

REPORT OF POLICY AND RESOURCES COMMITTEE

(Meeting held 11 April 2000)

1. COMPLAINTS – ANNUAL REPORT (REPORT A) (MINUTE NO. 144)

The Committee has reviewed the investigation of complaints corporately during 1999 as compared to previous years.

It was noted that the volume of complaints received from the Local Government Ombudsman had remained reasonably constant for the last few years and this was largely due to the Council's pro-activity in dealing with complaints before they became an issue. In addition, the Ombudsman also asked complainants to use the Council's complaints procedure prior to making and investigating complaints. The number of complaints dealt with centrally in the Chief Executive's Department had reduced considerably in 1999 compared to 1998. The reason for this is that the public are referring complaints directly to services. Those complaints investigated corporately are thus of a more serious or complex nature.

Members have accepted the report's recommendation that all services should be encouraged to reduce the number of complaints by:-

- Keeping the public informed of actions, progress and particularly, unavoidable delays;
- Explaining procedures, policies, practices and why actions are necessary;
- Explaining legislation, statutory guidance regulations etc. in plain English;
- Clearly defining what the Council can and cannot do;
- Ensuring the public are aware of which public body is responsible when the Council is acting in an advisory or consultative role; and
- Answering questions in full.

2. RECOMMENDATIONS FROM MODERNISATION WORKING PARTY – EXTRACT FROM MINUTES OF THE MEETING HELD ON 15 MARCH 2000 (REPORT B) (MINUTE NO. 145)

The Committee has considered various recommendations from the Modernisation Working Party, setting out proposals relating to this Council's adoption of new structures and options based on the Government's additional proposals for political structures. These are attached to this report at Appendices 1 to 13. Members will be kept informed as soon as further information is available on the Government's intentions with regard to the House of Lords' recent amendment to the Local Government Bill, which would allow local authorities greater scope for suitable models of local democracy.

Members also recognised that the decisions taken at this meeting would be likely to evolve during the review period and there would be many further opportunities for amendment and input from members, the Council's stakeholders and individual members of the community.

3. ENFORCEMENT CONCORDAT (REPORT D) (MINUTE NO. 147)

The Committee has considered the adoption of the Government's Enforcement Concordat to apply to all the Council's enforcement activities. The Government has undertaken extensive consultation with business, the voluntary sector, the enforcement community and consumer groups. The Concordat is designed to provide for fair, practical and consistent enforcement, applying to all of this Council's regulatory functions.

The Committee has noted that if the Concordat was not widely adopted, there is every chance that the Government will give Ministers powers to invoke a number of controlling methods.

The principles contained within the Concordat were generally complied with throughout the Council at the moment and members have been assured that adoption of the Concordat will not preclude immediate action being taken where this is necessary.

The adoption of the Concordat may well be of assistance in Best Value, as it provides essential benchmarking data and ensures a consistent approach across all of the Council's enforcement activities.

RECOMMENDED:

That the Enforcement Concordat attached at Appendix 14 be adopted by the Council to apply to all of its enforcement activities.

4. SOCIAL EXCLUSION - ISSUES PAPER (REPORT F) (MINUTE NO. 149)

The basis for a Consultation Document for discussion with partner agencies in order to prepare a Social Exclusion Strategy has been agreed. The report outlined the issues which involve the Council in work relating to Social Exclusion.

The Issues Paper reflects the Council's role as a community leader, as envisaged by the Modernising Local Government Agenda and recognises that partnership will be the key to future action. The paper reflects on Social Exclusion work currently being undertaken by the Council and looked at possible future work with the aim of stimulating debate with partners and with the wider community in order to develop an agenda for the production of a strategy.

'Poverty and welfare' had been highlighted as one of the Council's four corporate priorities and the term 'Social Exclusion' was now more widely used nationally than 'Poverty'.

The paper has identified a wide range of activities, many of which involve partner agencies and the wider community and formed a good basis for future work. The Issues Paper will be used as a Consultation Document to allow debate and feedback from a wide range of agencies and members of the community. It incorporates a series of consultation questions to prompt responses, as well as space for open comment.

Responses to the consultation exercise will allow the appropriate officers to develop a Strategy to guide the Council's work in future, with particular emphasis on the partnership approach.

It is intended that the Consultation Document will allow the debate to be opened. Interested parties will be circulated with copies between May and June this year. The final Strategy will be drafted over the course of the ensuing year.

5. 'A PICTURE OF HEALTH - THE STRATEGY' (REPORT G) (MINUTE NO. 150)

Following the production of an Issues Paper for Consultation in 1999, the Committee has now been able to consider a draft Health Strategy entitled 'A Picture of Health - The Strategy'. The role of the Council in health matters and the actions it could take both by itself and with partners were outlined.

The implementation of the Health Strategy will be a key target for the Council for 2000/2001 and fits well with the Government's own emphasis on the importance of health. Local Authorities have a duty under the Health Act 1999 to be involved in the production and implementation of Health Improvement Programmes (HIMP) which include local priorities as well as health district priorities. The Strategy will allow the Council to highlight its contribution to these priorities.

The Strategy also laid stress on the importance of working with partners. Health was likely to be part of the Best Value regime as it is a cross-cutting issue. The Strategy had been produced taking into account comments received during the consultation period of the previous Issues Paper and was linked to the corporate document 'Crossing the Bridge'. It will be a three year Strategy – 2000/2003, with annual reviews.

The Strategy has been approved and will be distributed to partners and the community shortly.

6. LOCAL SETTLEMENT OF A COMPLAINT (REPORT I) (MINUTE NO. 153)

Following consideration of a confidential report the Committee has agreed to settle a complaint from six residents by payment of £7,500 per property, in line with a previous decision.

7. RECOMMENDATIONS FROM EMPLOYEE STRUCTURE SUB-COMMITTEE - EXTRACT FROM THE MINUTES OF THE MEETINGS HELD ON 28 FEBRUARY 2000 AND 31 MARCH 2000 (REPORTS K AND L) (MINUTE NOS. 156 AND 157)

The Committee has approved recommendations made at two meetings of the Employee Structure Sub-Committee in relation to the Housing Improvement Section, the Leisure Services Head Office Support Costs and the Public Services Division.

**Councillor S A Hayes
Chairman**

NEW FOREST DISTRICT COUNCIL

TERMS OF REFERENCE FOR OVERVIEW AND SCRUTINY PANELS

SCRUTINY PANEL 1

In accordance with the programme approved by Council and in relation to matters within the portfolio of the Portfolio Holders for¹..... including matters pertaining to the outside bodies to which appointments have been made by the Council:-

1. To consider such policy and strategy proposals as are referred to it by the Council and the Cabinet and to report back the result of its considerations with reasons to the referring body.²
2. To review how and to what effect Council policy and strategy is being implemented by the Cabinet Portfolio holders and Officers and to make reports and recommendations, including proposals for changes to policies and practices, to the Council, the Cabinet, Portfolio holders and Officers,³ as appropriate.
3. To review performance against annual budgets, including budget profiles and to report thereon to the Council, Cabinet or Portfolio holders as appropriate.
4. To review the decisions of the Cabinet, Portfolio holders and Officers acting under delegated powers called in and report the outcome of each review to the Council, the Cabinet, Portfolio holders and Officers, as appropriate.⁴
5. To undertake, in conjunction with the Cabinet and/or its Members, reviews of service performance under the Best Value regime.
6. To review departmental performance outside the Best Value regime and to make such reports and recommendations as it considers appropriate.⁵
7. To review the Council's involvement and support to outside organisations that fall within these Terms of Reference.
8. To receive and review external audit reports which relate to matters within these Terms of Reference, and
9. To receive representatives and/or deputations from any area structures implemented by the Council or relevant groups of interest and to report to the Council, the Cabinet, Portfolio holders and Officers, as appropriate.⁶

¹Insert details of Portfolios for which each Overview and Scrutiny Panel is responsible.

²These would normally be referrals with a request that a report be prepared within a specified time period.

³Officers" refers to The Chief Officer, Directors and other Chief Officers.

⁴The decisions of Regulatory Panels and Officers to whom a function has been delegated by a Regulatory Panel, or where an appeal lies to a Regulatory Panel, are excluded from the Scrutiny Panel's Terms of Reference.

⁵Such a review may be a general review of the whole or part of a department or may be a specific review of the department's progress against a particular plan, for example a Best Value Improvement Plan.

⁶The Scrutiny Panel would decide what further enquiries or action was appropriate to deal with the issues raised by the deputation. This could include a full review or a referral to the Cabinet or Council with recommendation as to an appropriate course of action.

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NEW FOREST DISTRICT COUNCIL

CALL-IN – OUTLINE ARRANGEMENTS FOR USE

These call-in arrangements are intended to allow the decision-maker to review a decision and not for any decision to be countermanded. Where other members remain concerned about such decision, referral is to allow a review of the circumstances and not for alteration of that decision.

Decision-maker	Call-in provision	Process
1. Officer	None	Not applicable – No change from existing arrangements.
2. Officer in liaison with local member.	Limited	Generally no referral mechanism except where specific provision made by Cabinet/Committee or Panel e.g. on planning applications – referral by member consulted. ¹ No change from existing arrangements.
3. Officer in consultation with portfolio holder.	Limited	Generally no referral mechanism except where specific provision made by Cabinet in which case referral to be in accordance with any specific provisions agreed by Cabinet. ¹ No change from existing arrangements where consultation required with Chairman and Vice-Chairman.
4. Portfolio holder	Yes	Prior to any decisions being taken, ² Portfolio holders must have consulted appropriate professional officer who will be responsible for obtaining any further advice necessary to ensure that the proposed decision is within the Council's legal powers and within the Council's overall policies and budgets. ³

Decisions affecting specific Wards are to be notified to Ward members within one working day. Ward members, with the agreement of a Group Leader, may, within two working days, request a review of decision. The request must identify reasons for review:-

- (a) Outside the powers of the Council.
- (b) Outside Council policy.
- (c) Outside budget provision and published programme.

The appropriate professional officer, taking any further advice which may be appropriate will, within two working days, consider if it falls within categories (a) – (c)⁴. If so, decision referred back to Portfolio holder for reconsideration. If decision not implemented no further action to be taken on implementation until completion of review.

If the decision is in accordance with law, policy and budget, Portfolio holder free to proceed and implement. Members requesting review to be notified of outcome.

In all cases, once Portfolio holder has decided to proceed, the Councillor and Group Leader may refer the matter to the appropriate Overview and Scrutiny Committee for review of all the circumstances. Such referral will not of itself be cause to delay implementation of any decision.

5. Cabinet

Yes

All reports to the Cabinet shall contain a statement from the Monitoring Officer and Section 151 Officer that implementation of any recommendations within the report will comply with the law, the Council's policies and budgets.³

All decisions taken by the Cabinet will be notified to all members within two working days. Within five working days, four members supported by any Group Leader can request a review of the decision giving reasons for review. The request must identify one of the following reasons:-

- a) Outside the powers of the Council.
- (b) Outside Council policy.
- (c) Outside Budget provision.

The appropriate professional officer, taking any further advice which may be appropriate will review the decisions taken and reaffirm that the certificates given at submission of the original report are still valid.⁴ Subject to this confirmation, decisions by the Cabinet can be implemented immediately. Members requesting the review to be notified of the outcome.

In the event that the decision has been implemented the four members supported by any Group Leader may request review of the decision by the appropriate Overview and Scrutiny Committee. Such review will not allow any decision to be rescinded.

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| 6. Development Control/Licensing | No | Not applicable. No change from existing arrangements. |
| 7. Council | No | Not applicable. No change from existing arrangements. |

Notes

- ¹ In these cases it is the officers' responsibility to ensure that any recommendations made and decisions taken are in accordance with law, policy and budget.
2. It will continue to be the appropriate Service Heads' responsibility to provide specialist advice which the Portfolio Holder will be required to obtain before taking action.
- 3 Prior to any matter being referred to a Portfolio holder or the Cabinet for decision it is the initiating or professional advising officer's responsibility to ensure that the outcome of consideration of any matter accords with the law, and Council policy and budgets. For this purpose he/she may need to consult the Monitoring Officer or the section 151 officer.
- ⁴ This will not be necessary if the recommendation/decision had received prior clearance by the Monitoring and Section 151 officers.

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NEW FOREST DISTRICT COUNCIL

GENERAL RESPONSIBILITIES – CABINET MEMBERS

For individual areas of responsibility and within any constraints imposed by legislation, approved Council Policy and Budgets, Cabinet Members shall:-

1. Be responsible for the efficient delivery of all services.
2. Request or commission research or other studies on matters of policy or service provision.
3. Develop and recommend new policies consistent with the overall strategic approach of the Council.
4. Set targets and monitor Officer performance in relation to the pursuance of policies and strategies.
5. Refer all matters with corporate and/or cross cutting implications to the Cabinet.
6. Give guidance on budget priorities.
7. Work in partnership with relevant external organisations – in particular Parish & Town Councils.
8. Approve responses to consultation papers issued by the Government and outside organisations.
9. Speak on behalf of the Council.
10. Represent the Council, or identify and appoint other Councillors to do so, on relevant external bodies.
11. Consider and develop proposals for the effective use of land and property.
12. Promote the core values of the Council as set out in corporate plans.
13. Facilitate and encourage public participation and consultation and ensure the effective communication of Council policies and strategies to all Councillors, employees, residents, partner organisations and other stake holders.

14. Receive representations from Councillors acting in their capacity as Ward Members in relation to the provision of services to residents in their areas.
15. Seek appropriate officer advice when making decisions under delegated powers.
16. Comply with the provision of any National and Local Codes of Conduct applicable to Councillors and in particular any provisions relating to interests.

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ROLE OF LEADER

1. Main Role

- Lead the Council to provide visible political leadership in relation to residents, stakeholders and partners in the design, preparation and implementation of Council policies, strategies, budgets and service delivery.
- Lead the development of local, regional, National and European policy and strategic partnerships.
- Lead on the development and implementation of the Council's corporate plan, best value performance plan and community plan.
- Lead all arrangements for the modernisation of the Council's political and management structures.
- Promote the development of the local economy.
- Promote the Council's core values and objectives.

2. Duties and Responsibilities

1. If delegated by the Council, to appoint members to the Cabinet and assign individual Portfolios.
2. To chair the Cabinet
3. To be the principal political Leader of the Council in developing strategic partnerships with residents, other local authorities, statutory and non-statutory organisations, the Government and its agencies and other stakeholders in relation to the development and implementation of strategic objectives and policies and delivery of services.
4. To have overall political responsibility for:-
 - (i) Strategic policy innovations
 - (ii) Design, preparation, implementation and monitoring of the corporate plan, best value performance plan and the community plan.
 - (iii) Strategic financial management including the revenue and capital budgets and financial monitoring.
 - (iv) Communications with Councillors, employees, residents, stakeholders and all other external organisations.
 - (v) Setting the Council's business strategy to meet the Government's best value regime.
 - (vi) Implementation of new political and management structures to meet any legislative duties placed upon the Council to ensure open and accountable decision-making and effective delivery of services.
 - (vii) Development of arrangements to facilitate community consultation and involvement in the Council's decision-making processes.

- (viii) Human resource planning, with particular reference to ensuring maintenance of good employee relations, employee training and development policies and implementing systems for performance appraisal of all employees.
- 5. To undertake those tasks shown in Schedule 1 in respect of the duties for which the Leader assumes personal responsibility.

SCHEDULE 1

PORTFOLIO – LEADER

1. With regard to the corporate and community plans, be the principal political adviser on:-
 - (i) The strategic content.
 - (ii) The principal policy issues to be included.
 - (iii) Identification of the Council's vision, core values and strategic objectives.
 - (iv) Arrangements for involving the Council, employees, residents and other stakeholders in their preparation.
 - (v) Ensuring that the strategic objectives are disseminated throughout the District.
 - (vi) Implementation of appropriate reviews to ensure their currency.

2. With regard to the Best Value Performance Plan, be the principal political adviser on:-
 - (i) Implementation of a corporate approach to fundamental performance reviews.
 - (ii) Identification of the programme of service related and cross cutting reviews.
 - (iii) Setting performance targets.
 - (iv) Ensuring targets, including intermediary milestones, are met.
 - (v) Identifying areas of service provision for further review.
 - (vi) Identifying the need for development of new policies and strategies following Best Value reviews.
 - (vii) Consultation arrangements necessary to ensure effective review processes.

3. In respect of implementation of new political and management structures lead the Council on:-
 - (i) Consideration of all options available.
 - (ii) Arranging appropriate consultations with residents, the business community and other stakeholders and considering the outcome of such consultations.
 - (iii) Adoption of a Constitution and other documents relating thereto for the Council.
 - (iv) Continual review of the Constitution and working arrangements under any system adopted by the Council.
 - (v) Implementation of changes of officer structures to ensure that adequate support is provided to all members of the Council in their new roles.

4. With regard to the Council's capital and revenue budgets, be responsible for ensuring:-
 - (i) that appropriate financial strategies are adopted, to facilitate the short, medium and long term financial health of the Authority.
 - (ii) that proposals for expenditure and income are prepared for discussion by Cabinet and the relevant Overview and Scrutiny Committees to enable the Council to meet its statutory duties, particularly with respect to the determination of the Council Tax.
 - (iii) implementation of appropriate levels of financial monitoring and forecasting of out-turn levels of expenditure and income.

- (iv) that appropriate controls are put in place to ensure compliance with the Council's approved budgets.
- (v) that appropriate action is taken where the approved budget is likely to be overspent or underspent, including the submission of reports to the Cabinet and the Council.

APPENDIX 5
NEW FOREST DISTRICT COUNCIL

TERMS OF REFERENCE

CABINET

1. To exercise all functions of the Council except:-
 - a. Those which may only be discharged by the Council.
 - b. Those which are the responsibility of the Overview and Scrutiny Committees.
 - c. Those matters relating to regularity and licensing activities which have been delegated to the Development Control and Licensing Committees.
 - d. Those matters delegated to the Standards Committee.
2. To appoint such Sub-Committees to undertake the functions within these Terms of Reference as it deems appropriate and to determine their powers and extent of delegated powers.
3. To delegate such of its functions as it deems appropriate to officers of the Council.
4. Where required by statute, or the Council's constitution, to consult with Overview and Scrutiny Panels, external bodies or others on policy and strategy proposals prior to implementation or submission of those proposals to Council
5. To consider and make decisions on Reports and Recommendations from its own Sub-Committees and Panels and from the Overview and Scrutiny Panels.

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APPENDIX 6
NEW FOREST DISTRICT COUNCIL

TERMS OF REFERENCE

STANDARDS PANEL

To exercise the following functions of the Council:-

1. Preparation, implementation and review of the overall ethical framework for the Council.
2. Preparation of a Local Code of Conduct within any overall parameters set by Government or legislation and to make recommendations, thereon to Council.¹
3. Advising the Council on any revision of the Code of Conduct and monitoring its operation.²
4. Assisting Members and Officers of the Council to observe the Councils Code of Conduct.
5. Advising Members and Officers on compliance with the Code and training or arranging training for Members and Officers to enable them to comply with such Code.
6. Considering any matters referred to it by the National Standards Board following an investigation by Ethical Standards Officers.³
7. Considering and making recommendations to Council on the provision of facilities and other support to elected Members of the Council.
8. Commissioning and receiving Reports of the Members Allowances Panel and making recommendations thereon to Council.
9. Management and control of all Public Registers of Members and Officers interests and arrangements for the operation of any systems relating thereto.

¹ This Code can only be prepared or revised after Government have issued the National framework and Models for this purpose.

² Arrangements for training will be made after adoption of the Code.

³ This function cannot be implemented until the Local Government Bill has been enacted.

APPENDIX 7
NEW FOREST DISTRICT COUNCIL

TERMS OF REFERENCE

DEVELOPMENT CONTROL COMMITTEE

1. To determine all applications for planning permission, lawful development certificates, footpath diversion orders, advertisement consent, listed building consent, conservation area consent, tree work applications and hazardous substances consent under the Town and Country Planning Act 1990; the Planning (Listed Buildings and Conservation Areas) Act 1990; the Planning (Hazardous Substances) Act 1990; and the Town and Country Planning General Regulations 1992 and any related or amended statutes, including the determination of any application involving a departure from the development plan.
2. To take appropriate decisions on breaches of planning control including the service of Enforcement Notices, Breach of Condition Notices, Stop Notices and Injunctions under the Town and Country Planning Act 1990 and in respect of any contraventions under the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Planning (Hazardous Substances) Act 1990.
3. To serve Section 215 Notices (proper maintenance of land) under the Town and Country Planning Act 1990.
4. To determine applications for Certificates of Appropriate Alternative Development under the Land Compensation Act 1961.
5. To authorise the preparation of planning obligations under Section 106 of the Town and Country Planning Act 1990.
6. Where necessary, to refer applications to the Site Visit Working Party, for a site visit to be held prior to its determination.
7. To liaise with the Cabinet in the preparation of Development Plans and to make recommendations thereon to Council.¹

¹ This will be a statutory requirement when Local Government Bill enacted.

APPENDIX 8
NEW FOREST DISTRICT COUNCIL

TERMS OF REFERENCE

LICENSING COMMITTEE

1. To be responsible for all matters relating to the administration of Licenses determined by the Council, including the delegation of functional responsibility to individual Officers for determination of any application for any Consent, License, Certificate, Permit, Registration or the like and:
 - a. Where there is no right of appeal, to deal with appeals against any decisions of Officers in relation to the grant, renewal, transfer, variation, refusal, revocation, suspension or imposition of condition; and
 - b. Where there is a right to be given the opportunity to appear before and be heard by a Committee or Sub-Committee of the Council, to hear and determine such cases as are referred to the Committee.

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APPENDIX 9
NEW FOREST DISTRICT COUNCIL

TERMS OF REFERENCE

INDUSTRIAL RELATIONS CONSULTATIVE COMMITTEE

1. To examine and discuss major issues of concern to the Council and its employees, always provided that no question of individual discipline, grievance or grading shall be within the scope of the Consultative Committee unless referred to it by the Council or by a Committee of the Council.
2. To consider any relevant matter referred to it by a Committee of the Council, the Chief Executive or by any of the trades unions.
3. To consider and negotiate upon alterations to local conditions of service.
4. To consider disputes about the application and interpretation of conditions of service.
5. To keep under review the conditions of employment, organisation and training of the Council's employees.
6. To negotiate procedure agreements, including the disciplinary, disputes and grievance procedures.
7. To discharge such other functions as are specifically assigned to the Consultative Committee.

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APPENDIX 10
NEW FOREST DISTRICT COUNCIL

TERMS OF REFERENCE

DISCIPLINE AND GRIEVANCE APPEALS PANEL

1. To exercise the functions of the Cabinet, subject to compliance with any criteria which the Cabinet might set, in relation to determining appeals against:-
 - a. Disciplinary matters which have to be dealt with by a Panel of Members in accordance with a Disciplinary Manual.
 - b. Appeals by employees under the Disciplinary & Grievance procedures.
 - c. Appeals by employees selected for redundancy under the Council's Policy for redundancy.

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APPENDIX 11
NEW FOREST DISTRICT COUNCIL

TERMS OF REFERENCE

COUNCIL TAX BENEFIT REVIEW BOARD

1. To decide applications for a further review of determinations on claims for Council Tax Benefit.

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HOUSING BENEFIT REVIEW BOARD

1. To decide applications for a further review of determinations on claims for Housing Benefit.

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APPENDIX 12

INDICATIVE PORTFOLIOS – INITIAL GROUP LINKAGES

PORTFOLIO

SERVICE LINK

COMMUNITY SAFETY

- Health and safety
- Emergency planning
- Crime and Disorder

Road Safety
Environmental Health
Emergency planning

HEALTH AND SOCIAL EXCLUSION

- Poverty and Welfare
- Inclusion/access
- Care
- Health Economy

Public conveniences
Environmental Health
Concessionary travel
Pest Control
Dog Wardens
Refuse Collection
Street Cleaning
Housing Benefits
Meals on Wheels

HOUSING AND COUNCIL TAX

- Benefits

Housing landlord (stock transfer)
Housing need
Housing Strategy
Improvement Grants

ECONOMY AND ENVIRONMENT

- Planning strategy
- Economic development
- Transportation

Development Control
Engineering
Planning Policy
Economic development
Building control
Highways
Grounds maintenance including cemeteries
Built and natural environmental (planning)
Car park management
Tourism

CULTURAL ACTIVITY

- Sport
- Arts
- Tourism
- Museums and Heritage
- Open space

Leisure

RESOURCES

- Finance strategy
- Personnel
- I.T.
- Democratic support and legal
- Asset management

Finance
Personnel
I.T.
Administration

LEADER

- Policy and strategy
- Public Relations
- Modernisation
- Human Resources
- Community Planning and Involvement
- Best Value – Business strategy

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NEW POLITICAL STRUCTURES

ACTION PLAN

DATE		ACTION	AUTHOR
10 January 2000	Outline of proposals to OMT		TS
14 January 2000	Complete draft reports on:		
	<ul style="list-style-type: none"> • Local Government Bill 		TS
	<ul style="list-style-type: none"> • Proposed Member Structures after enactment of Bill including description of roles of Leader and Cabinet and Portfolios 		TS
	<ul style="list-style-type: none"> • Roles of Overview and Scrutiny (representative) members and committees. 		TS
	<ul style="list-style-type: none"> • Interim arrangements prior to implementation of Bill to include winding up of existing Service Committees and appointment of new Regulatory committees (Development Control and Licensing). 		TS
	Appointment of Working Party to review Members' Allowances.		TS

17 January 2000	<ul style="list-style-type: none"> • Timetable and Action Plan for Implementation of new structures 	TRS
	<ul style="list-style-type: none"> • Circulate Draft Reports to DMT's and Employee Side 	TRS
27 January 2000	<ul style="list-style-type: none"> • First Meeting of Modernisation Working Party 	RR/TS/CEX/S Leach
8 February 2000	<ul style="list-style-type: none"> • Member Working Party to discuss further issues to proposals & identify a way forward 	S Leach/CEX/TS
16 February 2000	<ul style="list-style-type: none"> • Working party recommendations considered by Policy and Resources Committee 	RR/TS/CEX
28 February 2000	<ul style="list-style-type: none"> • Structural framework agreed by Council NB: This relates only to favoured option to be adopted. Decisions on Terms of reference of any Committees, number and content of Portfolios to be determined later. 	RR
Late February 2000	<ul style="list-style-type: none"> • Circulate Reports to be considered by OMT to DMTs & Employee side for comment 	TS
	<ul style="list-style-type: none"> • Proposals to OMT on:- <ul style="list-style-type: none"> ❖ Options agreed by Policy and Resources Committee and W.P. Workshop on 8/2/00 	TS
	<ul style="list-style-type: none"> ❖ Suggestions on Portfolios 	NJG/TS
	<ul style="list-style-type: none"> ❖ Terms of Reference of <ul style="list-style-type: none"> • Cabinet • Advisory Cabinet and Interim P & R Cttee Committee 	TRS
	<ul style="list-style-type: none"> ❖ Scrutiny Committees 	TRS
	<ul style="list-style-type: none"> ❖ "Call in" processes and usage 	TRS
	<ul style="list-style-type: none"> ❖ Regulatory Committees 	TRS
	<ul style="list-style-type: none"> ❖ Changes, if any, in delegation arrangements. 	TRS/RR
	<ul style="list-style-type: none"> ❖ Job Descriptions for Leader/Cabinet/Representative members 	TRS

- ❖ Arrangements for appointment of Allowances Working Party (i.e. membership & terms of reference) RR
- ❖ Amendments to Standing Orders TRS
- ❖ Linkages to Community Plan KS
- ❖ Arrangements for supporting Cabinet, meetings generally and the overview and scrutiny role. TRS/CEX/KI/RR
- ❖ Compliance with Consultation requirements for new structures TRS/KS/HR

10 March 2000	<ul style="list-style-type: none"> • Commence preparation of Draft Constitution 		TR
15 March 2000	<ul style="list-style-type: none"> • Second meeting of Modernisation Working Party to consider draft proposals following workshop meeting of W.P. on 8/2/00 	TRS/CEx	
24 March 2000	<ul style="list-style-type: none"> • Complete first draft of Constitution 		TR
4 April 2000	<ul style="list-style-type: none"> • Working Party Recommendations to Policy and Resources Committee. 	RR/TRS	
17 April 2000	<ul style="list-style-type: none"> • Working Party proposals to date approved by Council. 	RR/TRS	
18 April 2000	<p>Prepare documentation for initial first stage consultation on post May 2001 structures.</p> <ul style="list-style-type: none"> ❖ Parish and Town Councils ❖ Residents ❖ Business Interests ❖ Community Groups <ul style="list-style-type: none"> • Prepare documentation for initial first stage consultation with Members/Employees.))TRS/KS/HR)	
Early May 2000	<ul style="list-style-type: none"> • Initiate consultation on new structures. 	TRS/KS/HR	

June 2000	<ul style="list-style-type: none"> Review responses on initial first stage consultations 	TRS/KS/HR
Late June/early July 2000	<ul style="list-style-type: none"> Report to OMT/Leader on consultee responses and final interim and new structures . 	TRS/KS/HR
July 2000	<ul style="list-style-type: none"> Report to Working Party on first stage consultation with proposals, if any, for changes. 	TRS/KS/HR
July 2000	<ul style="list-style-type: none"> Report to Working Party on Proposals for initial interim and final structures 	TR
Late August/early September 2000	<ul style="list-style-type: none"> Special Meetings of P & R and Council to adopt Working Party proposals 	TRS
July/August	<ul style="list-style-type: none"> Consider Government's proposals on ethics and probity Codes and prepare reports 	TR
September 2000	<ul style="list-style-type: none"> Circulate new structure details to all Councillors and Employees. Member training on new arrangements Officer training on new arrangements. 	<p>TRS</p> <p>S.Leach/CEx/TRS/Leader CEx/TRS/Leader</p>

	<ul style="list-style-type: none"> • Leader requested to nominate/appoint Cabinet members with their Portfolios. 	RR
	<ul style="list-style-type: none"> • Leader and Opposition Group Leaders requested to nominate <ul style="list-style-type: none"> ❖ Overview and Scrutiny Members ❖ Regulatory Committee Members 	RR RR
Late September 2000	<ul style="list-style-type: none"> • Deadline for nominations from Leaders for appointments 	Leader/Opp Leaders
	<ul style="list-style-type: none"> • Circulate new structure and memberships to all Councillors and Employees 	RR/TRS
October 2000	<ul style="list-style-type: none"> • Go live with interim arrangements 	TRS
November 2000	<ul style="list-style-type: none"> • Consider second stage consultation requirements. 	TRS/KS/HR
November 2000	<ul style="list-style-type: none"> • Undertake second stage consultation 	TRS/KS/HR
January/February 2001	<ul style="list-style-type: none"> • Review responses to second stage consultation 	TRS/KS/HR

January/March 2001	<ul style="list-style-type: none"> • Work up final scheme for <ul style="list-style-type: none"> ❖ Implementation ❖ Publicity ❖ Submission to Secretary of State))TRS)
March/April 2001	<ul style="list-style-type: none"> • Implement further Member & Employee training. 	Leader/CEx/TRS
April 2001	<ul style="list-style-type: none"> • Submit new/final structures to Secretary of State 	TRS
May 2001	<ul style="list-style-type: none"> • Go live with new (final) member structures. 	TRS/RR

Note 1: Dates will need to be added to this Plan for the Leader to meet with and discuss the proposals with DMT's.

Note 2: Throughout the period of this timetable consultation will be required with members and employees on individual issues and reports relating to the new structures. Not all consultations are specifically identified within this timetable.

Note 3: It may be necessary to adjust dates of certain meetings depending on availability of members, S Leach, officers and accommodation.

ENFORCEMENT CONCORDAT

The Principles of Good Enforcement: Policy and Procedures

This document sets out what business and others being regulated can expect from enforcement officers. It commits us to good enforcement policies and procedures. It may be supplemented by additional statements of enforcement policy.

The primary function of central and local government work is to protect the public, the environment and groups such as consumers and workers. At the same time, carrying out enforcement functions in an equitable, practical and consistent manner helps to promote a thriving national and local economy. We are committed to these aims and to maintaining a fair and safe trading environment.

The effectiveness of legislation in protecting consumers or sectors in society depends crucially on the compliance of those regulated. We recognise that most businesses want to comply with the law. We will, therefore, take care to help business and others meet their legal obligations without unnecessary expense, while taking firm action, including prosecution where appropriate, against those who flout the law or act irresponsibly. All citizens will reap the benefits of this policy through better information, choice and safety.

We have therefore adopted the central and local government Concordat on Good Enforcement. Included in the term 'enforcement' are advisory visits and assisting with compliance as well as licensing and formal enforcement action. By adopting the concordat we commit ourselves to the following policies and procedures, which contribute to best value, and will provide information to show that we are observing them.

Principles of Good Enforcement: Policy

- **Standards**

In consultation with business and other relevant interested parties, including technical experts where appropriate, we will draw up clear standards setting out the level of service and performance the public and business people can expect to receive. We will publish these standards and our annual performance against them. The standards will be made available to businesses and others who are regulated.

- **Openness**

We will provide information and advice in plain language on the rules that we apply and will disseminate this as widely as possible. We will be open about how we set about our work, including any charges that we set, consulting business, voluntary organisations, charities, consumers and workforce representatives. We will discuss general issues, specific compliance failures or problems with anyone experiencing difficulties.

- **Helpfulness**

We believe that prevention is better than cure and that our role therefore involves actively working with business, especially small and medium sized businesses, to advise on and assist with compliance. We will provide a courteous and efficient service and our staff will identify themselves by name. We will provide a contact point and telephone number for further dealings with us and we will encourage business to seek advice/information from us.

Applications for approval of establishments, licenses, registrations etc will be dealt with efficiently and promptly. We will ensure that, wherever practicable, our enforcement services are effectively co-ordinated to minimise unnecessary overlaps and time delays.

- **Complaints about service**

We will provide well publicised, effective and timely complaints procedures easily accessible to business, the public, employees and consumer groups. In cases where disputes cannot be resolved, any right of complaint or appeal will be explained, with details of the process and the likely timescales involved.

- **Proportionality**

We will minimise the costs of compliance for business by ensuring that any action we require is proportionate to the risks. As far as the law allows, we will take account of the circumstances of the case and the attitude of the operator when considering action.

We will take particular care to work with small businesses and voluntary and community organisations so that they can meet their legal obligations without unnecessary expense, where practicable.

- **Consistency**

We will carry out our duties in a fair, equitable and consistent manner. While inspectors are expected to exercise judgement in individual cases, we will have arrangements in place to promote consistency, including effective arrangements for liaison with other authorities and enforcement bodies through schemes such as those operated by the Local Authorities Co-ordinating Body on Food and Trading Standards (LACOTS) and the Local Authority National Type Approval Confederation (LANTAC).

Principles of Good Enforcement: Procedures

Advice from an officer will be put clearly and simply and will be confirmed in writing, on request, explaining why any remedial work is necessary and over what timescale, and making sure that legal requirements are clearly distinguished from best practice advice.

Before formal enforcement action is taken, officers will provide an opportunity to discuss the circumstances of the case and, if possible, resolve points of difference, unless immediate action is required (for example, in the interests of health and safety or environmental protection or to prevent evidence being destroyed).

Where immediate action is considered necessary, an explanation of why such action was required will be given at the time and confirmed in writing in most cases within five working days and, in all cases, within ten working days.

Where there are rights of appeal against formal action, advice on the appeal mechanism will be clearly set out in writing at the time the action is taken (whenever possible this advice will be issued with the enforcement notice).