

FULL COUNCIL 20TH OCTOBER 2026 – AGENDA 11

SWINDON JOINT WORKING PROTOCOL 2026 V3

This Protocol is agreed between Swindon Borough Council (SBC) and the Town and Parish Councils (Local Councils) within the Borough of Swindon (the Borough), who collectively meet at the Swindon Local Councils Forum (the Forum).

We acknowledge the status of the Local Councils as tax raising authorities who may increasingly assume responsibility for local maintenance and undertake other initiatives in co-operation with the Borough.

We believe that effective partnership can improve local services and engagement with residents, while supporting informed local decision-making and respecting the distinct roles and responsibilities of the Borough Council and Local Councils. Key to working together are the:

- Appropriate transfer of information between Councils;
- Recognition that the Borough and Local Councils have different responsibilities, resources and local knowledge, and that working together can improve the quality, responsiveness and impact of services where this is appropriate;
- Recognition of the differing sizes of Local Councils and that some are reliant on Councillors and volunteers for the delivery of services;
- Familiarity of the Protocol among Borough and Local Council Councillors and officers, with each organisation seeking to ensure that those whose roles are relevant to the Protocol understand its purpose and how it applies to them.

This document is not an end in itself but signals a commitment by all relevant parties to partnership working.

It is to be underpinned by the following Annexes (which will be reviewed annually):

1. Service Delivery
2. Council Plan Implementation
3. Planning Framework
4. Serving Communities
5. Local Visions, Plans and Projects
6. Communication and Engagement
7. Compliance and Review
8. Meetings

Signed:

Leader, Swindon Borough Council

Signed:

Chair, Swindon Local Councils Forum

Swindon Joint Working Protocol

Annex 1: Service Delivery

This Annex sets out the principles for considering and agreeing the delivery of non-statutory services by the Borough Council and Local Councils.

Swindon Borough Council will:

- Perform its Statutory Duties except where performance is delegated to Local Councils or others;
- Where requested provide Local Councils with clear real-time information of services being provided within their area;
- Discuss with the Forum and individual Local Councils, as appropriate, how services can best be provided within urban and rural areas;
- Work with Local Councils, where appropriate and where resources allow, to explore and deliver agreed local approaches to service provision;
- Where appropriate and subject to available resources, provide advice, training or other support to enable Local Councils to undertake agreed maintenance, environmental improvement and community initiatives on behalf of their communities;
- Give consideration as promptly as reasonably practicable to requests from any Local Council for any service, land, or assets to be transferred to it and to execute such transfer in a timely manner once agreed;
- Work with Local Councillors and Officers as appropriate to resolve issues that arise from partnership working or delegated services.

Local Councils will:

- Work collaboratively with the Borough Council and other Local Councils where resources and local circumstances allow;
- Give timely consideration to requests for any Borough Council service, land, or assets to be devolved to Local Council level;
- Work with Borough Officers and Councillors to resolve issues that arise from partnership working or delegated services.

The Borough Council and Local Councils recognise that opportunities may arise for services to be delivered at a local level, including by individual Local Councils, where this would provide better value, local responsiveness or improved outcomes for residents.

Examples may include community facilities, libraries, open spaces, environmental maintenance, and other services where local delivery is appropriate and agreed by both parties.

Any such arrangement will be subject to proportionate consideration of the business case, funding arrangements, legal and operational requirements, and the capacity of both parties. The level of assessment should reflect the scale and complexity of the proposed arrangement.

Where a proposal to devolve a service is taken forward, a business case will be developed and considered by both parties. The Borough Council will review the business case and seek approval through the appropriate Council decision-making route, which may include Corporate Management Team, Cabinet or another appropriate body depending on the nature of the proposal. The relevant Local Council will consider and approve the same business case through its own appropriate decision-making arrangements.

Once the necessary approvals have been obtained by both parties, any required variation to the relevant Deed or other legal agreement will be completed, following which the devolution of the service will take effect.

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Annex 2: Council Plan Implementation

The Council Plan sets out the Borough Council's priorities and the outcomes it aims to deliver for Swindon and its residents. Cooperation with parish and town councils will help ensure those priorities are delivered in ways that reflect local needs, improve outcomes and make best use of public resources.

This Annex supports the effective delivery of Council Plan objectives through joint working between Swindon Borough Council and Local Councils, including where appropriate the agreed delivery of activities or services at Local Council level. This work will involve relevant Borough Lead Officers and nominated Local Council leads, with other service partners involved where appropriate and agreed by the relevant parties.

Swindon Borough Council will:

- Ensure relevant Lead Officers work with Local Councils to identify opportunities for joint or locally led delivery;
- Provide appropriate information on relevant Council Plan priorities, intended outcomes and delivery plans to support effective local involvement;
- Consider opportunities identified by Local Councils for local initiatives, partnerships or services to contribute to Council Plan objectives;
- Engage Local Councils, where appropriate, in the delivery of relevant Council Plan priorities within their areas;
- Share relevant data, evidence and best practice where available and appropriate, subject to data protection, ownership and resource considerations;
- Work with Local Councils to identify and address barriers to effective joint working and local delivery;
- Give appropriate credit to Local Councils and other partners for their contribution to the delivery of Council Plan priorities.

Local Councils will:

- Identify how Council Plan priorities can be implemented in parish areas;
- Consider existing Local Council initiatives and how these might aid the delivery of the Council Plan;
- Identify relevant organisations or partners who may be able to contribute to delivery of agreed priorities, where appropriate;
- Explore opportunities for cooperative working with relevant partners where this would support delivery of agreed priorities;
- Promote understanding among relevant Borough and Local Council officers of how joint working can support delivery of Council Plan objectives;
- Work to ensure that delivery aligns the needs of Local Councils and the Council Plan;
- Share best practice and draw on experience;
- Give appropriate credit to partners in any newsletters, publicity or other material;
- Share and use relevant data and evidence where available and appropriate, subject to data protection, ownership and resource considerations.

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Annex 3: Planning Framework

Planning is a statutory function of Swindon Borough Council as the Local Planning Authority, but Local Councils have an important role in representing their communities and contributing local knowledge to the planning process.

The Borough Council and Local Councils will seek to maintain an effective and constructive working relationship on planning matters, within the requirements of planning legislation, the Borough Council's Constitution, Scheme of Delegation and other relevant policies and procedures.

Swindon Borough Council will:

- Keep Local Councils appropriately informed of planning applications and other significant planning matters affecting their areas, in accordance with statutory requirements and established planning procedures;
- Provide Local Councils with a reasonable opportunity to comment on relevant planning applications, recognising that statutory determination periods and other circumstances may limit the time available;
- Make relevant planning information available through the Council's established channels and seek to provide appropriate clarification where reasonably practicable;
- Give appropriate consideration to representations received from Local Councils alongside other material planning considerations;
- Keep Local Councils appropriately informed of significant applications where they have expressed a particular interest, subject to the requirements and practical operation of the planning process;
- Enable Local Council representatives to engage with the Planning Committee in accordance with the Borough Council's Constitution, Scheme of Delegation and public speaking arrangements;
- Work constructively with Local Councils on relevant planning obligations, including Section 106 and CIL matters, where appropriate;
- Encourage appropriate engagement between developers and Local Councils on significant proposals where this would assist the planning process;
- Respond appropriately to reports of potential breaches of planning control in accordance with the Council's adopted planning enforcement arrangements;
- Seek opportunities to support Local Councils in understanding the planning system, including through guidance, information sharing and training where appropriate and resources allow.

Local Councils will:

- Engage constructively and promptly with planning consultations and provide representations within the relevant timescales;
- Clearly set out the planning grounds for supporting or objecting to applications, with reference to relevant planning policies and material considerations;
- Provide relevant local knowledge and evidence that may assist the Borough Council in considering applications, planning obligations and other planning matters;

- Use the Borough Council's established procedures where they wish to request further consideration of an application or participate in a Planning Committee meeting;
- Report potential breaches of planning control through the appropriate Borough Council channels;
- Recognise the Borough Council's statutory role as Local Planning Authority and that decisions must be taken in accordance with planning law, policy, the Council's Constitution and relevant material considerations.

Both parties recognise that effective cooperation depends on timely communication and a clear understanding of their respective roles. The detailed procedures governing planning applications, consultation periods, committee arrangements, enforcement, appeals and planning obligations will continue to be determined through legislation and the Borough Council's adopted planning policies and procedures rather than through this Protocol.

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Annex 4: Serving Communities

Swindon Borough Council and Local Councils will work together, where appropriate, on the development and implementation of the Council Plan and on wider decisions about services and policies that affect local communities.

Swindon Borough Council will:

- Engage with Local Councils on significant issues and services affecting their communities, providing reasonable opportunities for dialogue and feedback where appropriate;
- Provide the Forum and Local Councils with appropriate opportunities to contribute to the development of the Council Plan and other relevant Borough-wide or strategic plans;
- Draw on the local knowledge and experience of Local Councils where this can assist the development of services, policies or initiatives;
- Consider requests from Local Councils relating to the transfer of services, land or assets in accordance with the principles set out in Annex 1.

Local Councils will:

- Engage with Borough Council consultations and other opportunities for input within the timescales provided;
- Provide relevant local knowledge about the needs, concerns and priorities of the communities they serve and work constructively with Borough Officers and Councillors where appropriate;
- Recognise the strategic role and statutory responsibilities of Swindon Borough Council, including where decisions affect more than one Local Council area or the Borough as a whole;
- Where relevant, contribute to the development and use of Community Hubs to ensure their efficacy;
- Consider developing local visions, plans or projects for all or parts of their area where these would be useful to their communities, and engage with the Borough Council where its responsibilities, services, assets or resources may be affected.

Further principles for Local Council-led visions, plans and projects are set out in Annex 5.

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Annex 5: Local Visions, Plans and Projects

Local Councils may wish to develop local visions, plans or projects to respond to the priorities of their communities. These could include, for example, the development of a new community space or hub, or a new community-based activity.

Where a proposal requires input, support, approval or action from Swindon Borough Council, Local Councils should raise this through the appropriate existing channel. This may include the Members' Online system, the Clerks Operational Meeting or the Swindon Local Councils Forum, depending on the nature of the matter. Requests will then be directed to the relevant Borough Council service area for consideration and response through the appropriate existing processes.

Where a proposal requires formal Borough Council approval, including in relation to property, land or the devolution of services, it will be considered through the relevant established Council process.

Swindon Borough Council will:

- Provide established routes through which Local Councils can raise proposals and requests for input, support or action, including Members' Online, Clerks Operational Meeting and Swindon Local Councils Forum;
- Ensure matters raised are directed to the relevant service area for consideration and response, as appropriate;
- Where appropriate, provide guidance on the practical means of delivering or implementing proposals, including relevant Council services and processes;
- Consider requests for Borough Council involvement or support, recognising that the Borough Council will determine whether and to what extent it participates in or supports any proposal;
- Where formal Borough Council approval is required, ensure proposals are directed through the relevant established Council process.

Local Councils will:

- Engage appropriately with their communities and relevant Borough Councillors when developing significant local proposals;
- Where a proposal may affect Borough Council services, land, assets, funding or strategic responsibilities, engage with the Borough Council at an appropriate stage through the relevant existing channel;
- Have regard to relevant statutory plans and Borough-wide strategies, including the Local Plan and Council Plan where applicable;
- Provide sufficient information about proposals requiring Borough Council input, support or approval to enable the relevant service area to consider them;
- Develop appropriate delivery, funding and implementation arrangements for proposals for which the Local Council is responsible.

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Annex 6: Communication and Engagement

Timely and proportionate communication between the Borough Council and Local Councils will support effective joint working. Both parties will seek to share relevant information through appropriate channels and maintain constructive relationships between members and officers.

Swindon Borough Council will:

- Identify a Cabinet Member responsible for engagement with the Forum and Local Councils;
- Provide an appropriate point of contact for the Forum and coordination of the Protocol, using existing resources where possible and subject to available capacity;
- Maintain appropriate contact information for relevant Borough and Local Council representatives;
- Seek to make relevant Borough Councillors and Officers aware of the Protocol where it relates to their roles;
- Provide Local Councils with appropriate information and opportunities for engagement on significant matters affecting their areas, including relevant strategic plans, policy changes, planning obligations and other matters where Local Council input is appropriate;
- Where appropriate, keep Local Councils informed of relevant changes in Borough Council personnel and provide up-to-date contact details for Officers who may need to be contacted directly in emergencies or where the Members' Hotline is not an appropriate route;
- Use the Planning Framework in Annex 3 for engagement on planning matters;
- Signpost Local Council clerks to the Members' Online facility as an established route for raising service enquiries and issues with the Borough Council;
- Support appropriate opportunities for Local Councils and the Borough Council to share information, activity and good practice.

Local Councils will:

- Notify the Borough Council, where appropriate, of significant changes to locally provided services or facilities that may have wider implications for residents or Borough Council services;
- Keep relevant contact information up to date;
- Communicate and engage appropriately with their communities;
- Invite Borough Councillors to meetings where appropriate
- Use appropriate Borough Council channels, such as Members' Online, to raise service issues and work constructively with relevant Borough Officers and Councillors where further liaison is required;
- Participate, where appropriate, in shared communication and information-sharing arrangements and contribute relevant examples of activity and good practice.

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Annex 7: Compliance and Review

Both the Borough Council and Local Councils will seek to apply this Protocol in good faith and in a spirit of constructive partnership. The Protocol is intended to support effective working relationships and does not create additional statutory duties, decision-making powers or rights of appeal.

Resolving issues

Any concerns about the operation of the Protocol should be raised in the first instance through the appropriate member, officer or Forum channels. The parties will seek to resolve issues through discussion and, where useful and agreed, informal mediation. The Protocol does not create a separate arbitration or appeals process and does not alter the Borough Council's statutory responsibilities, decision-making powers or formal complaints procedures.

Review

The Protocol and its Annexes will be reviewed periodically to ensure that they remain relevant, proportionate, and effective. Review will take account of:

- Feedback from the Borough Council, the Forum and individual Local Councils;
- Experience of joint working, including significant projects or service arrangements;
- Changes to relevant legislation, Council policies, governance arrangements or strategic priorities;
- Any recurring issues identified through the operation of the Protocol.

A summary of the operation of the Protocol may be considered periodically through the appropriate Borough Council and Local Council forum arrangements.

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Annex 8: Meetings

Regular communication will support effective collaboration between the Borough Council and Local Councils. Meeting arrangements should be proportionate, avoid duplication, and provide appropriate routes for strategic discussion, operational liaison, and the resolution of shared issues.

Swindon Local Councils Forum

- Provides a principal route for collective dialogue between Local Councils and the Borough Council on matters covered by this Protocol;
- Provides a forum for Local Councils to identify and discuss strategic and operational issues of shared interest;
- Is open to Parish and Town Councils within the Borough of Swindon and does not have the power to bind individual member councils;
- May invite relevant Borough Council Members, Officers or other representatives to attend where their involvement would assist discussion of a particular issue;
- Relevant Borough Council service areas covered by this Protocol, including Planning and Operations, will seek to engage with and attend the Forum where their involvement would be useful and appropriate;
- Where Borough Council Officer attendance has been agreed in advance, relevant Officers should attend where reasonably practicable or provide apologies if they are unable to do so;
- Agendas and requests for Borough Council Officer attendance should be provided sufficiently in advance to enable appropriate preparation and ensure Officer time is used effectively;
- Meetings should be focused on the matters identified for discussion, with all parties respecting the respective roles and responsibilities of Borough and Local Councils.

The relevant Borough Council Lead Member and Chair of the Swindon Local Councils Forum will meet at least twice a year to discuss the operation of this Protocol, shared priorities and any issues arising from joint working.

The Chair of the Swindon Local Councils Forum may also request meetings with the relevant Borough Council Lead Member or Officers where a matter would benefit from discussion outside the regular meeting arrangements. Such requests will be given due consideration, having regard to the nature of the issue and Officer capacity.

Clerks' Operational Meeting

- Meets bi-monthly and provides the principal operational liaison between Local Council Clerks and relevant Borough Council Officers;
- Provides a route to share operational information and raise administrative or Borough-wide issues of common interest;
- May be used to identify recurring issues, share relevant guidance and provide training or briefings where appropriate;
- Relevant Borough Council Officers will attend according to the matters requiring discussion, with attendance reflecting the agenda and available Officer capacity;
- May identify matters requiring consideration by a particular Borough Council service area or wider discussion through the Swindon Local Councils Forum.