well as health and safety, this will include equal opportunities legislation and could include things such as the Children's Act;

- Data handling – there may be contractual clauses about data protection, if data about individuals is to be held; and about freedom of information, if a member of the public should ask to see information held about the delegated service;
- Warranty – at least one delegating principal authority examined includes a clause which P&TCs sign to say that they have the necessary skills and capacity to manage the delegated service;
- Branding – less arduously, the principal authority may want to ensure that its name or logo still appears on any publicity or literature about the delegated service.

Key steps to a service delegation:

- ✓ Understand your principal authority's application process
- ✓ Think carefully about why you want this delegation
- ✓ Gain backing from the local community and show you understand their service needs
- ✓ Talk to the principal authority and complete any pre-application forms
- ✓ Put together your business case, making clear how the service will improve
- ✓ If you are not successful initially, seek feedback and explore options

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Managing a delegation

Once a delegation is in place, the P&TC needs to establish a working relationship with the principal authority which meets requirements for monitoring, problem solving and renewing the contract.

Monitoring and reporting

The delivery of a delegated service needs to be monitored to ensure that service standards are in fact being met. The principal authority may also want to receive some information or data about that service delivery, if required for its own management reports on service performance (and particularly if it relates to a target that has been set by national government).

However, generally principal authorities aim to ensure that monitoring is 'light touch' and involves as little paperwork as possible. On basic services, such as grass cutting, the principal authority may be content to check it has happened (by the specified date and to an acceptable standard) simply by having one of its staff divert through the parish. If a rather more formal paper return is required, it should be kept to the minimum required to report against the agreed service standards. Some services are more complex or less visible than others, so different services may need their own monitoring regimes. In each case, though, a rule of thumb is that principal authorities should not require anything over and above what they have applied to themselves.

The expectation of P&TCs for monitoring and reporting should be laid out in the delegation contract, including its frequency, how it is to take place and what happens if it indicates a problem.

Liaison with the principal authority

Some monitoring regimes may require P&TCs to attend regular monitoring meetings with principal authority staff. This is more likely and will be useful with more complex services. They are an opportunity to discuss whether performance is meeting the agreed standards, to resolve any issues arising and to consider things such as better co-ordination with other principal authority services.

In any case, it will be helpful to maintain an open line of communication with the delegating (principal) authority, even if on a more ad hoc basis.

If a P&TC has a particular problem it should be able to contact the principal authority before it gets to the point of failing to meet a service standard. It may even be that the principal authority can step in temporarily e.g. cut the grass if a local volunteer is away sick.

It is unlikely that a principal authority will want to end a delegation quickly if monitoring or liaison indicates problems. It is likely it will want to resolve the issues for the P&TC, helping it improve its performance. Revoking a contract should only happen where issues seem irresolvable or persistent.

Renewing and renegotiating the contract

It is usual for delegation contracts to be for a fixed term. This is often for one year and is renewable at the start of each new financial year in April. However, some principal authorities operate two, three or (in one case examined) even five year delegations.

Renewal allows the principal authority to write to the P&TC (assuming there are no issues) inviting it to continue with its delegation for another term. It is important that this happens in good time and is not left to the end of the year, so there is a chance for re-negotiation. One principal authority examined asks each P&TC with a delegation:

- Whether it wishes to continue with the current service delegation;
- Whether the cost will be the same as in the current financial year; and
- Whether it wishes to make any changes or enhancements to service standards.

Renewal and re-negotiation are potentially helpful to both parties. It is a chance to look afresh at the delegation – to ensure it still meets local needs, to resolve any outstanding issues and, perhaps, to extend the scope of the delegation. Moreover, circumstances change and aspirations for delegations may alter with them e.g. new local councillors. If there are no regular in-year meetings between the parties, it provides a good point at which to meet.

As with monitoring, the renewal process should be laid out within the delegation contract.

9

Conclusions

There are significant opportunities for those P&TCs who want to, to apply for and take on service delegations. This is especially (but not only) true in areas which undergo local government reorganisation and which have new unitary principal authorities.

There are different degrees of delegation and various delegation options (which can involve the transfer of assets). Moreover, delegations are much more common for certain types of service than others, particularly for local environmental maintenance services.

Taking on a service delegation can be a significant step, especially for a small parish council, and it inevitably involves them in new responsibilities. It is important, therefore, that P&TCs have the chance to apply for suitable delegations at a point when they are ready for them. One way to overcome capacity and resource constraints is to delegate to a cluster of P&TCs.

Principal authorities can and do offer advice, help and training opportunities for P&TCs considering a delegation. This helps them through the application process, as they produce and submit their business plan. A principal authority should set out clearly what services it will be prepared to delegate, its process for applying and its decision-making criteria to agree a delegation (or not).

Once up and running, processes for monitoring and renewing delegations should not be over-complicated. Sufficient liaison arrangements and opportunities to renegotiate can help resolve any issues quickly and provide opportunities to consider enhancing or extending successful delegations.

While CALCs are neither delegating nor being delegated to, they can play an important role as facilitators of the delegation process. Particular things they can do include:

- Discuss and negotiate with the principal authority about the scope for delegations and their policy on them (perhaps as part of a parishes charter);
- Facilitate discussions between the principal authority and P&TC sector, to discuss the development of a delegation scheme and test the level of interest;
- Promote the principal authority's delegation scheme(s), particularly at the point a new or enhanced scheme is launched;
- Provide opportunities for P&TCs to share local experience of delegations, not least between those who already have a delegation and those considering one;
- Raise awareness among P&TCs of any options for delegation e.g. different degrees of delegation, delegations to clusters;
- Signpost P&TCs considering a delegation to sources of guidance and assistance, including any workshops or training run by the principal council;
- Identify any common issues that are arising from local delegations and raise them with the principal authority.

Two recent and useful delegation scheme documents:

- *Parish devolution / empowerment framework document (draft)*, Isle of Wight Council (December 2008). This sets out, step by step, the application process for delegations operated on the island and attaches the relevant application forms and contract documents.

www.iow.gov.uk

- *Delegation to town and parish councils*, Wiltshire Council (March 2008). This document outlines the delegation scheme that has been under development by the new unitary authority in Wiltshire.

www.wiltshire.gov.uk

Service delegations to parish and town councils: good practice notes

Overview

Delegation of services from the principal authority to a parish and town council (P&TC) has been happening in many forms for some time, initially in more populated areas, but increasingly in more rural areas (often involving clusters of P&TCs). Service delegation offers the opportunity for a truly local and locally managed delivery.

Recent research shows that successful delegation stems from a number of elements, but consistent underlying factors are:

- trust;
- partnership working; and
- pride in local ownership.

The case studies illustrate the importance of these factors.

Trust at all levels is crucial to a successful delegation, whether it is from the P&TC having the confidence to ask for support or the principal authority not over-monitoring the process or the community about its local council. The examples looked at where delegation has succeeded are underpinned by mutual trust between, not just individuals, but organisations.

Partnership working is demonstrated in different ways in these case studies. Several principal authorities will delegate services but are also happy to top up or have the service topped up by the P&TC. Highways departments in both Shropshire and West Sussex benefit from the local knowledge and experience of the men on the ground, especially at times of flooding to contain emergency situations. Clusters of parishes can work well together, receiving contracted services delegated to a nearby hub.

Local ownership engenders support and pride. Where local people see locally employed staff working on their behalf it enhances a sense of community and raises the profile of the work of the P&TC. Two of these examples show how locally contracted or employed lengthsmen and maintenance teams are able to fulfil an informal monitoring role which supports, not just the community, but all tiers of local government.

Delegation of services has been highlighted by national and local government, both wanting to see increased service delivery at a local level. The opportunities presented to the P&TC tier of local government allow for local design, delivery and ownership of services, top up of existing services and more confident local communities with a stronger sense of place.

This good practice note illustrates three very different approaches to the delegation of services to P&TCs in Shropshire, West Sussex and the Isle of Wight.

Shropshire

- one of the 7 newest unitary authorities (created April 2009)
- 14 small rural villages served by 5 parish councils
- one enthusiastic and experienced clerk working 3 hours a week for each

The Isle of Wight

- one of the oldest shire unitary authorities (created 1995)
- a twice accredited Quality Parish Council (2003 and 2009)
- one clerk (25 hours a week) with 2 assistants (4 hours each per week)

West Sussex

- an area with two-tiers of principal authority
- a small but rapidly growing town and an award winning Quality Town Council
- 23 staff, 15 of them full time (including the clerk) and 8 part time

The Isle of Wight example differs from those in Shropshire and West Sussex, in that it illustrates a pilot which is seen as building P&TC capacity and confidence. It is one of the area's initial steps along the path to more empowered local parishes.

Burgess Hill Town Council: West Sussex

Context

Burgess Hill is situated 40 miles to the north east of the county town of Chichester in the Mid Sussex district of West Sussex, very close to the border with East Sussex. It is the most populous town in the district, with the 2001 Census recording a population of 28,803 (current approx. 29,000) across an area of 947 hectares. The town council is a Quality Council and took the prestigious NALC award for Town Council of the Year in 2006.

There was, in the early 1990s, a problem in terms of the delivery of local services with neither the county nor the district council having a presence in the town and with county hall sitting some 40 miles away. Burgess Hill Town Council took advantage of the new push for partnerships and worked to develop a single contact point for all council services in the heart of their town.

Burgess Hill Town Council has a long history of partnership working. What started in 1996 as a three-way partnership with Mid Sussex District Council and West Sussex County Council to deliver a one stop shop in the centre of the town for local authority services, has developed into a partnership with eleven agencies from the public, commercial and voluntary sectors.

The Help Point, as it is known, has now processed over 37,000 enquiries and has been visited by the Queen. It has successfully fulfilled its initial aim to provide a single contact point for town, district and county services and has swept aside the confusion over which tier of local government is responsible for what.

Burgess Hill Town Council took on the delegation of certain highway functions in the mid 1990s and the success of this service has subsequently resulted in a clustered working arrangement with neighbouring smaller and more rural parish councils. This model has been so successful that it is now being used as an exemplar to encourage other P&TCs to take up service delegation across West Sussex.

David Carden, the Clerk to Burgess Hill Town Council believes that the simplicity and efficiency of the Burgess Hill approach has enabled its success.

Implementation

How it began

Over 400 highways related complaints were reported, via the new Help Point during the first three weeks of opening in 1996 and this sparked a meeting between the Town Clerk of Burgess Hill and the Head of Highways at West Sussex County Council to consider the wider benefits of partnership working and explore possibilities for more local delivery of services.

The result of this meeting was an understanding that the town council was better suited for local responsiveness than the county council. The town council looked to take over services where it could really make a difference or add value and was delegated certain highways functions.

In the beginning a business case, based on the town council fulfilling the role of a schedule of rates contractor was negotiated. Burgess Hill took on environmental maintenance work, such as clearance of weeds from gutters, highway sign cleaning, removal of epicormic growth from highway trees and removal of fly posting.

This service is now able to provide a trouble shooting resource in the town for the Highways Department on items such as blocked drains – valuable as the main depot is 20 miles away. The contract has now been extended to include repair of potholes, maintenance of landscaped areas and removal of graffiti.

How it developed

Following the success of the delegation of services from the county to the town council, Burgess Hill approached Mid Sussex District Council and took on the street nameplate service. More recently a three year contract has been entered into to provide, through the Mobile Maintenance Teams, a trouble shooting service in dealing with residents' complaints. This provides a high level of responsiveness and a very mobile local presence for local government across the area.

Wider delegation

As a result of this successful approach to service delivery, several smaller and more rural parish councils (Cuckfield, Hassocks and Hurstpierpoint and Sayers Common) have negotiated contracts with West Sussex County Council for the delegation of limited highways functions. A term of the contract is that the parish council must then source their own labour force.

Cuckfield sits 4.8 miles to the north of Burgess Hill, Hurstpierpoint and Hassocks are 4 miles to the south and Sayers Common is 4.8 miles to the east. These local parishes have chosen Burgess Hill Town Council's Mobile Maintenance Teams to undertake the work and have negotiated their own contracts directly.

There are now three teams of Mobile Maintenance Units staffed by five full time workers. These teams are a recognised and respected addition to the community. They now have a really though understanding of the area and respond to a specification of work, as well as adding value in a see it do it manner.

As a result:

- low level flooding is reduced (or quickly contained) across the area, with blocked drains immediately checked and monitored if flooding is forecast;
- the epicormic growths on trees can be kept under control (in the long term reducing the need for this service and the potential of damage as a result of leaving the growths unattended);
- and very seasonal tasks can be attended to, such as weeds in the summer months and additional cleaning of road signs in the winter.

Success factors

- A simple contract structure between the town council and the county council (and subsequently between the parishes and county council, and then the parishes and town council) based on:
 - Trust; and
 - Local ownership.
- Simple success measures:
 - Customer satisfaction (with local surveys undertaken in Burgess Hill);
 - Fewer complaints received; and
 - An improved local environment.
- The certainty of the contracts:
 - 5 year contracts have been negotiated between the town council and the county council to allow Burgess Hill to offer long term employment for the five full time members of the Mobile Maintenance Teams;
 - The possibility of negotiating a two-year extension.

Impact

The impact on the community in and around Burgess Hill, initially of the Help Point and subsequently the other delegated functions, has been positive on many levels.

Kieran Stigant, now Director of Environment and Development used to work in Highways and spent some time analysing the path of a complaint from point made to point of action, both before and after the delegation of services. He found that:

- Initially there were 24 stages from complaint to completion of action:
 - Communication between the different tiers of local government;
 - Allocation of resources;
 - Scheduling of work;
 - Etc ...

Now there are 3 stages:

- A member of the public goes into/phones the Help Point and reports an issue;
 - This is logged and passed on to the Mobile Maintenance Team;
 - They act on the information and address the issue.
- A more timely and responsive level of service delivery, based on local presence and local knowledge;
 - An understanding of the flash points for flooding around the area which can be communicated back to the Highways Department;
 - The physical presence of the Mobile Maintenance Teams in the community gives a further dimension to the services in that it raises awareness of the work of the town council and also offers an outside point of contact.

Sustainability

The delegation of services in and around Burgess Hill has been a success for many years and is constantly evolving. There are regular meetings between town, district and county council representatives to see where further opportunities may arise for mutual support.

Recently the county and district have been able to draw on the town council resource to help with flooding issues. County gangs were available, but were on the other side of the county so the Burgess Hill Mobile Maintenance Teams responded.

As with other successful examples of delegated service delivery, much has been achieved due to the trust and the long term relationship that has developed between the individuals involved. Whilst this is of huge importance, it also presents a risk if people were to move on or personal trust were to break down but the principal authorities and the town council have ensured that, as Kieran Stigant puts it, *“The strength of the political and operational relationship is beyond individuals.”*

The fully trained town council Operations Manager runs the Mobile Maintenance Units and is involved in regular monitoring and reporting and the parish councils in the clustered working arrangement have a direct relationship with the county and their contractor Burgess Hill Town Council.

The certainty of the length of the contracts also allows for:

- stability of employment;
- an increase in trust; and
- time to publicise and feel the benefits of the delegated services.

Burgess Hill is ambitious in its plans for taking on further delegated services in order to support a rapidly growing community (the Mid Sussex District Council Local Plan allocates a further 1,500 properties in the area).

Both the principal authorities have committed to supporting the setting up of further delegation of local services to P&TCs, trying to overcome the “isn't that your job?” attitude, with encouragement throughout the process and demonstrating the success of local empowerment in terms of:

- improved environment;
- high levels of satisfaction; and
- a pride in local ownership.

The Burgess Hill Model – as it has become known – is now widely recognised as an exemplar across the south of England and there are plans to roll it out more broadly.

Morville, Eardington, Billingsley, Burwarton and Chetton Parish Councils: Shropshire

Context

The parish councils of Morville, Eardington, Billingsley, Burwarton and Chetton serve a deep rural area in the south of Shropshire to the west of Bridgnorth and the east of Ludlow.

Covering 14 villages, with a combined electorate of just over 1,500, the five parish councils represent very small communities. They now sit in the Brown Clee Division of Shropshire Council (the new unitary principal authority from April 2009).

Each of the parish councils share the same clerk, Mrs Eileen Reynolds, who has been Clerk to Chetton Parish Council for twenty years and, in January 2009, took on the position of Clerk to Morville Parish Council. Mrs. Reynolds works for 3 hours each week for each of the five parish councils.

The parish councils have not achieved Quality Parish Status (in Shropshire it is not currently a requirement before taking on a service delegation) but have a positive and collaborative working relationship with the principal authority and its highways department. They are members of the Shropshire Association of Local Councils.

Whilst not having initially supported the idea of Shropshire taking on unitary status, these parish councils are now determined to build on their previous relationships with both Bridgnorth District Council and Shropshire County Council and to explore opportunities for further service delegation.

Shropshire County Council had for sometime been encouraging the more informal delegation of services, via a system of Small Maintenance Grants which allowed P&TCs to deliver specific and widely differing services to their local communities.

Following the retirement of a long serving local county council employed Lengthsman in Chetton and subsequent decline in some environmental highways maintenance services, Mrs Reynolds applied (in 2007) for a Small Maintenance Grant on behalf of Chetton, Billingsley and, soon after, Burwarton Parish Councils. This application was successful and two local lengthsman were appointed. Grants were subsequently sought and won for the two other parish councils and the hugely successful local scheme has led to an efficient, responsive and cost effective service.

The newly formed unitary principal authority believes that:

“The delegation/devolution of services and functions supports the national ‘Cleaner, Safer, Greener’ agenda by giving communities a stronger choice, real powers, the ability to review services and the ability to set performance targets, as well as giving confidence to communities.”

Further grants and opportunities to take on delegated services are becoming available and the five Shropshire parish councils are applying to deliver other enhanced value for money services locally.

Implementation

How it began

The late ‘Artie’ Cleeton was employed by Shropshire County Council as a Lengthsman in and around the Chetton and Billingsley area for many years. Following his retirement, the work he had undertaken was discontinued and both clerk and councillors noted a deterioration in some of the lanes.

“Sporadic junction strimming was carried out by parishioners, general sign and marker post cleaning by SCC was kept to a minimum and leaf clearance on drains depended on the direction of the wind. Many of the drains and culverts on the unclassified lanes became overgrown and impossible to locate which increased the risk of properties flooding.”

The Shropshire Association of Local Councils circulated a notice to their members saying that the county council was seeking grant applications for this kind of work. Mrs Reynolds was asked by Chetton and Billingsley Parish Councils to make further enquiries and was referred by SALC to the Assistant Divisional Surveyor at the Bridgnorth depot and then on to Chris Edwards, the Assistant Director of Environmental Maintenance, at Shropshire County Council.

The initial grants won were for £700 for Chetton and Billingsley, and shortly afterwards for Burwarton. Two Lengthsmen were employed (local men with a good knowledge of the area and huge pride in their communities) working in conjunction with the Divisional Surveyor's staff in Bridgnorth. They have carried out a regular maintenance programme on parish highways. In the first year, great improvements were made with positive feedback coming from parishioners (especially during times of heavy rainfall and flooding). It was soon obvious, however, that much more local work could be done if more money was available.

How it developed

When the two new Lengthsmen started work, there was a backlog of many years to be made up locating drains, ditches, culverts, etc and at the close of the financial year councillors from Chetton, Billingsley, Burwarton and Eardington asked the clerk to apply for a larger grant in order to continue and enlarge the programme for the following year. Subsequently, £1000 was made available for each parish for the year 2008/09.

At the same time work was ongoing across Shropshire to prepare for unitary status and a commitment to encourage take up of participation in their delegation (and devolution) schemes was made, as part of the transformation of the newly integrated Environmental Maintenance Service. The Minor Highways Maintenance Grant has now been extended to encompass other environmental maintenance functions from April 2009 and the value of the grants now ranges from £700 to £3,000, with P&TCs required to detail the amount of grant required in their business case submission.

The two local Lengthsmen complete a Schedule of Work which is submitted to the clerk detailing work undertaken and they complete a list of problems requiring attention which is forwarded to the Highways Department.

The Lengthsmen are employed under an annual contract by the respective parish council, (the new principal authority being keen to support local employment) and consideration is being given to extending delegations to run for longer than a year. The parish councils offer insurance but this does not cover the men for damage or accidents involving tools; the men have their own insurance for this. Light reflective jackets and 'men at work' road signs are provided by the Highways Department. As a result of their detailed knowledge of every local highway, byway, ditch and stream the Lengthsmen know where the danger points might be and have turned out, whatever the day, time or weather, to ensure as far as they can that emergencies are prevented.

Mrs Reynolds has now applied for a further £500 to pay for litter picking in each of the parishes, as well as extending the Lengthsman scheme to cover Morville Parish Council. All the grants are underpinned by a Service Level Agreement. Though she says she is still "waiting for the litter-bins" to be delivered.

Success factors

- A simple service level agreement to support the initial business case;
- A working relationship built on:
 - Trust at all levels;
 - Local ownership;
 - Response to local need.
- Simple measurement criteria:
 - Customer satisfaction (positive feedback from parishioners)
 - Fewer complaints received;
 - Improved local environment;
 - Reduced blockage of drains and flooding risk.
- Support where needed from the principal authority;
- The enthusiastic, experienced and practical approach of the clerk:
 - Shared learning between the 'clustered' parish councils;
 - A willingness to take on new delegations;
 - The grant shown separately in each set of parish accounts to ensure it is not subsumed in general spending.

"We're the insurance policy in the background."

Chris Edwards, Environmental Maintenance, Shropshire Council

Impact

The impact of the Lengthsman scheme across the communities has been valuable for local people, the parish councils and the principal authority. The physical environment has improved, which is of importance in a rural tourist area particularly in summer months.

The local Lengthsmen have become well known around the villages and are able to fulfil a monitoring role which is of value to the Highways Department and the wider community. They keep an eye out for the older population and also make sure that pathways are clear and safe for local school children.

The scheme has grown from the initial £700 per parish council to a sum of £3,000 per parish council, which equates to between 3.2 and 4.8 man hours worked per week across the parishes depending on the distances covered.

There is considerable carriageway in this rural area:

- Burwarton has 14.3 miles of carriageway;
- Billingsley has 8.5;
- Chetton has 10.4;
- Eardington has 4.7; and
- Morville has 23.2 (excluding 4.9 miles of A Road which the Lengthsmen do not work).

There is no gritting service provided for the smaller roads, so the importance of keeping the drains and ditches clear to keep water from the roads is crucial.

The local knowledge of the Lengthsmen of the precise location of drains, culverts and potential flooding areas along the carriageway supports the wider work of the Highways Department, while the ongoing clearing of leaves and cleaning of traffic signs ensures the safety of country lanes (crucial for school transport).

Sustainability

The local accountability of services will be a very important new feature of Shropshire Council. Through local joint committees the authority hopes that P&TCs are able to participate fully in reviewing existing services and shaping future service provision.

The monitoring of the service provision between the Lengthsmen and the clerk provides not only proof of work undertaken but also a valuable record of the type of work necessary and the location of potential trouble spots.

Across Shropshire, P&TCs are being encouraged to take up delegation and devolution of services by the new unitary principal authority. Every P&TC has been contacted directly by the Head of Environmental Maintenance and invited to apply for a grant. The grant is not necessarily annual and can cover a range of functions or a specific function.

The process is straightforward:

1. The P&TCs are asked to put forward a basic Business Case stating specification – frequency – cost.
2. Once a grant has been allocated, the Highways Department are on hand to keep an eye and support or advise the P&TC where necessary.
3. The recipient council must provide an annual review detailing quite simply work done – cost – any other information deemed necessary.

So far the take up for the expanded Highways Maintenance Grant appears to be good and Shropshire Council are keen to ensure trust, flexible working and as few barriers to engagement as possible:

- If P&TCs are concerned about the insurance costs they are encouraged to put this in the grant application;
- If health and safety is an issue the P&TC representatives are invited to attend existing training programmes;
- If a particular job is just too big for the P&TCs, they are able to call the principal authority and they'll do it.

Across the Chetton, Billingsley, Burwarton, Eardington and Morville parishes, the parish clerk has the support of the councillors and a full paper trail enabling anybody else to come in and pick up the relationship should the need arise.

The distance from county hall was cited as a risk to local service delivery but the experience in these parish councils is a great example of how a very simple process, with trust and local knowledge, can provide a successful locally accountable solution.

Wootton Bridge Parish Council: The Isle of Wight

Context

Wootton Bridge is a village on the north coast of the Isle of Wight, midway between Ryde and Newport. It is about 3 _ miles from each and within a short distance from the main ferry terminals of Fishbourne and East Cowes. With a population of 3,618 (2001 Census) and an electorate of 2,899 (2006), Wootton Bridge is a large village and has been host to the famous Isle of Wight Festival. The history of the village stretches back to Roman times, the creek having been used as a waterway and port for thousands of years.

Wootton Bridge was one of the first 12 parish councils in the country to achieve Quality Parish Status in 2003 and it is now the first parish council on the Island to have been re-accredited its Quality Status (January 2009).

The village attracts a great many tourists, with its mixture of modern and Victorian buildings, including the 11th century Parish Church of St. Edmunds and The Sloop Inn in Mill Square. Also of interest is the Isle of Wight Steam Railway, with connections to Havenstreet.

For the last two years Wootton Bridge has been working with the Isle of Wight Council in support of an Empowerment Framework Document for P&TCs on devolution. The Isle of Wight Council, having fully involved the parish council in the planning and design process, then started work on replacing the toilets in Brannon Way. This was carried out with a view to developing this as a devolved/delegated service from the Isle of Wight Council to Wootton Bridge Parish Council.

The Clerk to Wootton Bridge Parish Council, Lynda Smith, works 25 hours a week supported by two part time members of staff (four hours each) and is based in a Help and Information Centre at the heart of the community (which currently shares premises with the Isle of Wight Council who do outreach work there).

The Isle of Wight Council is a unitary authority (since 1995), and the Island is fully parished with 33 P&TCs serving an electorate of 111,149. The Isle of Wight Council has, since 2005, had a commitment to support and develop P&TCs. This initially took the form of surveying them and subsequently improving channels of communication to build relationships and trust across the tiers of local government. This was the start of the plan to empower parishes to take on (should they wish) devolved services. The principal authority, working with the Isle of Wight Association of Local Councils, set up a Parish Devolution Pilot and one of the two Quality Parish Councils involved in this was Wootton Bridge.

Implementation

Where it began

Following the survey of P&TCs across the Island, it became clear that there were major issues of understanding, trust and communication with the principal authority. The Isle of Wight Council set out to develop a better and more meaningful working relationship with them, and to involve P&TCs as much as possible in local issues and in the decisions affecting their communities.

A pilot was set up to support the development of a Parish Devolution Empowerment Framework. This involved two proactive Quality Status parish councils – Brading and Wootton Bridge.

The Clerk to Wootton Bridge had also sought to build a positive relationship with the new Chief Executive of the Isle of Wight Council and he had been invited to Wootton to gain an insight into the issues faced there. Partly as a result of this fact finding visit, Wootton Bridge was involved in the devolution pilot based around the provision of new eco-toilets. This was the start of a move towards closer and more empowering partnership working.

How it developed

The pilot took 6 months and had a project board consisting of the clerks to Brading and Wootton Bridge, the Director for Environment and Neighbourhoods, Heads of Service for Contract Management and Democratic Services, the highways engineer and other key players. The process led to a deeper understanding of the capabilities and the capacity of all those represented.

“The Isle of Wight Council does have a lot of technical expertise and resources that a parish council with only a clerk does not have.”

Chris Matthews, Environment and Neighbourhoods, Isle of Wight Council

There was initially a suspicion from the parishes that the council wanted to drop their powers onto the parish but this was soon overcome.

The pilot focused on eco toilets which have been re-built in partnership with the parishes. The initial thought was that having been built by the principal authority, the management and running of the toilets would be devolved to the parish councils. What has emerged, however, was an initially unexpected outcome: both Brading and Wootton Bridge Parish Councils have resolved to take on a monitoring role for the cleaning contracts for the toilets.

The lack of capacity within Wootton Bridge Parish Council was felt by councillors to be a major issue and there were also anxieties about dealing with health and safety regulations, contracts and insurance. Both the parish council and the principal authority realised how important it was to address these anxieties and to build the confidence of the parish council, so that in time they may want to take over a fully devolved service. However, the overriding concern was always that the funding must accompany the devolved service, must be cost neutral or better, and maintain or improve the devolved service for local residents.

A wider outcome of this pilot was the development of the parish devolution/ empowerment framework document which sets out to support and guide P&TCs through the process of taking on a devolved service or delegation. The framework offers precise guidance on the types of service to be considered for delegation, the enabling and facilitation of empowerment working, and the eight step process for devolving a service:

- Phase 1 - Proof of Quality Accreditation
- Phase 2 - Evaluate merit of request for devolving a service
- Phase 3 - Evidence of competency
- Phase 4 - Determine the most appropriate devolution option
- Phase 5 - Development of SLA/contract
- Phase 6 - IoW Council approval process
- Phase 7 - Devolvement of service
- Phase 8 - Monitoring and review

It is strongly felt on the Island that such a framework is necessary, in order to fully support P&TCs looking to work in this way and to ensure the whole process is robust and clearly defined.

Recognising the limited capacity of P&TCs in terms of time and resource, a suite of options is presented ranging from parishes being involved in monitoring and reporting, to total ownership and transfer of assets.

Impact

The biggest impact for Wootton Bridge has been the partnership working with the Isle of Wight Council on regeneration projects, such as a Doorstep Green. The parish council has been able to secure the grant funding and the principal authority has been able to provide the contractual help/project management. Lynda Smith says:

It has been a marriage made in heaven and made things happen for the village by pooling our joint attributes.

In 1999 Wootton Bridge generated a Village Design Statement which led to the formation of a regeneration plan, managed by an active Village Partnership under the auspices of the parish council – a great example of local partnership working. In 2005, as the result of undertaking a Countryside Agency funded healthcheck, the Wootton Bridge Plan was formulated.

With these steps and involvement in the parish empowerment framework pilot, the parish council now feels confident about their strengths and weaknesses and have a clear understanding of what the community wants of them. In February 2009 there was a Village Open Day involving a high level of local consultation which will lead into a new plan to tie in with the Central Island Plan. The interim report on this plan is to be presented at the Wootton Bridge Party in July.

The WICI – the Wootton Instrument for Community Information – has been established to support the plans on an ongoing basis.

Acting as the ears on the ground the monitoring service provided by the parish council helps to support the work of the highways and the environmental maintenance staff from the principal authority, in terms of safety and security in and around the Doorstep Green and Village Square areas where the new eco-toilets are situated.

Success factors

The decision by Wootton Bridge Parish Council to take on a monitoring role, rather than the fully devolved management of the service, was not the expected outcome of the pilot. It was, however, a fully supported decision and the resulting scheme has been a success which has impacted the wider community in a positive way.

Both the parish council and the principal authority believe that partnership working is key for the future of sustainable and successful devolved and delegated services across the island.

Other key drivers are:

- Trust;
- A mutual understanding as to roles and responsibilities;
- A clear framework to work within; and
- Support and guidance.

The parish devolution/empowerment framework document lays out clear guidelines and structures for the P&TC to work within and has been developed with and in response to P&TC needs.

The Isle of Wight Council and the IOW ALC are aiming high with their plan for “*emparishment – empowerment – excellence*” but they have worked alongside the P&TCs themselves to ensure this becomes a reality.

Sustainability

The confidence engendered by the pilot and its outcomes has encouraged Wootton Bridge to take on other projects: the Doorstep Green and Village Square were created as a result of grant funding secured by the parish council and then the associated contractual processes/project management provided by the principal authority. The parish council's Village Square work took place during the same timeframe as the development of the eco toilets and under the same contract.

The Doorstep Green (venue for the now annual Party in the Park in July) has also been taken over by the Isle of Wight Council who manage the day to day running of the service, which works well and is supported by the monitoring scheme undertaken by Wootton Bridge Parish Council.

The work that has been put into the parish devolution/empowerment framework document will ensure that, in the long run, when a P&TC applies for and takes on delegated or devolved services, they will be fully prepared and able to go ahead with a clear understanding of their expectations and responsibilities.

There is now also a parish task group which meets quarterly, an independent body made up of representatives from the Parish Liaison Team, the IOW ALC and local SLCC.

P&TCs now also receive training in topics such as health and safety, first aid, town and country planning, the code of conduct – courses which are well attended and support the longer term vision for the island. The IOW ALC play an active role in the process and work closely with their members and the principal authority.

For Wootton Bridge the monitoring role they have taken on feeds back local intelligence to the principal authority which enables it to be more responsive to local needs. There is a belief that funding should follow the function and although there are still anxieties around capacity, resource and money, there is a confidence to work towards taking on new powers and responsibilities.

Is empowerment reinventing the wheel, Lynda Smith was asked recently. The answer a resounding no - it is a way of getting “stuff done” locally by local people in a way that offers maximum benefit to the local community, the parish council and the local authority – in a council tax neutral way.

Who we are

The **Commission for Rural Communities** provides well-informed, independent advice to Government to ensure that policies reflect the real needs and circumstances of people living and working in rural England. In doing this, it acts as

- Rural advocate: the voice for rural people, business and communities;
- Expert adviser: providing evidence-based, objective advice to government and others; and
- Independent watchdog: monitoring and reporting on the delivery of policies nationally, regionally and locally.

The **National Association of Local Councils** is the only body in the country specialising full-time in the work of local councils. It works to protect and advance the rights and interests of member councils with the Government, the main political opposition parties, Parliament, in the local and national press, and in liaison with other bodies such as the Local Government Association, the Audit Commission and the Standards Board.

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