


Delivery of services by Town and Parish Councils - a **draft** framework

April 2012



Introduction

The Localism Act 2011 and the Open Public Services White Paper supports a national drive to shift power away from central government to local government, communities and individuals. Central Bedfordshire Council actively promotes this approach and welcomes the local aspiration to work closely with our communities in the design and delivery of public sector services and to facilitate communities to take on the delivery of some services for themselves. This will provide town and parish councils with the opportunity to play a bigger role in the delivery of local services.

The Central Bedfordshire Community Engagement Strategy (CES) was developed in partnership by Central Bedfordshire Together and adopted by the Council in June 2010. It was refreshed in August 2011. The CES includes the key principle of “enhancing the role of town and parish councils”. This encompasses working with town and parish councils to enhance, delegate and where appropriate transfer services to those who want them in accordance with the Council’s agreed priorities.

Central Bedfordshire Council intends to work with town and parish councils to deliver high quality services that are responsive and cost effective, with clear lines of responsibility and accountability.

This framework sets out how town and parish councils can engage at a level that suits them, from service monitoring and shaping contracts through to taking on and delivering some local services.

In implementing this framework our aims are to:

- improve community access to and satisfaction with services;
- provide greater local influence over services;
- maintain and enhance standards;
- enhance the role of local councils in their communities;
- generate greater community pride in local areas;
- promote engagement of local communities in local government; and
- achieve ‘value for money’.

This is a draft document and we welcome feedback from town and parish councils to ensure the process is straightforward and deliverable.

The framework may need to be revised after October 2012 to reflect any government guidance in relation to the implementation of the new Community Right to Challenge.

Options for Town and Parish Council Involvement

There are four key ways in which town and parish councils can get involved:

1: Influencing service delivery -

Towns / parishes may wish to request changes to existing contracts held by Central Bedfordshire Council or input into requirements when new contracts are retendered. They can also monitor existing service delivery in their area. A couple of examples are listed below.

Service	Benefit
Fly tipping	Can easily see and report fly tipping
Gully cleaning	One off blockages and unseasonal conditions can be reported and inform the prioritisation plan.

2: Joint delivery / service enhancement

Towns / parishes may choose to enhance an existing service provided by Central Bedfordshire Council by funding additional work. This could be through a separate contract or by extending the current CBC contract.

Service	Benefit
Winter maintenance of non strategic routes	Gritting can be undertaken with small scale equipment.
Street cleansing	Additional cleaning can be undertaken at low cost and have a high impact. This is a popular issue at a local level.
Parking enforcement	Additional enforcement can be provided for an additional cost.
Removal of graffiti	The local level could deliver a faster response at a (potentially) lower cost.
Additional Rights of Way Surveys	Uses local knowledge to increase information.
Additional Rights of Way Maintenance	Uses local knowledge, provides added value.
Additional Rights of Way Vegetation Clearance	Uses local knowledge, provides added value.
Dog warden - enforcement and education activity	Enforcement options only.

3: Delegation of service delivery

A town / parish council may wish to take on full responsibility for the delivery of a local service on behalf of Central Bedfordshire Council.

Several of the services listed below are statutory duties of Central Bedfordshire Council. In these instances rigorous monitoring will need to take place to ensure that the statutory duties are met.

Service	Benefit
Current Rights of Way surveys	Uses local knowledge and provides added value.
Current Rights of Way maintenance	Uses local knowledge and skills and provides an option to use volunteers
Closed Churchyard maintenance	Uses local knowledge and skills and an option to use volunteers. Similar skills to managing amenity land.
Street naming	Local interest.
Street name plate repairs	Local interest. Uses local knowledge.
Planning Enforcement - part delegation of the low risk element of the work (investigation)	Risks can be managed and limited, providing added value.
Liaison with landowners over Rights of Way - part delegation of low risk element of the work (routine issues)	Builds on existing relationships, provides added value
Temporary Rights of Way closure - part delegation of low risk element of the work (erecting and maintaining notices)	Uses local knowledge with minimal travel involved. Can monitor and replace notices if needed.
Sign cleaning	Synergy with other town and parish council roles. Provides added value
Rights of Way seasonal vegetation clearance	Uses local knowledge. Provides added value. Important local issue.
Weed spraying	Synergy with other town and parish council roles.
Highway litter picking	Provides added value and requires minimal equipment. Synergy with other town and parish council roles. Local interest.
Highways grass cutting	Already undertaken by a range of town and parish councils. Synergy with other town and parish council roles.
Tree Preservation Orders	Local ownership.
Maintenance of public open space and play areas	Already delivered by a range of town and parish councils.

Noise and nuisance abatement - part delegation of low risk element of the work (investigation)	May provide a faster response to local issues.
Gateways	Local knowledge and local interest.

4: Transfer of a service

If Central Bedfordshire Council proposes to reduce or no longer provide a service town / parish councils will be consulted and offered the opportunity to take on delivery themselves. This option may include the transfer of any related assets to the town or parish council.

Central Bedfordshire Council must retain the accountability for its statutory duties but can contract others to deliver the service on its behalf.

Examples of services that have been transferred include:

- Markets
- Public conveniences
- Amenity grass
- Sports facilities / play areas

5. Exclusions

Some services are not currently being considered for transfer to town and parish councils. These are listed below and the reasons for each are briefly detailed. However, town / parish councils may be able to influence and monitor the delivery of these services.

Service	Reason
Street lighting	Specialist skills and equipment required. Value for money can be achieved through bulk purchasing arrangements.
Maintenance of Highway by a qualified contractor (Highways Maintenance Programme)	High risk, specialist skills and equipment required.

Gully cleaning, lining, retreading	High risk, specialist skills and equipment required.
Community Transport	This is part of the Passenger Transport Review.
Parking enforcement	Parking Strategy adoption imminent. Could be considered as an enhancement / delegation in the future.
Strategic route winter maintenance	High risk, high cost, specialist role. Need to manage whole network.
Car Parks	Parking Strategy adoption imminent.
Strategic Waste Management	Influenced by outcome of the BEaR Project
Removal of fly tipping	High risk due to hazardous materials.
Formal sports and leisure facilities	Leisure Strategy will shape direction. Could be considered for enhancement in the future.
Grove Theatre	Part of a combined 25 year contract with leisure centres. Could be considered as an enhancement / delegation in the future.
Licences for taxis, street trading and public entertainment	Need to provide a uniform service across Central Bedfordshire.
Adult Skills and Community Learning	Service-wide review underway. Plans to become self financing. Externally funded service with minimum contract values.
Library services	Library Service Review concluded. 15yr Library Service Strategy adopted in March 2012. Potential to consider provision enhancements in the future.
Refuse collection inc HWRC	High cost, specialist equipment required. Disposal solution needed.
Planning and Transport policy	Specialist skill, wide impact, countywide function.
Building Control	Specialist skill, wide impact, countywide function.
Planning Applications	Specialist skill, wide impact, countywide function.
Development Control	Specialist skill, wide impact, countywide function.

6. Process for Delegation

Town and/or parish councils are welcome to approach Central Bedfordshire Council individually, as part of a partnership with other organisations, or in partnership with other local councils.

Requests will be coordinated by Central Bedfordshire Council's Head of Partnerships and Community Engagement (Peter Fraser, tel: 0300 300 6740, email: peter.fraser@centralbedfordshire.gov.uk) who will ensure that the appropriate officers from the service area and support teams (e.g. legal, procurement, finance, property and assets etc), as well as the Ward Councillors, are aware of the request and engaged in the process.

The Head of Partnerships will also support town / parish councils through the process which can be summarised as follows:

Influencing service delivery

Following a request to amend a contract or monitor service delivery, the town or parish councils involved will discuss their requirements with the relevant Contract Manager and explore the options. Following this the Contract Manager will negotiate with the contractor over any amendments suggested and feed back to the town / parish council.

Joint delivery / service enhancement

If a town / parish council wishes to enhance a service, the Service Lead from CBC will provide a full list of any requirements that may need to be fulfilled before they can carry out any work. Once these requirements are confirmed the Service Lead will provide an authorisation document or delegation agreement to the town / parish council to enable them to undertake the work.

Delegation of service delivery

Where a town / parish council would like to deliver a service an initial meeting will be held with the relevant Executive Member(s) and the interested council, following which the town / parish council will be required to complete a Business Case (please see Appendix 1 for the Business Case Template).

Any information required from Central Bedfordshire Council to complete the Business Case will be provided. The Service Lead will evaluate the Business Case in line with the criteria outlined in Section 7, after which a Delegation Service Level Agreement will be drafted and agreed by both parties before sign off.

Transfer of a service

For instances relating to the cessation or reduction of a service the town / parish council will be contacted by the Head of Partnerships who will assist them to explore taking on the service if they wish to do so.

7. Competency and standards

Central Bedfordshire Council must ensure that services provided on its behalf, whether by contractors or partners, are delivered to a required and consistent standard. Any requests will be assessed against the following criteria:

1. Quality – service quality must be maintained or enhanced without detrimental effect on the service efficiency levels of Central Bedfordshire Council.
2. Cost – proposals must demonstrate value for money when compared with existing service delivery arrangements. Proposals are expected to cost no more than that of delivering the existing service. Any enhancements to services will need to be resourced by the town / parish council.
3. Practicality – the transfer should not adversely affect an existing Central Bedfordshire Council service contract or the overall service to the rest of the area. The town / parish council must have, or plan to have adequate insurance, health and safety and operational procedures to undertake the service. They will also need to provide any equipment required to carry out the service and ensure that it will be properly maintained.
4. Local views – proposals should demonstrate that the standards and method of delivery reflect local needs and include evidence that it has the support of the local community.
5. Capacity – the town / parish council must have, or plan to have, adequate staff capacity, knowledge and skills to manage the service.
6. Equality – the duty to ensure the promotion of equality of opportunity rests with Central Bedfordshire Council. The town / parish council must be able to demonstrate it has given consideration to equality issues.

Central Bedfordshire Council will consider all proposals against the criteria set out above. Central Bedfordshire Council at all times retains the right to refuse a proposal. Wherever this is the case, feedback will be given outlining the reasons why and encouraging the town / parish council to re-submit once these elements have been addressed.

8. Monitoring of delegations

All service enhancements and delegations of service delivery will be confirmed through an appropriate Authorisation document or Delegation Agreement. The Agreement will set out the terms and conditions of the service delegation or enhancement and detail any monitoring and performance standards. It will be reviewed annually. The review will examine (as appropriate) whether:

- the proposed outcomes and outputs are being delivered;
- minimum service standards are being met; and
- community benefits are being achieved.

As part of the review recommendations for changes may be made. Central Bedfordshire Council will work closely with town / parish councils to ensure outcomes and/or minimum service standards are met.

Appendix 1: Business Case Template

BUSINESS CASE TO SUPPORT THE DELIVERY OF SERVICES

Details of Proposer	
Name of council / organisation	
Contact name	
Contact telephone number	
Contact email	
Date submitted	

Please briefly outline your proposal

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1. Quality

Please detail the quality standards your proposal aims to achieve and the monitoring system you will implement to ensure these standards are maintained.

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2. Cost

a. Please provide the current cost (to Central Bedfordshire Council) of delivering this service and a full cost breakdown of your proposal. Please clearly state the source of any funding.

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b. Please detail any information or resources that your proposal needs Central Bedfordshire Council to provide.

c. Please specify how your proposal will deliver value for money for residents.

3. Practical

a. Please detail the operating procedure you intend to follow to deliver your proposal.

b. Please identify any Central Bedfordshire contracts that your proposal may impact.

c. Please detail any relevant insurances and health and safety requirements.

d. Please identify any risks relating to this proposal and detail the activities you will undertake to manage these risks.

4. Local Views

Please evidence the community support for your proposal (include both your electorate and local member).

- b. Please detail the benefits of your proposal. Include how your proposal will:
- improve community access to services;
 - provide greater local influence over the service;
 - add benefits and value to the community; and
 - provide an enhanced service to the community.

5. Management and staffing arrangements

a. Please detail the management and staffing arrangements for this proposal.

6. Equality and Diversity

Public authorities have a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Please demonstrate how you have given consideration to equality issues.