

APPENDIX A

Development of a Concordat – LAPs and Parish/Town Councils (Newcastle under Lyme Borough)

This paper outlines the potential to develop a concordat to cover the relationships between Locality Action Partnerships (LAPs) in the borough of Newcastle under Lyme and the parish/town councils in the borough.

In developing a concordat, it is necessary to recognise the different bodies covered by such an agreement.

In Newcastle, the principle local authorities are Staffordshire County Council and Newcastle under Lyme Borough Council. Each council is responsible for a range of service areas including education, highways and social services (SCC) and planning, licensing and environmental health (NBC). Both have powers from Parliament to deliver these services and both have a number of elected representatives who make up the Council itself.

In the case of town/parish councils, these are corporate bodies which have been granted powers by Parliament including tax raising powers and spending powers. The town/parish council in any particular area is the first tier of local government (and also have a number of elected representatives) with legal powers to do things (e.g. make byelaws; maintain churchyards; detect and prevent crime; and maintain the environment) as well as influencing others, such as principal authorities, in their decision making.

In terms of LAPs, these are very different from town and parish councils. They were established by the Borough Council and are made up of public sector organisations, councillors and members of the public. Unlike parish/town councils they are not elected and are not representative in the same way – rather, they are action-focused, in other words, considering issues and bringing organisations together to tackle these issues.

In addition to the local authorities and LAPs, a number of public sector and ‘third sector’ organisations operate in Newcastle. These include Staffordshire Police (now represented through the office of the Police and Crime Commissioner), Staffordshire Fire and Rescue Service, the various parts of the health service and various voluntary/community groups under the umbrella organisation VAST (Voluntary Action Stoke on Trent).

In the current climate of local government generally, it is well-recognised that no one organisation can effectively do any one thing alone (in the vast majority of cases). This means that one of the key ways of working in the borough is in partnership. This is the focus of the LAPs.

As said, the LAPs act as a delivery mechanism for the public sector in the various localities of Newcastle under Lyme (there are currently 11 LAPs in total). This does not mean, however, that the LAPs directly deliver services, rather they co-ordinate those bodies who do deliver services to do so to the benefit of the public in the borough. Again, this is a key difference between the LAPs and other organisations –

the LAP can only act collaboratively, whilst other organisations can act alone if they choose to do so.

In order to ensure that the LAPs do what they are supposed to do – which is to translate the identified need in any particular area into action – the Borough Council has sought to encourage each LAP to adopt a constitution. The adoption of a constitution for each LAP is designed to set out clearly what the LAPs can (and cannot) do. A primary focus of the constitutional position of the LAPs is that they are not a substitute for the parish and town councils – rather, the parish/town councils should be a part of the LAP in terms of ensuring that their views and the views of the people they represent are reflected in the work of the LAP. In other words, the LAP and the relevant parish/town council should complement each other with the parish/town council providing information on a representative footing and either the parish/town council acting on this information alone or – if this cannot be done – working with others within the framework of the LAP.

It is this relationship which forms the basis of a potential concordat between the LAPs and the town/parish councils in the borough of Newcastle-under-Lyme. It is suggested that any such concordat should set out the particular special role of the town/parish councils as local authorities and the powers held by them against the LAP ‘offer’ which is to encourage and collate information and data on the local ‘need’ and organise the necessary action required to address that need. It should be clear that the parish and town councils are not compelled to refer to or work through the LAP (as should be established in the LAP constitutions – parish/town councils are welcome to check this) but that the LAP should include the parish/town council as one of the ‘sources’ of its information on local need.

This paper has sought to set out the differences between the LAPs and the town/parish councils in Newcastle under Lyme borough. In doing so, it is suggested that – as a counterpart to the constitutional developments of recent times – it may be necessary to set out how the relationship between the LAPs and town/parish councils should be developed in the future through the establishment of a concordat. The aim is for parish/town councils and LAPs to co-exist effectively and, to do this, the hope is that parish/town councils are represented on LAPs and that LAPs are granted some form of status so as to be able to attend parish/town council meetings. Effective communication will assist greatly in this relationship and also ensure that the LAPs are responding to the issues raised by parish/town councils where relevant.