

Warwickshire and West Midlands Association of Local Councils



(Affiliated to the National Association of Local Councils)

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DRAFT PROTOCOL FOR GREATER INVOLVEMENT OF PARISH AND TOWN COUNCILS IN SERVICE DELIVERY TO ENHANCE THE QUALITY OF SPECIFIC SERVICES AT PARISH LEVEL

Draft 3 13th July 2007

Introduction

WALC convened a meeting with representatives from the principal authorities to discuss progressing the Local Councils' Charter and the possibility of providing a framework for the devolution of selected services to Quality Status Councils. Whilst some Quality Councils would welcome devolution, provided finance followed with the service, other Quality Councils are not necessarily pressing for complete devolution. Principal authorities too have reservations.

However Parish Councils, not only Quality Status Councils would welcome greater involvement in service delivery in specific areas by principal authorities in their parishes in order to improve delivery on the ground.

Therefore it was agreed that WALC should draw up a protocol for discussion to enhance the quality of specific services at parish level, and to further partnership working between tiers of authority.

Justification

Parish and Town Councils have considerable knowledge of local conditions that may not be available to other tiers of local authority. They can reflect local needs and priorities. There may be opportunities for them to act as monitors on behalf of other authorities, assist in service management and in particular Quality Parish Councils might wish to take on the delivery of some services.

Terminology

Throughout this document the term Principal Authorities refers to the District, Borough and County Councils.

Service areas

Parish and Town Councils have recently expressed a wish to be involved in delivery of services in three specific areas:

- ❖ Grass cutting – especially highway verges
- ❖ Litter clearance
- ❖ Gully cleaning

It is proposed that Parish and Town Councils are given the opportunity to be involved in these areas of service delivery as a pilot for the greater devolution of services.

Grass cutting

The maintenance of highway verges for safety purposes is the responsibility of the County Council as Highway Authority. The Borough and District Councils may assume responsibility for verges in towns and cut these verges more frequently to improve visual amenity. In some cases Parish and Town Councils already take on responsibility for verge maintenance to improve visual amenity. The Borough and District Councils and some successor housing associations may also be responsible for the verges in local authority or former local authority housing areas.

In some cases principal authorities carry out the grass cutting using their own workforce but in most cases they enter into a contract with a contractor covering a number of highway maintenance or grounds maintenance activities (see appendix1). The contract may run for several years.

Litter clearance

Litter clearance in public areas including the highway is a Borough or District Council responsibility. It is usually part of street cleansing which includes litter picking, litter-bin emptying, channel (gutter) sweeping and removal of fly-tipping. Again the Borough or District Council may carry the work out using its own workforce or enter into a contract with a contractor. Again the contracts may run for several years.

Gully emptying

Gullies are roadside drains. The periodic removal of silt from gullies to ensure good highway drainage is part of highways maintenance and is the responsibility of the County Council as Highway Authority. The work is currently carried out by the contractor who delivers the County Council's responsibilities for highway verges.

Parish and Town Council involvement

Parish and Town Councils have expressed an interest in being involved in these services in four ways;

- ❖ Specification preparation
- ❖ Procurement
- ❖ Delivery management
- ❖ Service delivery

Involvement in specification and procurement is a periodic activity dependent on when contracts are let or reviewed. For example the County Council's current Highways Maintenance contract is for five years and has four years to run. The current Stratford on Avon District Council Street Cleansing Contract expires in September 2007.

Involvement of Parish and Town Councils in delivery management and service delivery should be discussed at the time the specification for a new contract is prepared and procurement arrangements are set out.

There may well be opportunities for Parish and Town Councils to be involved in delivery management and service delivery within current contracts

Protocol

New contracts

Principal authorities recognise that Parish and Town Councils have

- ❖ considerable knowledge of local conditions
- ❖ can express the needs and priorities of local people
- ❖ may be able to support delivery management with an 'on the spot' presence
- ❖ may be able to deliver local elements of the service.

Prior to the preparation of a new contract/specification for highways maintenance or cleansing services, or the review of an existing contract/programme of works, the principal council will consult Parish and Town Councils on relevant aspects of the service including;

- ❖ period of contract/programme
- ❖ works covered
- ❖ area(s) and/or routes covered within any parish/town council boundary
- ❖ frequency and/or timing of works
- ❖ contract management and quality control procedures
- ❖ opportunities and arrangements for parish/town councils to be involved in;
 - the delivery management and/or quality control of local elements of the contract/programme
 - the delivery of local elements of the contract/programme
- ❖ procurement procedures

Parish and Town Councils recognise that principal authorities may need to meet legal, budgetary or external requirements in specifying and delivering the service.

Parish and Town Councils recognise that principal authorities may be working within defined timetable in preparing a specification and letting a contract or commencing a programme of works and will respond promptly to any consultation.

Existing contracts

Principal authorities recognise that Parish and Town Councils have;

- ❖ considerable knowledge of local conditions
- ❖ can express the needs and priorities of local people
- ❖ may be able to support delivery management with an 'on the spot' presence
- ❖ may be able to deliver local elements of the service.

Principal authorities will provide Parish and Town Councils with a summary of existing contracts for highways maintenance and cleansing. The summary to include;

- ❖ period of contract and any review dates
- ❖ area(s) and/or routes covered within the parish/town council boundaries
- ❖ works covered
- ❖ frequency and/or dates for works
- ❖ contractor and where appropriate, sub contractors
- ❖ extract from agreed specification including performance standards and where appropriate rates
- ❖ quality control procedures
- ❖ whether there are facilities within the contract for the area and/or routes covered or the frequency/timing to be varied to meet local needs
- ❖ whether there are facilities within the contract for the local council to be involved in the management or delivery of local elements the contract
- ❖ contract management procedures and personnel including a contact person
- ❖ the role of Area Response Teams in the current highways maintenance contract and how Parish and Town Councils can work with the Area Surveyor to make effective use of these teams in their area
- ❖ 'call out' facilities available to Parish and Town Councils

Where opportunities for Parish and Town Councils to be involved in current contracts are identified principal authorities and Parish and Town Councils will agree specific arrangements including named contacts and any financial arrangements

Parish and Town Councils recognise that principal authorities need to balance needs and priorities over a wide area and work within agreed budgets.

Parish and Town Councils recognise that for financial or effectiveness reasons principal authorities may not be able to vary current contracts to meet specific local needs.

Demonstration of Partnership Working

An agreement to this Protocol would further demonstrate Warwickshire's three tiers of authorities' willingness to work in partnership and fits in with the Government's call for greater partnership working, particularly in those areas where no application was made for unitary status. It would also demonstrate greater commitment to the principles contained in the Local Councils' Charter.

Appendix 1

The current highways maintenance contract for Warwickshire aims to ensure that the footways and roads of Warwickshire remain in a safe and usable condition. It includes;

- ❖ winter gritting of agreed routes.
- ❖ minor carriageway patching.
- ❖ the maintenance of road markings.
- ❖ the maintenance of highway drainage.
- ❖ gully emptying.
- ❖ the maintenance of road signs.
- ❖ the maintenance of highway verges, grass cutting.
- ❖ weed spraying.
- ❖ the issuing of licences for scaffold and skips on the highway .
- ❖ emergency work such as the removal of fallen trees or other obstructions to the highway.